274
1834
1140
302

F. P.

Tuesday 3rd January 1854

At a Court of the Foujdaree Adalut

Present

G. S. Cooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire

} Puisne Judges

Read letter dated the 23rd December 1853 from the Session Judge of Salem submitting the final Judgment of the Foujdaree Adalut the Record of Case No. 38 of 1853 on the file of the Session Court

(The inter F. P. No. 2797 of 1853)

Mr. W. A. Morehead.

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

"Lingun"

is sufficient to convict him of the crime of Assault, for which according to the Mahomedan Law as declared in fulwas of their Law Officers discretionary punishment is awardable, do convict him thereof, and under the provisions of Clause third Section VII Regulation XV of 1803, and Section XXXIV Act VIII of 1843, sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public

work

works for and during the priod of (7) Seven years.-

(Sent in No.)

Read Calendar of Case No. 91 of 1853
of the Session Court of Bellary.-

(Here enter Ft. No. 2677 of 1853)

The Court of Foujdaree Udalut approve
of the recommendation made by the Session Judge in the
Case that the imprisonment, which the Prisoners noted
in the margin have been adjudged to suffer on their con-
viction of the crime of Robbery be reduced to (7) Seven years
imprisonment with hard labor in irons, and they do authori-
the Session Judge to issue his warrant accordingly.-

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

C. Hanoomah
V. Hanoomah
N. Komlegah
Sunjeevoo
Bhintoogah
Thimmadoo
C. Kawligah
Goolookadoo
Goolooday alias Thimmadoo.
Mooslegadoo.

(Sent in No.)

Read Calendar of Case No. 93 of 1853
of the Session Court of Bellary.

(Here enter Ft. No. 2679 of 1853.

The Court of Foujdaree Udalut approve
of the recommendation made by the Session Judge in this
Case that the imprisonment, which the Prisoner noted
in the margin has been adjudged to suffer on his conviction
of the crime of House breaking with Theft be reduced to

Shahmirah.

to (3) three years imprisonment with hard labor in
they do authorize the Session Judge to issue his warrant

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

(Sent in No.)

Read Calendar of Cases No.
of 1853 of the Session Court of Guntoor.-

(Here enter Ft. No. 2696 of 1853)

The Court of Foujdaree Udalut appro
of the recommendation made by the Session Judge in this Case

Sk. Jan Koola Saupadoo.

that the imprisonment, which the Prisoner noted in the marg
has been adjudged to suffer on his conviction of the crime
laid to his charge be reduced to (7) Seven years imprisonme
with hard labor in irons, and they do authorize the Session
Judge to issue his warrant accordingly.-

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

(Sent in No.)

Read petty Calendars of the Magis-
-tracy for the 3rd quarter of 1853 submitted by the Session
Judge of Bellary.-

(Here enter Ft. No. 2703 of 1853.)

The charges in the above Calendars

are

January 1854.

are defective. The particular acts charged against the prisoners should be set forth and the statement should not be confined as they are in the Calendars under review to the mere titles of the offences alleged.—

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

4th Wells

(Sent in No.)

F. C.

Wednesday 11th January 1854. } At a Court of the Foujdaree Udalut

Present:

G. S. Cooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Puisne Js.

Read Calendar of Case No. 2 of the file of the Session Court of Rajahmundry.—

/Here enter F.C. No. 2690 of 1853./

1. The 2d and 3d prisoners in the above case were charged "with having been concerned" in the theft which was the subject of enquiry.—

2 The Court of Foujdaree Udalut observe that this clause is too vague to have afforded the accused any information as to the nature of the offence alleged against them.—

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

(Sent in No.)

Read Criminal Reports submitted by the Acting Session Judge of Nellore for the Month of November 1853.—

Here

4th January 1854.

Case No. 160.

Mr. Cl. Hooper and Mr. L. Thange.

1.

In this Case the prisoner was charged with attempt at house breaking.-

2.

The charge should have set forth the act or circumstance indicative of the prisoners intention and it is defective in consequence of the omission to do so.-

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Nellore for his information and guidance.-

(Sent in No.)

Read letter under date the 16th Ultimo from the Agent to the Governor of Fort St. George at Ganjam submitting for the final judgment of the Foujdaree Udalut a report of the trial of Case No. 22 of 1853 on the Criminal file of his Court.-

/ Here enter F. C. No. 2791 of 1853 /

The Court of Foujdaree Udalut concur with the Agent in the conviction of the Prisoner in this Case of the crime charged against him, and in accordance with the recommendation of that Officer, resolve to direct that the Prisoner

Soorah Joomunee

be imprisoned and kept to hard labor for and during the period of (2) two years under the provisions of clause 3rd Section IV

Regulation

4th January 1854.

Regulation IV. of 1803.-

Ordered that Extract from these proceedings be sent to the Agent at Ganjam for his information and guidance.-

(Sent in No.)

Read letter under date the 16th Ultimo from the Agent to the Governor of Fort St. George at Ganjam, submitting for the final Orders of the Foujdaree Udalut a summary of the evidence in Criminal Case No. of 1853 on the file of his Court.-

/ Here enter F. C. No. 2792 of 1853 /

1.

The Prisoner in this Case was charged with "having on the night of the 8th December 1853 gone forth in company with a large gang of Sowrahs armed with clubs bows and arrows with intent to commit robbery." The Agent being of opinion that the charge had been fully proved, recommends that the Prisoner be sentenced to four years imprisonment with hard labor in irons and to receive fifty stripes.-

3.

The Court of Foujdaree Udalut concur in the conviction of the Prisoner Sowrah Thuddia, and under the provisions of Clause fourth, Section IV, Regulation XV of 1803 resolve to direct that he be imprisoned and kept to hard labor in irons for and during the period of /4/ four years.-

The

4

The Infliction of the [illegible] by the Court observe is not awardable under the provisions of the Law quoted.—

Ordered that Extract from these Proceedings be sent to the Agent at Ganjam for his information and guidance.—

(Sent in No.)

Read letter under date the 24th December 1853 from the Sessions Judge of Salem submitting for the final judgment of the Foujdaree Udalut the record of Case No. 35 of 1853 on the file of the Sessions Court.—

/ Here enter F.M. No. 2796 of 1853 /

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

Yacob Saib.

alias

Baraje of Sholavaram

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

(Sent in No.)

Read Calendar of Case [illegible] 1853 submitted by the Sessions Judge of Combaconum under date the 30th December 1853.—

/ Here enter F.M. No. 1 of 1854. /

Read Calendar of Case No. [illegible] submitted by the Sessions Judge of Tellicherry under date the 14th December 1853.—

/ Here enter F.M. No. 9 of 1854. /

Read Calendar of Case No. 22 of 1853 submitted by the Sessions Judge of Rajahmundry under date the 28th December 1853.

/ Here enter F.M. No. 2 of 1854. /

Read Calendar of Case No. 23 of 1853 submitted by the Sessions Judge of Rajahmundry under date the 28th December 1853.—

/ Here enter F.M. No. 3 of 1854. /

E. F. Thomas

F. H.

Friday 5th January 1854. } At a Court of the Foujdaree Udalut.

Present:

G. S. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Calendar of Case No. 18 of [illegible] of the Session Court of Honore.

/Here enter F. H. No. 2750 of 1853./

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in the Case that the imprisonment, which the Prisoner noted in the margin Timmah. has been adjudged to suffer on his conviction of the crimes laid to his charge, be reduced to /3/ three years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.—

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

(Sent in No.)

Read Calendar of Case No. 96 of 1853 of the Session Court of Bellary.—

Here

F. U.

Friday 6th January 1854. } At a Court of the Foujdaree Udalut

Present:

G. L. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Calendar of Case No. 18 of List of the Session Court of Honore.

/Here enter F. U. No. 2750 of 1853./

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the Prisoner named in the margin has been adjudged to suffer on his conviction of the crimes laid to his charge, be reduced to/3/ three years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.—

Timmah.

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

(Sent in No.)

Read Calendar of Case No. 960 of 1853 of the Session Court of Bellary.—

Here

/Here enter F.C. No. 2745 of 1853/

The Court of Foujdaree Udalut

of the recommendation made by the Sessions Judge in the

Case that the imprisonment, which the Prisoner noted in

Ponha Somoyadoo. the margin has been adjudged to suffer on his conviction of

the crime of "Robery" be reduced to /5/ five years' imprison-

ment with hard labor in irons, and they do authorize the

Sessions Judge to issue his warrant accordingly.-

Ordered that Extract from these Pro-

ceedings be forwarded to the Sessions Judge of Bellary

for his information.-

(Sent in No.)

Read Calendar of Cases Nos 81 and

82 of 1853 of the Session Court of Masulipatam.-

/Here enter F.C. No. 2761 of 1853/

The Court of Foujdaree Udalut

prove of the recommendation made by the Sessions Judge

Ahmud. in this Case that the imprisonment, which the Prisoner

noted in the margin has been adjudged to suffer on his

conviction of the crimes laid to his charge, be remitted

to /3/ three years imprisonment with hard labor in irons

and they do authorize the Session Judge to issue his

warrant accordingly.-

Ordered that Extract from these

Proceedings

Proceedings be forwarded to the Sessions Judge of Masulipatam

for his information.-

(Sent in No.)

Read letter from the Session Judge of

Bellary dated the 9th December 1853.-

/Here enter F.C. 2690 of 1853./

1. With reference to proceedings of the Foujdaree Udalut under date the 5th December remarking upon the defective entry of a charge of perjury in the monthly reports submitted by him for the month of October 1853 the Session Judge submits that the abstract compiled with the requisitions of Circular Order Foujdaree Udalut of 12th May 1832 which directs that as in all other cases an abstract only of charges of perjury should be entered in the monthly reports and that the particulars should appear only in the Calendars submitted to the Session Courts.-

2. On further consideration the Court of Foujdaree Udalut observe that the mode of entry adopted in the case in question was justified by the Circular Order quoted and direct that it be followed in future.-

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

for

6th January 1854.

for her information.

(Sentence No.

Read letter under date the 2d January 1854 from the Session Judge of Cuddapah reporting the execution of the Prisoner in Case No. 31 of the Calendar for 1853.

(Here enter F.C. No. 15 of 1854)

Read letter under date the 3d January 1854 from the Session Judge of Chittoor forwarding the Life Report &c. of the Convict stationed at Arcot for the month of November 1853.

(Here enter F.C. No. 16 of 1854)

Read Returns under date the 30th December 1853 from the Session Judge of Calicut to the precept of the Foujdaree Udalut under date the 24th December 1853 directing the immediate release of the Prisoner Tagathan Coolooisa in Case No. 28 of 1853 on the Calendar of the Sessions Court of Calicut.

(Here enter F.C. No. 17 of 1854)

Read Calendar of Case No. 67 of 1853 submitted by the Session Judge of Caliaut under date the 30th December 1853.

(Here enter F.C. No. 19 of 1854)

F. C.

Saturday 7th January 1854.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre. ——— Puisne Judge

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

T. L. Strange Esqre. ——— Puisne Judge

Read Calendar of Cases No. 3 of 1853 of the Session Court of Salem.

(Here enter F.C. No. 2718 of 1853)

The Court of Foujdaree Udalut are

1 of opinion that a sentence of (3) three 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 they resolve to call upon the Session Judge to reduce his sentence accordingly.

2 If unable to concur with the Court in the propriety of the mitigated sentence now proposed the Session Judge will be pleased to submit an English translation of the entire record of the case for their consideration.

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

7th January 1854

Salem by Receipt returnable within x days from
and after its receipt.

(Sent following precept N:

Read letter under date the 22
December 1853 from the Magistrate of North Arc
(Bengal Jud. Con. 7 Dec. N: 2782 A of 1853)

1 In the foregoing letter the Magi
requests the opinion of the Court of Kingsbury Wal
as to the legality of a warrant which has been for
ed to him for endorsement by the Superintendent
Police at Bangalore the said warrant being a
for the apprehension of certain persons now residing
within the limits of the District of North Arcot w
are charged with a fraud said to have been commi
in the Cantonment of Bangalore.

2 1 It appears to the Court of Kingsbu
Walut that with reference to the provisions of Sect
Regulation XII of 1832, it is not competent to the Super
tendent of Police in a Military Bazar station to
a warrant for the apprehension of any person not
residing within his jurisdiction, and that therefore
in the case under notice, the charge which has been
to the issue of the warrant the legality of which is
question must be preferred before the Magistrate

of

7th January 1854

of North Arcot, to justify the latter Officer in taki
any steps for the apprehension of the accused

The Court direct that the papers
3
submitted with the Magistrates letter be retu
to him.

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

(Sent in No: 8

E. Thomas

F. U.

Monday 4th January 1854 — At a Court of the Fouzdaree Udalut

Present

The Hon'ble G. S. Hooper Esquire
W. A. Morehead Esquire
W. T. L. Strange Esquire
} Puisne Judges

Read Miscellaneous Petition presented on the 24th November 1853 by Soorapah of the Zillah of Cuddapah (Here enter F. M. P. No 1757 of 1853)

The Court of Fouzdaree

Mr. G. S. Hooper

Udalut referred the Petitioner in their proceedings dated the 18th July 1853 to the Sessions Court for redress.

2. The Petitioner has repeatedly his applications to the Court of Fouzdaree Udalut, who resolve to reject this Petition referring the Petitioner to their order above noticed.

Ordered that extract from these proceedings be furnished to the Petitioner upon his application.

Read Calendar of Case

No. 95

9th January 1854.

No 95 of 1853 on the file of the Sessions Court of Bellary.

(Here enter F. C. No 2716 of 1853)

1 This case in which the prisoners are charged with robbery by open violence attended with personal injury has been remanded by the Session Judge to the Subordinate Court on the ground that a female the sister of the prosecutor whom the prisoners are charged with having severely injured, had not been examined.

2 The Court of Foujdaree Udalut are of opinion that the Case should not have been remanded on the ground stated, and they resolve to direct that the Sessions Judge will recall it, and proceed to trial, when the necessary evidence is obtained by him.

Ordered that extract from these proceedings be sent to the Sessions Judge of Bellary by precept returnable in 6 days from and after its receipt.

(Sent following precept No

Read Criminal reports for the month of October 1853, submitted by the Sessions Judge

9th January 1854.

Judge of Tinnevelly.

(Here enter F. C. No 2749 of 1853)

No 108

1 In this case the prisoner convicted of house breaking and theft to the value of Rs. 18-2- was sentenced to two years imprisonment. The Court of Foujdaree Udalut resolve to call upon the Sessions Judge to review the case, as the sentence appears unnecessarily severe.

No 110

2 The prisoner convicted of cattle stealing, was sentenced to one years imprisonment. As the Court of Foujdaree Udalut are of opinion that a sentence of six months will suffice, they request the Sessions Judge to review the case.

Ordered that extract from these proceedings be sent to the Sessions Judge of Tinnevelly by precept returnable in ~~x~~ days from and after its receipt.

(Sent following precept No

Read Miscellaneous Petition presented on the 31st December 1853 by Arthur Ritchie Esqr. Vakeel on behalf of Poolatatha Imbichootty alias Krishnan Nair of Tellah Calicut.

(Here enter F. C. No 194 of 1853)

The

The Court of Sessions

Udalut resolve to direct that an Engli
Translation of the record of Case
of 1853 on the Calendar of the Se
Court of Calient, may be submitted
for their consideration with a little
delay as possible.

Ordered that extract from
these proceedings be sent to the Sessio
Judge of Calient by precept returnable
in 15 days from and after its receipt.
Sent following precept No

Ordered also that extract from
these proceedings be furnished to petitioner
Vakeel on his application.

Read Report dated the 2d Ins
stant submitted by the Acting Sessions Judge
of Cuddalore of Cases pending on the 1st Jan
uary 1854 Committed for trial during the
month of November 1853.

(Here enter F. U. No 24 of 1854)

Read Report dated the 2d In
stant submitted by the Sessions Judge of
Guntoor of Cases pending on the 30th November

and

and committed for trial during the Mon
of December 1853.

(Here enter F. U. No 27 of 1854)

Read Calendar in Case
No 34 of 1853 submitted by the Sessions
Judge of Nellore dated the 4th Instant

(Here enter F. U. No 28 of 1854)

Read Calendar of Case No 2
of 1853, submitted by the Sessions Judge
of Combaconum dated the 4th Instant

(Here enter F. U. No 32 of 1854)

Read Criminal Report
dated the 1st December 1853, submitted
by the Sessions Judge of Salem for the
month of November 1853.

(Here enter F. U. No 31 of 1854)

Read Calendar of Case No 41
of 1853 submitted by the Sessions Judge of
Salem dated the 3d Instant.

(Here enter F. U. No 33 of 1854)

Read Calendar of Case No 42
of 1853 submitted by the Sessions Judge
of Salem dated the 3d Instant.

(Here enter F. U. No 34 of 1854)

Read Calendar in Case No 43
of

of 1853 submitted by the Sessions Judge
of Salem dated the 24th December 1853.

(Here enter F. U. No. 35 of 1854)

Read Calendar of Case No. 44
of 1853 submitted by the Sessions Judge
of Salem dated the 24th December 1853.

(Here enter F. U. No. 36 of 1854)

Read Calendar of Case No.
45 of 1853 submitted by the Sessions Judge
of Salem dated the 30th December 1853.

(Here enter F. U. No. 37 of 1854)

Read statement dated the
3d Instant submitted by the Sessions
Judge of Madura of Batta paid to
Prosecutors and witnesses attending
before the Session Judge during the 2d
half year of 1853.

(Here enter F. U. No. 38 of 1854)

4th KW.

F. U.

Tuesday
10th January 1854

At a Court of the Foujdaree Udalut.

Present

G. S. Cooper Esquire
W. A. Morehead Esquire
J. L. Strange Esquire

} Puisne Judges.

Read Calendar of Case No. 45 of 1853
on the file of the Session Court of Salem.—

(Here enter F. U. No. 45 of 1854)

The charge in this Case is defective
1.
in as much as it fails to set forth the circumstances
of aggravation which brought the receipt of so small
an amount of stolen property under the cognizance of
the Session Court.—

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

(Sent in No.)

Read Calendar of Case No. 31 of
1853 on the file of the Session Court of Nellore.—

(Here enter F. U. No. 2720 of 1853)

In this Case the Acting Session
1.
Judge

Judge declares the prisoner entitled to acquittal of the charge of arson on the ground of discrepancies in the evidence upon very material points.-

2. The Court of Foujdaree Udalut resolve to call upon the Acting Session Judge to state the nature of those discrepancies and also of the improbable circumstances which induced him to distrust the evidence against the prisoners.-

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Nellore by precept returnable in 3 days from and after its receipt.-

(Sent following precept No)

Read Criminal reports submitted by the Session Judge of Cuddapah for the month of November 1853.-

No 223.

(Here enter Ft. No. 2712 of 1853)

1. In this case the prisoners were convicted of housebreaking and theft. It is to be presumed that the grain pit was broken into as the mere surmounting of a wall would not constitute a breaking. The Session Judge will report whether this supposition is correct.-

2. The 2d prisoner was a child of 7 years old

old and is stated to have acted under the influence of the first. It can hardly be imagined that this child exercised an independent will in the matter and the Court of Foujdaree Udalut resolve to direct his release as having already suffered punishment fully adequate to the degree of criminality attaching to him.-

No. 225.

3. The prisoners were charged with having removed the covering of the prosecutor's grain pit and stolen therefrom Raggy valued at Rupees 63. The Court of Foujdaree Udalut resolve to point out to the Session Judge that the prisoners should have been charged with housebreaking.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddapah by precept returnable in V days from and after its receipt.-

(Sent following Precept No)

Read letter from the Session Judge of Madura dated 14th December 1853.-

(Here enter Ft. No. 2728 of 1853)

1. With the above letter the Session Judge submits one from the Magistrate of Madura requesting the opinion of the Court of Foujdaree Udalut whether

whither the order of Government dated [illegible]
directing Criminal Judges to determine cases [illegible]
Regulation II of 1820 has been cancelled by Act IV of [illegible]
which distinguishing between convictions before Justices of
the peace and before Magistrates exercising the jurisdiction
given by Statute 53 Geo III Caps 155 appears to the Magis-
trate to lead to the inference, that the power given by the
order of Government referred to, must be considered
inherent in Magistrates alone.-

2. The Court of Fouzdaree Udalut are
of opinion that Act IV of 1843 so far from limiting the
operations of justices of the peace duly appointed, it has
plainly recognized their operations by providing an appeal
from the sentences passed by them. The Court are
therefore of opinion that the Order of Government has
not been affected by this enactment.-

3. In referring to the higher Courts ques-
tions raised by the Judicial Officers subordinate to him
the Sessions Judge should record his own views thereon.

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

(Sent in No.)

Read again Criminal Reports sub-
-mitted by the Acting Session Judge of Masulipatam for
the Months of August 1853.-

(Fire enter F. D. No. 2200 of 1853)

Read also again return dated 17th Oc-
-tober 1853 from the same Officer to the precept of the Fouzdaree
Udalut dated 12th October 1853 directing the Acting Ses-
-sion Judge to review the proceedings of Case No. 49 of
the above report.-

(Fire enter F. D. No. 2359 of 1853)

Read also return from the same Of-
-ficer to the precept of the Fouzdaree Udalut dated 12th November
1853 calling for the submission of the record of the above
case.-

(Fire enter F. D. No. 2762 of 1853)

Mr. F. P. Strange. 1. The prisoner was charged with the pos-
-session knowing it to have been stolen of a box containing
jewels valued at Rupees 20-8- which had been stolen from
the house of the prosecutor. The prisoner was convicted
and sentenced to ten Months imprisonment with hard labor
in irons.-

2. On a review of the Calendar it appeared
to the Court of Fouzdaree Udalut that the sentence
passed

passed upon the prisoner was too severe and they accordingly direct the Acting Session Judge to review the case and report that it appeared to him that the punishment was fully merited directing the submission of the record of the case for their final judgment.-

3. On a review of the proceedings in this case, the Court of Foujdaree Udalut are not of opinion that there is any thing in the circumstances which rendered it necessary to dispose of it under Clause fourth Section IV Regulation VII of 1822. They are of opinion that the amount of stolen property received rendered the case disposable under Section VII Regulation X of 1816 and accordingly direct that the period of imprisonment be reduced to six months with hard labor in irons.-

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Silhet by precept returnable in 3 days from date of its receipt.-

(Sent following precept No)

Read Criminal Reports submitted by the Session Judge of Dumbaroonah for the month of January

(There enter Feb No 270 of 1854.)

No 121.

The Subordinate Judge having been of opinion that the prisoner in this case was committed

upon an erroneous charge should himself have amended the charge and should not have remanded the case to the Magistracy for that purpose.-

No 131 2. The first clause of the charge in this case is so obscurely worded that it is incomprehensible. The second clause which relates to the 1st prisoner only involves a charge of false complaint and should have been disposed of under Regulation IX of 1832.-

No 134. 3. Although the charge appeared to the Subordinate Judge quite groundless, it should have been entered in the Calendar.-

No 130. 4. The offence committed by the prisoner in this case was housebreaking and theft and he was incorrectly charged with simple theft.-

No 137. 5. In this case the prisoner charged with snatching was sentenced by the Mooftee Sudder Ameen to 12 months imprisonment with hard labor in irons. It appears to the Court of Foujdaree Udalut that 6 months imprisonment would have been a sufficient sentence and they resolve to request the Session Judge to call for the record and to review the case, reporting such orders as he may pass thereon for the information of the Court.-

The

10th January 1854.

№ 34. 6.

The prisoner convicted of assaulting his wife, knocking out two of her teeth and endangering the sight of one eye was sentenced by the Joint Magistrate to 21 days imprisonment and to pay a fine of ten rupees. The sentence appears to the Court of Foujdaree Udalut much too lenient.—

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

(Sent following precept №)

Read Criminal reports submitted by the Acting Session Judge of Cuddalore for the month of November 1853.—

/Here enter F. C. №. 2744 of 1853./

№ 117 7.

The prisoners in this case convicted of housebreaking and theft to the value of 1 Rupee were sentenced to 15 months imprisonment. The Court of Foujdaree Udalut are of opinion that a sentence of 9 months imprisonment would have been sufficient under the circumstances of the case and they resolve to call upon the Acting Session Judge to review the record with reference to these observations.—

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Cuddalore by

10th January 1854.

by precept returnable in V days from and after its receipt.—

(Sent following precept №)

Read Criminal Reports submitted by the Session Judge of Chittoor for the month of November 1853.

/Here enter F. C. №. 2748 of 1853./

№ 126. 1.

The Court of Foujdaree Udalut are of opinion that the sentence passed in this case is a severe one and that the prisoner has already been sufficiently punished. They therefore resolve to call upon the Session Judge to review the case and report his orders upon it to them.—

№ 127. 2.

The Court are of opinion that a sentence of one months' imprisonment would have been sufficient in this case.—

№ 146. 3.

The prisoner in this case was charged with conspiracy. The acts which were considered to have rendered the prisoner liable to this charge should have been set forth.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Chittoor by precept returnable in X days from and after its receipt.—

(Sent following precept №)

Read Criminal Reports submitted by the

the Session Judge of Salem for the Month of [illegible]

/Here enter F.C. No. 275 of 1853/

No. 168.

1.

In this case the prisoner was convicted of stealing sundry articles valued at Rupees 4-12-0 from the house of the prosecutor and being further charged with being an old offender because previously convicted of having allowed a prisoner to escape, was sentenced by the Subordinate Judge to 6 Months imprisonment.-

2.

The Court of Foujdaree Udalut observe that the offence of which the prisoner was formerly convicted was not analogous in nature to that with which he was charged in the present case and that his previous conviction should not therefore have been permitted to enhance his punishment. As they consider that one months imprisonment would have been sufficient they resolve to call upon the Session Judge to review the case with reference to these observations.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Salem by precept returnable in V days from and after its receipt.-

(Sent following precept No.)

Read

Read Calendar of Case No. 27

of 1853 submitted by the Session Judge of Mangalore dated the 31st December 1853.-

/Here enter F.C. No. 41 of 1854/

Read Calendar of Case No. 26

of 1853 submitted by the Session Judge of Salem dated the 3d Instant.-

/Here enter F.C. No. 42 of 1854/

Read Calendar of Case No. 27

of 1853 submitted by the Session Judge of Mangalore dated the 31st December 1853.-

/Here enter F.C. No. 43 of 1853/

Read Calendar of Case No. 28

of 1853 submitted by the Session Judge of Mangalore dated the 31st December 1853.-

/Here enter F.C. No. 44 of 1853/

Read Calendar of Case No. 99

of 1853 submitted by the Session Judge of Bellary dated the 4th Instant.-

/Here enter F.C. No. 45 of 1854/

Read Report dated the 2d Instant submitted by the Session Judge of Trichinopoly of a Case pending on 31st December and committed for

10th January 1854.

for trial during the month of November 1853.

/Here enter F.R. No. 56 of 1854./

Read Return dated the 4th Instant submitted by the Session Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 29th December 1853 directing the Session Judge to discharge from custody the Prisoner in Case No. 39 of 1853 Criminal file.—

Ent'd Mr

/Here enter F.R. No. 57 of 1854./

Thursday
12th January 1854.

F. U.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqr.
W. A. Morehead Esqr. } Puisne Judges
J. L. Strange Esqr.

Read again Calendar of Cases No. 14 of 1853 on the file of the Session Court of Cuddapah

(Here enter F. U. No. 2184 of 1853)

Read also return from the Session Judge of Cuddapah to precept of Foujdaree Udalut directing the submission of the record of the above case.

Here enter F. U. No. 53 of 1854.

The Prisoner was charged before the Sessn Court of Cuddapah with having on 1st October 1853 broken into the house of the Prosecutor and stolen therefrom ready money and jewels valued at Rupees 477—8— He was further charged with the possession of part of the stolen property valued at

at Rupees 20.8. Knowing it to have been

by burglary.

2. The evidence against the Prisoner consisted of the confessional evidence delivered extra-judicially as deposed by the 1st Witness his own before and judicially before the Rajah of Punganoor and the Subordinate Criminal Court. He on three occasions acknowledged himself guilty of the offence laid to his charge and criminated others against whom no other evidence existed and who were therefore not committed to the Sessions Court

3. This Confessional evidence was confined by the discovery of portions of the stolen property as laid in the charge which were clearly proved to have belonged to the prosecutor and by the Surrender of an iron instrument by which he alleged the burglary to have been committed.

4. The Session Judge in concurrence with his Mahommedan law officer considered the evidence sufficient for the Prisoner's conviction and sentenced him to seven (7) Years imprisonment with hard labor in irons.

5. Seeing reason to question the soundness of the prisoner's conviction, the Court of Foujdaree Udalut

directed the submission of a translation of the proceedings for their final judgment.

6. Upon consideration of the circumstances of the case the Court of Foujdaree Udalut see no reason for overruling the conviction of the prisoner. They however are of opinion that a sentence of four years imprisonment will meet the requirements of justice and they resolve to direct the Session Judge to amend his sentence accordingly.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Cuddapah by precept returnable in III days from and after its receipt.

(Sent following precept No.)

Read again Criminal Reports submitted by the Session Judge of Madura for the month of October 1853.

(Here enter F. U. No. 2552 of 1853.)

Read also letter dated 16th December 1853 inclosing Extract from proceedings of the Session Court of Madura upon Criminal No. 135 of 1853.

(Here enter F. U. No. 2740 of 1853.)

The Session Judge reports that he has reduced the punishment of the prisoner in the above case to 6 Months imprisonment in accordance with the

the ruling of Foujdaree Adalut in their proceedings dated 6th December that the scaling of a Wall did not constitute Housebreaking.

2. While thus conforming to what he conceived to be the views of the Court of Foujdaree Adalut, the Session Judge urges, that in the circumstances of this country the surmounting of the outer wall of the yard of a house should be construed to be a breaking, because a house is then as much secured as the circumstances of the climate and the nature of things will permit.

3. The Court of Foujdaree Adalut have ruled, that the surmounting of a Wall of the nature described by the Session Judge, must be construed to be a breaking and in the case under review the Court took exception to the ruling of the lower Courts, because the wall surmounted was not described as an essential part of the house, but as a protection to the compound.

4. Where the wall surmounted is an intrinsic part of the house itself, and as in the case put by the Session Judge is really its natural protection, the surmounting of the wall will amount to a breaking

Ordered that Extract from these proceedings be forwarded to the Session Judge of Madura.

F. H.

12th January 1854

Madura for his information and guidance.

Sent in No. /

Read again Calendar of Cases

29 of 1853 on the file of the Session Court of Nellore

Here enter F. H. No 2642 of 1853

Read also return from the Session Judge of Nellore to the precept of the Foujdaree Adalut dated 24th December 1853, calling for a translation of so much of the record of the above case as affected the 1st Prisoner.

Here enter F. H. No 54 of 1854

The Prisoners in the above case were

1. charged before the Session Court of Nellore with having on the 19th October 1853 stolen from a house entrusted to the 1st Prisoner by the Prosecutor a watch and other articles valued at Rupees 690

The Prisoners were all apprehended

2. in company - the finding of portions of the property upon the 2nd Prisoner was clearly proved.

Before the Assistant Magistrate

3. and the criminal Court, each of the Prisoners made qualified confessions criminating some other Prisoner as the principal Agent but admitting his own participation in the design after

discovering

discovering it.

4. The Session Judge concurred with his Mahommedan Law Officer in convicting the 2d and 3d Prisoners and recommended the passing of a connected sentence of 4 Years on the 2d Prisoner but looking to the previously bad character of the 3d Prisoner did not recommend any mitigation in his case but sentenced him to 7 Years' imprisonment.

5. The Mahommedan Law officer declared the 1st Prisoner, aged 14, entitled to his acquittal on the ground of minority but unable to recognize the validity of this excuse, the Session Judge recommended a sentence of 3 Dozen lashes.

6. While concurring with the Session Judge in the sentences proposed by him upon the 2d and 3d Prisoners, the Court of Foujdaree Udalut in consequence of the difference between the Session Judge and his Law Officer as to the amenability of 1st Prisoner to punishment, directed that so much of the record as affected him should be submitted for their judgment.

7. On a consideration of the Case, the Court of Foujdaree Udalut concur with the Session Judge in convicting this Prisoner, and in consideration of his youth, sentence him to receive three dozen lashes as proposed by that Officer.

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

Sent in No. /

Read Letter dated the 15th December 1853 from the Civil and Session Judge of Trichinopoly

Here enter S. R. No. 2519 of 1853.

The Session Judge suggests that

1.

some qualification may be made as regard the conduct of the Jail Duffadar restored to his situation by the orders of the Court of Sudder and Foujdaree Udalut under date the 1st December 1853.

The Court of Sudder and Foujdaree

2.

Udalut after considering the Statement contained in the letter of the Session Judge of Trichinopoly see no reason to qualify the judgment given by them in the case of the Jail Duffadar.

Ordered that Extract from these Proceedings be sent to the Session Judge of Trichinopoly by precept returnable in 3 days from and after its receipt.

Sent following precept No. /

Read Letter dated the 7th January 1854 from the Session Judge of Chittoor submitting the Record of Case No. 28 of 1853 for the final judgment of the Foujdaree Udalut.

Here enter S. R. No. 78 of 1854

Mr. Morehead

The Court of Foujdaree Udalut on a deliberate consideration of all the circumstances of

of the Case in evidence before them, being of opinion that the proof against the Prisoner.

"Madeya Unkadee" is sufficient to convict him of an aggravated assault, do convict him thereof, and under the provisions of Clause third Section VII Regulation XV of 1803 and Section XXXIV Act VII of 1843 Sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (1) One year.

/Sent in No. /

Read Letter dated the 5th January 1854 from the Session Judge of Guntoor submitting the Record of Case No. 19 of 1853 for the final Sentence of the Foujdaree Adalut.

Here enter F. H. No. 58 of 1854.

Mr. Hooper
Mr. Strange

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

"Kamul Khan" is sufficient to convict him of the crime of Murder do convict him thereof, and under the provision 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. /

Read Calendar in No. 46 of 1853 Submitted by the Sessions Judge of Combaconum under date the 7th January 1854.

Here enter F. H. No. 59 of 1854.

Read Calendar in Case No. 1 of 1854 Submitted by the Session Judge of Bellary under date the 5th January 1854.

Here Enter F. H. No. 60 of 1854.

Read Report dated 1st January 1854 Submitted by the Session Judge of Mangalore of Cases pending for more than 25 days for the month of December 1853.

Here Enter F. H. No. 61 of 1854.

Read Statement dated 1st January 1854 Submitted by the Session Judge of Coimbatore of Batta paid to Prosecutors and Witnesses during the 2d Half of 1853.

Here enter F. H. No. 63 of 1854.

Read Calendar in Case No. 1 of 1854 submitted by the Session Judge of Chingleput under date the 10th January 1854.

Here enter F. H. No. 69 of 1854.

Read Statement dated 31st December 1853 submitted by the Session Judge of Chingleput of the amount realized by the labor of Prisoners to the 4th Quarter 1853.

Here enter F. H. No. 72 of 1854.

Read Statement dated 31st December 1853 submitted by the Session Judge of Chingleput under-

of Batta paid to Prosecutors and Witnesses during the Half year ending 31st December 1853.

Here Enter F. C. No 74 of 1854.

Read Calendar in Case No 5 of 1854 submitted by the Session Judge of Bellary under date the 7th January 1854.

Here Enter F. C. No 75 of 1854.

Read Calendar in Case No 6 of 1854 submitted by the Session Judge of Bellary under date the 7th January 1854.

Here enter F. C. No 76 of 1854

Read Calendar in Case No 8 of 1854 submitted by the Session Judge of Bellary under date the 7th January 1854.

Here enter F. C. No 77 of 1854

Read Calendar in Case No 40 of 1853 submitted by the Session Judge Tinnevelly under date the 6th January 1854.

Here enter F. C. No 80 of 1854

Read Shedule dated 1st January 1854 submitted by the Session Judge of Nellore for the 2d Half of 1853.

Here enter F. C. No 82 of 1854

Read letter dated the 4th January 1854 from the Session Judge of Chicacole informing that no articles were manufactured by the Prisoners in his Jail during the 4th Quarter of 1853

Here enter F. C. No 83 of 1854.

Read Report dated 4th January 1854 submitted by the Session Judge of Chicacole of Cases pending on the 30th November and committed for trial during the month of December 1853

Here enter F. C. No 85 of 1854.

Read letter dated 2d January 1854 from the Agent to the Governor of Fort Saint George at Vizagapatam forwarding a Warrant issued by him to his Principal Assistant for the execution of "Ponnulah Venkiah" bearing the endorsement of that Officer

Here enter F. C. No 88 of 1854.

E. F. Thomas

F U

Friday 13th January 1854. At a Court of the Fouzdaree Udalut

Present

Mr. G. S. Hooper Esquire
Mr. W. A. Morehead Esquire
Mr. T. L. Strange Esquire
} Puisne J

Read Criminal Report sub-
mitted by the Session Judge of Gun
for the month of November 1853.

(Here enter F U. No. 2713 of 1853.

The Court of Fouzdaree
Udalut direct that these Reports be
future folded and docketted lengthwise and stitched
same manner as the accompanying report
submitted by the Session Judge of
Calicut.

Ordered that extract from
these Proceedings be forwarded to the
Session Judge of Guntoor for his
formation and guidance.

(Sent in No.

Read Calender of Cases No.
of 1853 of the Session Court of Honore.

(Here enter F U. No. 2772 of 1853)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the improvement which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crimes laid to his charge, be reduced to ~~4 years imprisonment~~ 3 with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Mingnely

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

(Sent in A°

Read Calender of Case A°27 of 1853 of the Sessions Court of Rajahmundry

(Here enter F. U. A° 2779 of 1853)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crimes of "Housebreaking and "Theft" be reduced to (3) three years' imprisonment with

Added to Rajahmundry

with hard labor in irons, and they authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in A°

Read Criminal Reports submitted by the Sessions Judge of Bellary for the month of November 1853.

(Here enter F. U. A° 2742 of 1853)

The Court of Foujdaree Udalut direct that these Reports be in future folded and docketted lengthwise and stitched together in the same form as they were formerly submitted by the late Sessions Judge.

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

(Sent in A°

Read Return dated the 9 January 1854 submitted by the Sessions Judge of Salem to the precept of the Foujdaree

13th January 1854.

Fouzdaree Udalut under date the 7th January 1854 Requiring the Session Judge to redevee the sentence passed on the Prisoner in Calender No. 39 of 1853 to 3 years.

(Here enter F. U. No. 89 of 1854)

Read Report dated the 7th January 1854 submitted by the Session Judge of Cuddapah of Cases pending on the 30th November and committed for trial during the month of December 1853 which remained on the file of his Court for more than 25 days.

(Here enter F. U. No. 94 of 1854)

Read Report B dated the 2d January 1854 submitted by the Session Judge of Salem, of Persons apprehended in the same Zillah and delivered to the Magistracy in the Month of December 1853.

(Here enter F. U. No. 95 of 1854)

2d 1853

F. U.

Saturday - - - } At a Court of the Fouzdaree Udalut.
14th January 1854 }

Present

G. S. Hooper Esqre. — Puisne Judges
W. A. Morehead Esqre. —
T. L. Strange Esqre. —

Read Criminal Reports submitted by the Agent to the Governor of Fort St. George at Kurnool for the Month of November 1853.

(Here enter F. U. No. 2731 of 1853)

Case No. 52 of 1852. 1 The Court of Fouzdaree Udalut have already on two occasions called upon the Agent for an explanation of the great delay which has occurred in the disposal of this case. In the Criminal Reports submitted by the Agent for the month of October it was stated that the cause of delay would be explained in a separate letter. No explanation has yet been submitted and the prisoners have now been upwards of 14 months under trial. The Court of Fouzdaree Udalut accordingly resolve to intimate to the Agent

Agent that unless a full explanation of the delay shall be submitted by him within two days from the receipt of these proceedings, they will consider it their duty to report the matter for the orders of the Right Honorable the Governor in Council and to request that prompt measures may be taken for the prevention of delays so extremely discreditable to the administration of justice.—

2 The Court of Fouzdaree Adalut direct that the monthly Criminal Reports be in future folded and docketed lengthwise, and that the papers which are usually submitted by the Agent as enclosures be stitched to the Reports A and B in the same manner as the accompanying Reports submitted by the Sessions Judge of Calicut.— to be returned.

Ordered that Extracts from these Proceedings be sent to the Agent to the Governor of Fort St. George at Kurnool for his information by precept returnable within 11 days from and after its receipt.—

(Sent following Precept No.

Ent'd Mo W

No. 186

Monday 16th January 1854

At a Court of the Fouzdaree Adalut

Present

G. L. Hooper, Esquire
W. A. Morehead, Esquire
T. L. Strange, Esquire
} Puisne Judges

Read Miscellaneous Petition forwarded by the Sessions Judge of Mangalore from Venkatera Cumpty of the Talluk of Mangalore.—

(Here Enter F. Mo. P. No. 186 of 1853)

Mr. W. A. Morehead 1. The Petitioner 1st Prisoner in Calendar of Case No. 15 of 1853 before the Sessions Court, and sentenced to four years imprisonment prays the Court of Fouzdaree Adalut to reverse this sentence and order his release.—

2 The Court of Fouzdaree Adalut have failed to discover anything in this Petition to lead them to doubt the justice of the sentence passed upon the Petitioner.—

3 They therefore resolve to dismiss this

this Petitions.-

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Mangalore for communication to the Petitioners.-

/Sent in A°

Read Miscellaneous Petition presented on the 19th December 1853 by Pedda Padayatchy of the Zillah of Cuddalore on behalf of the prisoners in Cases Nos 35 and 36 of 1853 on the file of the Sessions Court.-

/Here enter F.M. No. 193 of 1854/

M. Gopal Hospet and M. Kotteswara

Petitioner is referred to the orders of this Court dated 31st December and is informed that no other order will be passed on the subject of this Petitions.-

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

Read report sent by the Sessions Judge of Nellore of Cases pending for the month of December 1853.

/Here enter F.M. No. 26 of 1854/

The Court Tanjore Mahalat but observe that there is considerable delay in the disposal of Cases before the Sessions Court of Nellore, and resolve to call the attention of that Officer to the necessity of using greater dispatch in the disposal of Cases under treal before him.-

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

/Sent in A°

Read Extract from the Proceedings of the Sessions Court of Masulipatam under date the 2nd Instant held on review of the Petty Calendars of the Magistracy of the District for the 3rd Quarter of 1853.-

/Here enter F.M. No. 52 of 1854/

The Court of Tanjore Mahalat direct that these Calendars be in future folded and docketted lengthwise and stitched in the same manner as the accompanying Calendars

Calendars submitted by the Sessions Judge of Tinnevelly.—

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

(Sent in No.

Read letter under date the 10th Instant from the Sessions Judge of Combaconum submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 44 of 1853 on the Calendar of Sessions Court.—

(Here enter F.H.C. No. 104 of 1854)

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

"Vyravan"

is sufficient to convict him of the Crime of Homicide for which the penalty of Deyut is awardable under the Mahomedan Law as declared in Futwas of their Law Officers, do convict him thereof and under the provisions of Clause Second Section XV Regulation XII of 1802, sentence him to be imprisoned and kept to hard labor

Mr. J. L. Strange

labor in irons on the public roads or other public works for and during the period of (5) five years.—

(Sent in No.

Read Criminal Reports submitted by the Sessions Judge of Honore for the Month of November 1853.—

(Here Enter F.H.C. No. 2758 of 1853)

The Court of Foujdaree Adalut direct that these reports in future be folded and docketted lengthwise and stitched together in the same manner as the accompanying Reports submitted by the Sessions Judge of Chittoor

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

(Sent in No.

Read Criminal Reports submitted by the Sessions Judge of Rajahmundry for the Month of November 1853.

(Here Enter F.H.C. No. 2734 of 1853)

The Court of Foujdaree Adalut direct that these reports be in future folded

and

x to be returned

and docketted lengthwise, and stitched
in the same manner as the accompany-
to be returned. -ing x reports submitted by the Sessions
Judge of Chittoor.-

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

(Sent in No.

Read Criminal Report sub-
-mitted by the Acting Sessions Judge of
Masulipatam for the Month of November
1853.-

(Here Enter F.No. 2745 of 1853)

The Court of Foujdaree Ada-
-lut direct that these reports be in future
folded and docketted lengthwise, and
stitched together in the same manner
to be returned. as the accompanying x reports submitted
by the Sessions Judge of Calicut.-

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

(Sent in No.

Read

Read Criminal Reports sub-
-mitted by the Sessions Judge of Tellicherry
for the Month of November 1853

(Here Enter F.No. No. 2751 of 1853)

The Court of Foujdaree Ada-
-lut resolve to direct that these reports be
in future stitched together and folded
and docketted lengthwise, in the same man-
to be returned. -ner as the accompanying x reports submitted
by the Sessions Judge of Chittoor.-

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

(Sent in No.

Read Calendars of Petty
Cases disposed of by the Magistracy of
Cannara within the jurisdiction of the Zilla
Court of Mangalore during the 1st and 2nd
Quarters of 1853.-

(Here Enter F.No. Nos. 13 and 14 of 1853)

The Court of Foujdaree Adal-
require an explanation of the great delay
which has occurred in the submission of
these Calendars. and they direct, in
future

future that the Calendars be folded and docketted lengthwise.

Ordered, that Extract &c from these Proceedings be sent to the Sessions Judge of Mangalore by Precept returnable within V days from and after it receipt.

(Sent following Precept No)

Read Miscellaneous Petition presented on the 24th November 1853 by Marimoo too Naick of the Zillah of Ching Leput.

/Here Enter F.M.P. No 1744 of 1853/

No W.A. Morehead / Petitioner complaines of a certain decision of the Police Officer at St Thomas Mount by which petitioner has been stripped of his property and further represents that the authority exercised by the police authorities is practically uncontrolled and frequently gives rise to injustice such as petitioner represents himself to have suffered.

2 The matter of this petition is not within the Jurisdiction of the Court of Foujdaree Udalut and the petition is accordingly rejected.

Ordered

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

Read Calendar in Case No 47 of 1853 submitted by the Sessions Judge of Cuddapah under date the 10th Instant.

/Here enter F.M.C. No 103 of 1854/

Read Calendar of Case No 35 of 1853 submitted by the Sessions Judge of Manglore under date the 9th Instant.

/Here enter F.M.C. No 109 of 1854/

Read return dated 10th Instant from the Sessions Judge of Trichinopoly to the Precept of the Foujdaree Udalut under date the 22d Ultimo directing him to restore Cartha Masdaynaiqum and Mooppah Naick to their situations of Jail peons after a suspension of 3 months, if the offence for which they have been dismissed be the first on their part.

/Here enter F.M.C. No 110 of 1854/5

Ent'd Ho W

F. 16.

Tuesday
17th January 1854. At a Court of the Toungdaree Udalut

Present

Wm G. T. Hooper Esquire
Well W. A. Morehead Esquire } Puisne Judges
W. T. L. Strange Esquire

Read Calendar of Case
No 48 of 1853 of the Session Court of
Cuddapah.

(Here enter F. 16. No 70 of 1854)

The Court of Toungdaree Udalut
are of opinion that a sentence of 14 four
years imprisonment with hard labor in
irons will be adequate punishment for the
offence of which the prisoners in this Case
have been convicted, and they resolve to
call upon the Session Judge to reduce
their sentences accordingly.-

2. If unable to concur with the
Court in the propriety of the mitigated
sentence now proposed, the Session Judge
will be pleased to submit an English
Translation of the entire record of the
Case for their consideration.-

Ordered

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddapah by precpt returnable within 2 days from and after its receipt.-

(Sent following Precpt No.

Read Calendar of Case No 9 of 1854 submitted by the Sessions Judge of Bellary dated the 10th Instant.-

(Here enter F.C. No 112 of 1854)

Read Calendar of Case No 10 of 1854 submitted by the Sessions Judge of Bellary dated the 10th Instant.-

(Here Enter F.C. No 113 of 1854)

Read Calendar of Case No 11 of 1854 submitted by the Sessions Judge of Bellary dated the 10th Instant.-

(Here Enter F.C. No 114 of 1854)

Read Calendar of Case No 12 of 1854 submitted by the Sessions Judge of Bellary dated the 10th Instant.-

(Here Enter F.C. No 115 of 1854)

Read Calendar of Case No 21 of 1853 submitted by the Sessions Judge of Guntoor dated the 13th Instant.-

(Here Enter F.C. No 116 of 1854)

Exd
S.G.

F. U.

Wednesday - - } At a court of Fouzdaree Udalut
18th January 1854 }

Present

G.S. Hooper Esquire — Puisne Judge
W.F. Morehead Esquire — Puisne Judge
T.L. Strange Esquire — Puisne Judge

Read again letter under date the 15th November 1853 from the Magistrate of Bellary requesting sanction for the admission of one Mariga as an approver in two Cases of gang robbery.

(Here enter F.U. No. 2533 of 1853)

Read also return under date the 12th December 1853 from the Sessions Judge of Bellary to the Precept of the Court of Fouzdaree Udalut dated the 30th November 1853 calling for the translation of the Statement made by the individual referred to in the Magistrate's letter.

(Here enter F.U. No. 2698 of 1853)

The Court of Fouzdaree Udalut decline to sanction the admission as an approver of the individual referred to in the foregoing letter. His statements stand single, and there is nothing to corroborate them but the Confessions before

Fouzdaree

18th January 1854

before the Police of some of the prisoners and the discovery of a few articles of questionable identity, ~~in one~~ of them.

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

(Sent in &c 5

4th I.D.

Thursday 19th January 1854

F. 96.

At a Court of the Foujdaree Udalut

Present

G. S. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read again Miscellaneous petitions presented by J. B. Norton Esquire Vakeel on behalf of Ramnath Singh of the Zillah of Calicut.

(Here enter F. M. Ps. Nos. 127 and 153 of 1853)

Read also return from the Sessions Judge of Calicut calling for the transmission of the Magistrates explanation on the matter of the above petition.

(Here enter F. 96. No. 2777 of 1853)

Mr. J. L. Strange. The above petitions pray for a reversal of an order of the Sessions Judge of Calicut dated 17th June 1853 confirming an Order of the Magistrate of Malabar dated 24th December 1852.

2 The Order of the Magistrate reversed one passed by the Head Assistant

Foujdaree

Assistant Magistrate dated 24th December 1851, and directed the opening of a door of a Verandah at the instance of one Gonoo-hur Sing.

3 Petitioner submits that he has been greatly injured by this order seeing that it has afforded Gonoohur Sing access to petitioners property which has already been greatly injured by him. It is urged that no sufficient grounds existed for reversing the order of the Head Assistant Magistrate, but that at any rate the matter was one exclusively for the jurisdiction of a Civil Court.

4 The Magistrates order appears to the Court of Foujdaree Udalut to be altogether an unauthorized one. The interference of the Head Assistant, would seem to have been for the adjustment of a dispute between the parties with which it is clear that officially he could have no concern. He properly enough declined to exert any authority with respect to the premises in contest, and referred the party out of possession to a civil action. The Magistrate

Magistrate, however, on being appealed to about a year afterwards when lapse of time alone barred jurisdiction, proceeded to consider in whom the right to the use of the door in question belonged, and deciding for the Defendant, directed that it should be opened and left free for his use, herein exercising an authority belonging only to the Civil Courts.

5 The Court therefore resolve to overrule this order and direct that the door be placed as before at the command of the Petitioner.

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

(Sent in 4c

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

Read again Miscellaneous petition presented on the 27th October 1853 by Sheik Imam late Sailor of Salem.

(Here enter F. M. R. No 155 of 1853)

Read

Foujdaree

Read also return from the Sessions Judge of Salem to precept of the Sudder Udalut calling upon the Sessions Judge to review Petitioner's Case and dispose of it upon its merits.

(Here enter No. 2572 of 1853)

W. H. Morehead and W. L. Strange

Petitioner complains that he has been unjustly dismissed from his situation and prays for restoration.

2 In the return under review the Sessions Judge expresses his opinion that the evidence upon which prisoner was dismissed, was wholly insufficient to warrant the conclusion at which the Subordinate Judge had arrived, but considering that the effect of reversing the Subordinate Judges order would be most mischievous, he has not restored him to his situation, but recommends his transfer to some other district & that he be pensioned.

3 The Court of Foujdaree Udalut are of opinion that having taken the above view as to the evidence addduced against petitioner, the Sessions Judge was in

error in not immediatly ordering his restoration. The Court are of opinion that the considerations which appear to have operated upon the Sessions Judge's mind and to have ordered him to recommend the pensioning or removal of petitioner should have had no such influence in the face of the urgent call which existed for upholding the Judicial character which could only be done by restoring him to his situation from which he appears to have been most unnecessarily dismissed. Taking this view of the case the Court of Sudder Udalut resolve to direct the Sessions Judge to order the petitioners restoration to his situation. Should he hereafter seek an exchange, the Subordinate Judge or the Sessions Judge may take such steps as may be found practicable for effecting it for him.

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

(Sent following precept No.)

Ordered

Foujdaree

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

Read Miscellaneous Petition, presented on the 15th December 1853 by E. Salmon Esqre Vakeel on behalf of Nullamootten of the Zillah of Combaconum.-

(Here enter F. M. P. No. 181 of 1853)

Mr. W. H. Morehead / Petitioner prays for the reversal of the sentence passed upon his brother Petitioner in Case No. 43 of 1852 on the file of the Sessions Court of Combaconum.-

2 The Court of Foujdaree Ada-lut reject this petition since after an attentive consideration of all the matters urged therein they see no reason whatever to question either the propriety of the prisoners conviction or of the sentence passed upon him.-

3 They further deem it necessary to remark that having repeatedly considered the circumstances attending the conviction of the whole of the prisoners in the above Case in connection with the numerous petitions presented on their behalf

behalf, the Court have seen no reason whatever to question the propriety of the conclusion arrived at by the Sessions Judge with regard to all of them.- These orders are therefore to be considered final and future petitions on the same subject will only call forth a reference to them.-

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

Read Miscellaneous petition presented on the 19th December 1853 by Lyachary of the Zillah of Salem.-

(Here enter F. M. P. No. 190 of 1853)

Mr. G. S. Hooper / Petitioner prays for the reversal of an order of the Sessions Judge of Salem dated 1st November 1853 rejecting petitioners appeal from a decision of the Magistrate.-

2 The Court of Foujdaree Ada-lut reject this petition and decline interfering with the order of the Sessions Judge.-

Ordered, that Extract from these

these Proceedings be furnished to the Petitioner on his application.—

Read Miscellaneous Petition presented on the 19th December 1853 by Coopsaneee of Zillah Combaconum.

(Here enter T. M. P. No. 192 of 1853)

The Court of Foujdaree Uda-lut resolve to refer the Petitioner to their order of the 24th October 1853 passed on her Miscellaneous Petition No. 134 of 1853, and to inform her that the same is co final.—

This Petition is rejected.

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

Read letter under date the 13th January 1854 from the Magistrate of Masulipatam.—

(Here enter T. Ltr. No. 131 of 1854)

In the foregoing letter the Magistrate reports that on the night of 5th Instant, the Talook Treasury at Nunde-gamah was broken into by a gang of robbers who wounded and overpowered the guard and broke open the Cash Chest, carried off

off its contents consisting of Rupees 8,[illegible] 11-8 of Government money, 300 Rupees [illegible] longing to the Tasildar, and several swords.—

2 No direct clue had been obtained to the identity of the robbers and adverting to the serious character of the attack, the success which has attended it and the importance of apprehending the leader of the gang, the Magistrate requests authority to offer a reward of Rupees 500 for the capture of the chief leader, of Rupees 250 for the second, and of Rupees 50 for each of the other members of the gang.—

3 The Court of Foujdaree Uda-lut under the powers vested in them by Section XXI Regulation IX of 1816 authorize the Magistrate to offer the rewards named by him.—

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

(Sent Dw. No.

Read

19th January 1854.

Read Criminal Reports
dated the 16th Instant submitted by the
Session Judge of Chingleput for the
Month of December 1853.
(Here Enter F.C. No. 119 of 1854)

Read Statement dated the
15th Instant submitted by the Session Judge
of Honore shewing the amount realized
by the labor of Prisoners in the Jails at
Honore and Sirey for the 4th Quarter of 1853.
(Here Enter F.C. No. 120 of 1854)

Read return dated the 14th
Instant from the Principal Sadder Ameen
in charge of the Sessions Court of Cuddalore
to the precept of the Foujdaree Udalut
under date the 10th January 1854 observing that
9 Months imprisonment is a sufficient punish-
ment for the prisoners in Criminal Case
No. 117 of 1853, and directing the Sessions
Judge to review the proceedings held therein
(Here Enter F.C. No. 121 of 1854)

Read Calendar of Case No. 55
of 1853 submitted by the 2nd Sessions Judge of
Masulipatam under date the 14th Instant.
(Here Enter F.C. No. 123 of 1854)

Read

19th January 1854

Read Criminal Reports
dated the 14th Instant submitted by the
Acting Sessions Judge of Masulipatam
for the Month of December 1853.
(Here Enter F.C. No. 124 of 1854)

Read Calendar of Case
No. 42 of 1853 submitted by the Sessions
Judge of Madura under date the
14th Instant.
(Here Enter F.C. No. 126 of 1854)

Read Calendar of Case
No. 12 of 1853 submitted by the Sessions
Judge of Chicacole under date the 10th
Instant.
(Here Enter F.C. No. 127 of 1854)

E.J.
E.J.

F. 11

Friday 20th January 1854 } At a Court of the Foujdaree Adawlut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Calendar of Case No 28 of 1853 on the file of the Session Court of Rajahmundry.

(Here Enter F. R. No 46 of 1853)

The Prisoners in this case were convicted of aggravated assault and the first was sentenced by the Session Judge to five and the second to three years imprisonment.

2 The Court of Foujdaree Adalut are of opinion that the sentences passed upon these prisoners are unnecessarily severe and consider that a sentence of 18 months upon the 1st and of one year upon the second will meet the requirements of justice.

3. Should the Session Judge be unable to concur in the propriety of this mitigation he will submit a translation

Foujda

translation of the record of the judgment of the Court of Fouzdaree Adalut.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Rajahmundry for his information by precept returnable within x days from and after its receipt.

/ Sent following Precept No /

Read again letter from the Session Judge of Cuddapah dated 2d December 1853 reporting the escape of a Convict from the Zillah Goal.

/ Here Enter Ffl No 2628 of 1853 /

Read also return from the Session Judge of Cuddapah to precept of Fouzdaree Adalut dated 19th December 1853 calling for further information as to the prisoners escape.

/ Here Enter F. H. No 12 of 1854 /

1. With the above return the Session Judge forwards proceedings of the Sessions Court directing the suspension of the peon who had charge of the convict until his recapture is effected. The Sessions Judge at the same time expresses

expresses his opinion that nothing more than negligence is imputable to the peon.

The Court of Fouzdaree

2. Adalut resolve to direct the Sessions Judge to pass a definite order upon the case of the peon and to report the same for their information.

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

/ Sent following Precept No /

Read Miscellaneous Petition presented on the 1st September 1853 by C Runga Pa of Zillah Chittoor.

/ Here Enter F/M P. No 121 of 1853 /

Read also return made by the Sessions Judge of Chittoor under date the 23d December 1853 to the precept of the Fouzdaree Adalut dated the 29th September 1853 communicating the observations and orders of the Court of Fouzdaree Adalut on the foregoing Petition

/ Here Enter A No 2765 of 1853 /

The

Fouzdaree

The Court of Fouzdaree Adaulut direct that an English translation of the Record in Criminal Case No 66 of 1853 on the file of the Session Court be submitted for their consideration.

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

/ Sent following Precept No /

Read again Calendar of Case No 36 of 1853 on the file of the Session Court of Tinnivelly.

/ Here Enter F. H. No 2633 of 1853 /

Read also return from the Session Judge of Tinnevelly to precept of the Fouzdaree Adaulut dated 23d December 1853 calling for explanation as to the acquittal of the prisoners in the above case.

/ Here Enter F. H. No 79 of 1854 /

Under the explanation given by the Session Judge in the above return the Court of Fouzdaree Adaulut are satisfied that the prisoners were properly acquitted.

Ordered, that Extract from these

these Proceedings be forwarded to the Judge of Tinnevelly for his information.

/ Sent in No /

Read letter dated 2d January 1854 from the Sessions Judge of Trichinopoly

/ Here Enter F. H. 47 of 1854 /

The Sessions Judge reports the accidental death of a convict caused by the removal of rubbish from the Post Office.

II An inquest should have been held by the Head of Police, in the manner provided by the regulations.

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

/ Sent in No /

Read Calendar of Case No 42 of 1853 on the file of the Sessions Court of Cuddalore.

/ Here Enter F. H. No 64 of 1854 /

The Statement of the evidence by the Criminal Court in this case is much too lengthy and the Court of

Fouzdaree

20th January 1854.

Toyjdaree Adalut resolve to direct the Sessions Judge to impress upon the principal Sud-Ameen the necessity of compressing his abstracts within more convenient limits.

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

/ Sent in Do. /

Read Calendar of Case No. 20 of 1853 on the file of the Sessions Court of Guntoor.

/ Here Enter F.H. No. 49 of 1854. /

Seeing reason to question the propriety of the conviction of the 1st prisoner in the above case, the Court of Toyjdaree Adalut resolve to direct the submission of a translation of so much of the record as affects him, for their judgment.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Guntoor by precept returnable in XV days from and after its receipt.

/ Sent following Precept No /

20th January 1854.

Read Criminal reports submitted by the Sessions Judge of Cuddalore for the month of November 1853.

/ Here Enter F.H. No. 2755 of 1853 /

In this case the prisoners 1. charged with knocking open the prosecutor's door and stealing paddy valued at 8 rupees were sentenced the 1st to 4 and the 2d to 3 months imprisonment by the Joint Magistrate.

II As the case as stated, that offence amounted to house-breaking, but as they observe that the proceedings have been called for by the Sessions Judge, the Court of Toyjdaree Adalut refrain from passing any order upon the case until the receipt of the Sessions Judge's order which they resolve to direct that officer to submit.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddalore by precept returnable in V days from and after its receipt.

/ Sent following Precept No /

Ex. W.M.

Saturday
21st January 1854

At a Court of the Foujdaree Udalut
Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read letter dated the [illegible] January 1854 from the Session Judge of Cuddapah submitting for the final judgment of the Foujdaree Udalut the Record of Case No 35 of 1853 on the Calendar of the Session Court.-

(Here Enter F.U. No 105 of 1854)

Mr W. A. Morehead and Mr T. L. Strange

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

"Yerramaranze"

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 for

and

and during the period of his natural life.

/Sent in No.

Read letter dated the 12th January 1854 from the Session Judge of Calicut submitting for the final Judgment of the Foujdaree Udalut the Record of Case No 64 of 1853 on the Calendar of the Session Court.

/Here Enter F.M. No 1140 of 1854/

Mr G.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

"Korra Chata Vellee Nair"

is sufficient to convict him of the Crime charged do convict him thereof; but as Sentence of death has already been passed upon him in Case No 63 on the Calicut Calendar for 1853, no further sentence is required to be passed upon him in this Case.

/Sent in No.

Read Calendar of Case No 47 of 1853 of the Sessions Court of Salem.

/Here Enter F.M. No 90 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the

Sessions Judge in this Case that the imprisonment, which the prisoner noted in

1st Loobbien the margin has been adjudged to suffer on his conviction of the crime of "Highway Robbery", be reduced to (4) four years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

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

/Sent in No./

Read Calendar of Case No 51 of 1854 of the Sessions Court of Nellore.

/Here Enter F.M. No 101 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment, which the Prisoners noted

1st Quidemma in the margin have been adjudged to suffer
2d Vallemma on their conviction of the Crime of "Robbery", be reduced to (4) four years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Ordered, that Extract from these

these Proceedings be forwarded to the Sessions Judges of Nellore for his information.

(Sent in No.)

Read Calendar of Case No. 32 of 1853 of the Sessions Court of Nellore.

(Here Enter F.H.C. No. 102 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the Crime laid to his charge be reduced to seven years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Balisetti Seshu

Ordered, that Extract from these Proceedings beforwarded to the Sessions Judge of Nellore for his information.

(Sent in No.)

Read Calendar sent by the Sessions Judge of Cuddapah of persons punished released and committed to Jail by the Magistracy of Cuddapah from 1st July to 30th September 1853 both inclusive.

(Here Enter F.H.C. No. 2769 of 1853)

Case No. 18. 1 The Defendant was charged with

with Petty Theft in having taken from the complainants daughter a child, asleep a gold Necklace valued at 3 and concealing the same.

2 The Defendant was sentenced to be confined to the Talook Cutcherry (there being no fit accommodation in the Branch Jail) for 5 days with suitable labour.

3 The Court of Foujdaree Udalut observe that the charge in this case does not properly designate the offence, which was Theft and that under the circumstances of the Case the punishment inflicted was inadequate.

Case No. 28. 4 The prisoners charged with cattle stealing in having clandestinely driven away to the Hills certain Buffaloes and their Calves valued Rupees 28 belonging to the complainant while they were grazing outside the Village.

5 The Prisoners were sentenced to one months imprisonment under section XXXIII Regulation IX of 1816.

6 The Court of Foujdaree Udalut consider that the Sentence upon the prisoners

prisoners was a very inadequate one.-

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

/Sent in No.

Read Calendar from the Sessions Judge of Salem of persons punished by the Magistracy of Salem from 1st July to 31st September 1853.-

/Here Enter F.H.C. No. 2770 of 1853/

Case No. 1 " No. 51.

1 The prisoner charged with killing cattle in having pelted stones at Prosecutors mare and injured its leg, thereby causing its death, was sentenced to 7 days imprisonment under Section XXIII. Regulation 17 of 1816.

2 The act with which the Prisoner was charged does not appear to have been done maliciously.

3 The Court of Foujdaree Udalut do not consider that under these circumstances the Prisoner was amenable to punishment.-

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

/Sent in No.

Read Calendar of Cases of 1853 sent by the Sessions Judge of Many

/Here Enter F.H.C. No. 2771 of 1853/

1 The Prisoner was charged with Murder in having on Sunday the 13th November 1853 murdered his wife by striking her on temple side Wm with his hands and with the branch of a tree and with having thrown her Corpse on the sand in a water course.

2 The Mahomedan Law Officer convicted the Prisoner of Culpable Homicide the Sessions Judge concurred in this conviction and sentenced the Prisoner to 5 years Imprisonment with hard labour in Irons.

3 The Court of Foujdaree Udalut cannot discover any thing in this Case which can be urged in extenuation of the Crime of which the Prisoner has been convicted the assault which caused the death of the Prisoner was marked by unusual brutality.

4 Under these circumstances the sentence passed by the Sessions Judge of Mangalore appears to the Court of Foujdaree Udalut to be a very inadequate one.-

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

21st January 1854

Judge of Mangalore for his information.

Sentence No

Monday
25th January 1854

J. C.

At a Court of the Foujdaree Udalut

Present

G. L. Hooper Esquire
W. A. Morehead Esquire
W. T. L. Strange Esquire

} Puisne Judges

Read Miscellaneous Petition presented on the 12th December by Govindoo Naick late Pail Peon of Trichinopoly

(Vide Enter Sand F. M. No 85 of 1853)

Mr. G. L. Hooper

Petitioner prays for restoration to his situation from which he has been dismissed.

2 The Court of Sudder and Foujdaree Udalut resolve to send this petition to the Session Judge and to request that officer to give a full explanation of the circumstances contained therein particularly with reference to petitioners allegation that he was compelled to take two watches besides his own in consequence of not having been relieved at the proper period.

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

21

Judge of Trichinopoly by Precept returnable within 11 days from and after its receipt.

/Sent following Precept No /

Read Miscellaneous Petition presented on the 15th December 1853 by Mootoo Reddy of the Zillah of Trichinopoly.

/Here Enter F. M. Bs No. 187 of 1853/

Mr. W. A. Morehead 1

The Petitioner complains that he was unjustly fined and dismissed from his situation of Village Moonsiff by the Assistant Magistrate: that upon being referred to the Sessions Court by the Magistrate the Sessions Judge declined interfering in the matter. The Petitioner prays the Court of Foujdaree Udalut upon a consideration of the proceedings to order his restoration to the office of Moonsiff and the refund of his fine.

2 The Court of Foujdaree Udalut resolve to forward this Petition to the Sessions Judge of Trichinopoly with instructions to call up the proceedings held by the Assistant Magistrate in this case. and to pass such orders as its merits may require. reporting the same to the Court of Foujdaree Udalut.

Ordered, that Extract from

these Proceedings be sent to the Sessions Judge of Trichinopoly for his information and guidance by precept returnable [illegible] days from and after its receipt.

/Sent following Precept No /

Read Miscellaneous Petition presented on the 20th October 1853 and 7th January 1854, by J. B. Norton Esquire Vakeel on behalf of Moottooparoomal Moodely of Zillah Combaconum.

/Here Enter F. M. Bs Nos 1147 of 1853, and 5 of 1854/

Mr. W. A. Morehead 1

The Petitioner appeals from an order passed by the Sessions Judge of Combaconum under date the 16th May last, declining to order the remission of a fine imposed upon the Petitioner by the Police Ameen of Negapatam, upon a charge of assault connected with a caste dispute regarding a procession, which fine had been previously confirmed by the Magistrate, who referred the parties to the Civil Court for the establishment of their alleged rights in the matter in dispute.

2 The Court of Foujdaree Udalut see no reason to interfere with the order passed by the Sessions Judge, and resolve

resolve to reject this Petition.

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

Read again Calendar of Case No. 21 of 1853 of the Sessions Court of Mangalore.

(Here Enter F.M. No. 2374 of 1853)

Read also return under date 2d December 1853 to the precept of the Foujdaree Udalut dated 14th November 1853 communicating the observations and orders of the Court on the foregoing Calendar.

(Here Enter F.M. No. 2654 of 1853)

Read also Miscellaneous Petition presented on the 5th January 1854 by R. Iroomala Row Vakeel on behalf of Vasteva Sing of Zillah Mangalore.

(Here Enter F.M. No. 1 of 1854)

The Court of Foujdaree Udalut direct that an English translation of the record of the above Case so far as it relates to the 8th and 9th Prisoners therein, be submitted for their consideration.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by precept returnable within

within fifteen days from and after the receipt.

(Sent following Precept No.)

Read letter under date the 3d January 1854 from the Acting Sessions Judge of Masulipatam requesting sanction to impose a fine of Rupees 5 upon the Executioner attached to the Jail at Masulipatam.

(Here Enter F.M. No. 4 of 1854)

The Court of Foujdaree Udalut consider that a fine of Rupees 2 will be a sufficient punishment for the negligence of the Executioner on the occasion referred to and this penalty the Acting Sessions Judge is authorized to impose.

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

(Sent in No.)

Read return dated the 16th Instant from the Sessions Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 10th Idem conveying observations and remarks on the Criminal Reports for the Months of November 1853.

(Here Enter F.M. No. 134 of 1854)

Read return dated the 16th Instant from the Sessions Judge of Cuddapah to the precept of the Touzdars Adalut under date the 12th Instant directing to reduce the sentence passed on the Prisoner in Case No 44 of the Calendar for 1853 to 4 years imprisonment.—

(Here Enter F.C. No 135 of 1854)

Read Statement dated the 11th January 1854 submitted by the Sessions Judge of Mangalore of the actual produce of the labor of the Prisoners for the 4th Quarter of 1853.

(Here Enter F.C. No 137 of 1854)

Read Criminal Reports under date the 16th January 1854 submitted by the Sessions Judge of Guntoor for the month of December 1853.—

(Here Enter F.C. No 148 of 1854)

Read Statement under date the 13th January 1854 submitted by the Sessions Judge of Tellicherry Battah paid to prosecutors and Witnesses attending before him during the 2d half year of 1853.—

(Here Enter F.C. No 149 of 1854)

Read Calender of Cases No 49 of 1853 submitted by the Sessions Judge of Cuddapah

25th January 1854

Cuddapah under date the 17th January 18

(Here Enter F.C. No 157 of 1854)

Read Criminal Report under date the 9th January 1854 submitted by the Sessions Judge of Madura for the Months of December 1853.

(Here Enter F.C. No 139 of 1854)

No 11.

Tuesday
24 January 1854 } At a Court of the Foujdaree Adaw

Present.

W.R. G.S. Hooper Esquire
Wm W.A. Morehead Esquire } Puisne
W. T.L. Strange Esquire

Read Letter dated the
December 1853 from the Sessions Judge
of Manzalore.

/ Vide Enter P. Pt. No 2952 of 1853 /

The Sessions Judge in
forwarding copies of letters from the
Magistrate of Canara and from the Civil
Surgeon - suggesting that restrictions
should be laid upon the indiscriminate
sale of poisonous substances expresses his
concurrence with these officers in the
necessity for some Legislative enactment
to remedy this evil.

2. The Sessions Judge submits
that it would be advisable to make
the possession or sale of poisonous
substances by an unlicensed person a
penal Offence - and is not of opinion that

any

any stringent rules for the sale of these substances by licenced venders, should be laid down.

3 Such rules would be likely, in the opinion of the Session Judge to lead to evasion and concealment upon the part of the venders and under the discovery of the purchaser in the event of a case of poisoning occurring, more difficult than at present.

4. The Court of Tonjdaree Adalut are not of opinion that an effective Law could be passed upon this subject.

5. There are many poisons indigenous to this country of which a party seeking to injure another can make use without having resort to a dealer.

6. The venders of such commodities in this country they further observe are not of a stamp to be checked and held responsible as in England their trade being carried on in so petty a way.

Ordered, that Extract from these

these proceedings be sent to the Sessions Judge of Manzalore for his information.

/ Sent in No. /

Read Extract from the proceedings of the Sessions Court of Tinnevelly under date the 10th December 1853.

/ Here Outen T.L. No. 2701 of 1853 /

1. The Sessions Judge requests that the orders of the Court of Tonjdaree Adalut 5th December 1853 cancelling the requisition of security demanded of the 1st Prisoner in Criminal Case No. 101 of 1853 charged with taking a reward for helping to recover stolen property may be reconsidered.

2. The Sessions Judge states that the offence of stealing Cattle with the object of extorting money from the owner for helping to recover the stolen goods, is common in Tinnevelly and that it is difficult to reach such offenders by an indictment for "receiving".

3. The Judges of the Tonjdaree Adalut upon a consideration of the explanation given by the Sessions Judge resolve

resolve to desire that Officer to state more precisely than he has yet done, the facts of the Case No. 101. the Court would wish to be informed whether there was reason to believe from the evidence adduced therein that the 1st Prisoner had a guilty know-ledge of the fact that the Prosecutors cattle had been stolen.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly by a Precept returnable in 5 days from and after its receipt.

/ Sent following Precept No. /

Read the following letter from the Sessions Judge of Rajahmundry under date the 26th Ultimo.

/ Here enter No. 2801 of 1853 /

In the foregoing letter the Sessions Judge solicits authority to dispose by Public auction, of certain articles of property in deposit in the Sessions Court which were brought in in Criminal Cases and which have accumulated from the year 1849.

The

The Court of Sessions

Ordered that resolve to authorize the disp
of the property referred to in the mem
proposed by the Sessions Judge, but
direct that previous to the sale a list
of the several articles be made, set
forth the cases in which they were
and transmitted to the Magistrate, w
should be requested to cause the same
to be published throughout the Distri
and to be notified that such property
will be sold unless claimed before the
expiration of a certain date to be fixed
by the Sessions Judge and to be made
known in the advertisement.

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

/ Sent in No. /s

Jd
R.D.

Thursday
26th January 1854. } S. Dc.

At a Court of the Foujdaree Adalut

Present

C.J. S. Hooper Esquire
W. A. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges

Read return dated 7th January 1854 from the Session Judge of Mangalore to the precept of the Foujdaree Adalut under date the 22d February 1853, in the matter of Petitioner Krishnaya convicted of Perjury in Case No 31 of 1853 on the Mangalore Calendar

/Here enter S. Dc. No 106 of 1854/

1. The Court of Foujdaree Adalut are of opinion that this Conviction cannot be upheld unless the fact be brought home to the Monieff that he received the 100 Rupees in question.

2. The Court of Foujdaree Adalut resolve therefore to call upon the Sessions Judge to state whether this fact has been established and if not to direct that the

Sentence

Sentence in this case be suspended.—

3. Should this fact have been proved against the Moneiff the Court of Foujdaree Udalut on view of the explanation submitted by the Session Judge and the papers which accompanied the Return see no grounds for calling the conviction in question.—

Ordered that Extract from these proceedings be sent to the Session Judge of Mangalore for his information by precept returnable within 5 days from and after its receipt.—

(Sent following precept No)

Read Calendar of Case No 50 of 1853 on the file of the Session Court of Cuddapah.

(Here enter F. Co. No 128 of 1853)

The Court of Foujdaree Udalut resolve to direct the Session Judge under the provisions of Section XXIII Regulation IX of 1816 and Section X Regulation XIII of 1832 to distribute a reward to the parties who repulsed the robbers and apprehended

the prisoners in the above case.

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

(Sent in No)

Read again Calendar of Case No 31 of 1853 on the file of the Sessions Court of Nellore.—

(Here enter F. Co. No 2720 of 1853)

Read also return from the Sessions Judge of Nellore to the precept of the Foujdaree Udalut dated 10th January 1854 calling for explanation as to the acquittal of the prisoners in the above Case.—

(Here Enter F. Co. No 125 of 1854.)

The explanations of the Sessions Judge in the above return have satisfied the Court of Foujdaree Udalut of the correctness of the Conclusion at which he arrived in acquitting the prisoners.—

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

(Sent in No)

Read

26th January 1854.

Read again Calendar of Case No 67 of 1853 on the file of the Sessions Court of Bellary

(Were Enter F.C. No 2500 of 1853)

Read also Letter under date the 19th November 1853 from the Magistrate of Bellary.

(Were enter F.C. No 2583 of 1853)

In the foregoing letter the Magistrate applies for sanction for the disbursement of the sum of Rupees 370 in rewards to one Narakka, the widow of a Ryot of Cantumcoontah in the Zillah of Bellary, who was killed in September last in resisting the attack of a gang of Robbers, and five other persons who assisted in driving off the robbers. —

2. The Joint Magistrate of Bellary, with whom the present application has originated, states that the place when the attempt at Robbery was committed is a small hamlet consisting of 5 or 6 huts about one & ½ distant from the nearest village, inhabited by 8 industrious ryots with their families, two of whom were absent on the night on which the attack was made. It appears that immediately on the alarm being given, the

26th January 1854.

the remaining six ryots attacked the robbers and after a conflict of some duration, beat them off, killing one of their number. In the course of the conflict however, one of the ryots by name Veneatapatty was killed, and the others severely wounded. —

3. The Judges consider the circumstances of the case to justify the Joint Magistrates' recommendation, and under the rule laid down in Circular Order No 153 they authorize the Magistrate to disburse the following sums to the parties named below; —

	Rupees
Bommah Kobunnah	30
Bommah Potennah	20
Ramanah	20
Alalacondadoo	25
Nalacotegadoo	25
Narrakkah	250
Total Rupees	370

Ordered that Extract from these proceedings be sent to the Magistrate of Bellary for his information and guidance

(Sent in No)

Read

26th January 1854.

Read letter from the Sessions Judge of Bellary dated 19th December 1853 (Here enter F. H. No. 2763 of 1853)

In the above letter the Sessions Judge requests the opinion of the Court as to whether Act XXXVIII of 1850 allowing counsel to all persons on the trial of offences is applicable to prisoners charged before Magistrates with offences not within the final jurisdiction of a Magisterial tribunal.

2. The Court of Foujdaree Adalut are of opinion that the act only authorizes the employment of Counsel on the final trial of parties accused before authorities having conclusive jurisdiction in their cases. they do not consider the investigation before a Magistrate previously to the Committal of a prisoner, a part of his trial and they deem the act in question inapplicable to such preliminary enquiries.

3. At the same time the Court of Foujdaree Adalut see nothing to bar a Magistrate from permitting a prisoner to engage any one to assist him during the

26th January 1854.

the Magisterial enquiry and that thereby the ends of Justice will often be promoted by his so doing.—

4- In the opinion of the Court the latter part of Clause I shows clearly that it is not compulsory upon Magistrates to accord such permission. It provides for a full answer and defence either personally or by an authorized agent whereas a Magistrate is not empowered to receive a prisoners defence on a charge of Murder.

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

(Sent in etc.)

Read letter from the Sessions Judge of Coimbatore, under date the 21st December 1853. reporting the escape of the security Prisoner named Ady on the 20th December 1853.—

(Here Enter F. H. No. 2767 of 1853)

The Judges of the Court of Foujdaree Adalut observe that the Sessions Judge

26th January 1854.

Judge of Coimbatore in his Communication now under notice, has omitted to describe the manner in which the prisoner Andy effected his escape as directed in the Circular Order of the Fouzdaree Adalut under date 28th March 1832. —

Ordered that Extract from these proceedings be sent to the Session Judge of Coimbatore for his information by prec. Rept returnable within III days from and after its receipt. —

(Sent following precept No.

Read Calendar of Case No. 2 of 1854 submitted by the Session Judge of Combaconum under date the 18th January 1854.

(Here enter F. H. No. 160 of 1854)

Read return dated the 17th January 1854 from the Session Judge of Trichinopoly to the precept of the Fouzdaree Adalut under date the 12th January 1854 reporting that Cossiporamiy Moodely has been restored to his situation of Jail Duffadar. —

(Here Enter F. H. No. 161 of 1854)

26th January 1854.

Read Criminal report dated the 1st January 1854 submitted by the Session Judge of Tinnevelly for the month of December 1853. —

(Here enter F. H. No. 162 of 1854)

Read Criminal report dated the 15th January 1854 submitted by the Session Judge of Trichinopoly for the month of December 1853. —

(Here enter F. H. No. 163 of 1854)

Read Calendar of Case No. 1 of 1854 submitted by the Session Judge of Madura under date the 18th January 1854.

(Here enter F. H. No. 171 of 1854)

Read Calendar of Case No. 1 of 1854 submitted by the Session Judge of Salem under date the 9th January 1854. —

(Here enter F. H. No. 173 of 1854.)

Read Criminal reports dated the 18th & 19th January 1854 submitted by the Session Judge of Guntoor for the month of January 1854. —

(Here enter F. H. No. 175 & 177 of 1854)

Read Statement submitted by

26th January 1854.

by the Sessions Judge of Guntoor under date the 18th January 1854 of Batta paid to the Prosecutors and witnesses who attended before the Session Court during the 2d half of 1853.

(Here enter F. N. No. 176 of 1854)

Read Statement submitted by the Subordinate Judge in Charge of the Session Court of Calicut under date the 13th January 1854 of Batta paid to Prosecutors and witnesses attending before the Court from 1st July to 31st December 1853.

(Here enter F. N. No. 179 of 1854)

Read Criminal report submitted by the Session Judge of Cuddapah under date the 16th January 1854 for the month of December 1853.

(Here enter F. N. No. 161 of 1854)

F. N.

Friday 27th January 1854. At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Puisne

Read Calendar of Cases submitted of 1853 submitted by the Acting Session Judge of Masulipatam, under date the 7th December 1853.

(Here enter F. N. No. 2683 of 1853)

Read also miscellaneous Petition presented on the 19 December 1853 by T. Appiah Vakeel on behalf of the prisoners referred to in the foregoing Calendar

(Here enter F. M. P. No. 191 of 1853)

The Court of Foujdaree Udalut direct that an English translation of the record of the above case be submitted for their consideration.

Ordered that extract from these Proceedings be sent to the Acting Session Judge of Masulipatam for his information by precept returnable

within

within X days from and after its receipt.

(Sent following precept No.)

Read Criminal Report B dated the 13th January 1854 submitted by the Principal Sudder Ameen of Tellicherry for the month of January 1854.

(Here enter F. C. No. 182 of 1854)

Read Criminal Reports dated the 31st December 1853 submitted by the Sessions Judge of Salem for December 1853.

(Here enter F. C. No. 186 of 1853)

Read Criminal Reports dated the 16th January 1854 submitted by the Session Judge of Honore for the month of December 1853.

(Here enter F. C. No. 188 of 1854)

Read Criminal Reports dated the 31st December 1853 submitted by the Session Judge of Coimbatore for the month of December 1853.

(Here enter F. C. No. 189 of 1853)

Read Criminal and Jail Returns dated the 19th January 1854 submitted

submitted by the Principal Sudder in charge of the Session Court of [illegible]lore for the month of December 185[illegible]

(Here enter F. C. No. 190 of 185[illegible]

Read Criminal Re[illegible] B and other statements dated the 1[illegible] January 1854 submitted by the [illegible]-ordinate Judge in charge of Sessions Court of Calicut for December 1853.

(Here enter F. C. No. 191 of 1854)

Read Statement dated the 20th January 1854 submitted by the Session Judge of Guntoor of the trials refered by the Session Court during the 3rd Qr. of 1853. (Here enter F. C. No. 196 of 1854)

F. 116.

Saturday 4th 28th January 1854 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqr.
W. A. Morehead Esqr. } Puisne Judges
W. L. Strange Esqr.

Read Criminal Report submitted by the Sessions Judge of Chittagong for the Months of December 1853.

(Here enter F. 116. No. 138 of 1854)

No. 149

In this case the prisoner was charged with stealing grain valued at Rupees 1-8-0, with receiving it knowing it to have been stolen, and with having been twice previously convicted of house breaking, and theft, and sentenced to 7 years imprisonment. He has been now sentenced to two years imprisonment. The Court of Foujdaree Udalut are of opinion that Considering the small amount

of

of property stolen, a sentence of one year's imprisonment would have sufficed.

Nos 152. 153. 154 and 155.

2 The Prisoner in these Case was charged with four separate instances of theft and receipt of property known by him to have been stolen, all the thefts were of trifling amount, and the time and place are the same in all the Charges. The prisoner was sentenced to 6 months' imprisonment.

3 It would appear that these four several acts only constituted one instance of theft, as they seem to have been committed at the same time and place. If so, the charges should have been incorporated, and it appears to the Court of Foujdaree Udalut that the prisoner should now be released as having been sufficiently punished.

4 The Court of Foujdaree Udalut resolve to direct the Sessions Judge of Chittoor to call for the records of the above

above Cases, to review them with reference to these observations, and to report such orders as he may pass upon them for the information of the higher Court.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chittoor by Precept returnable in V days from and after its receipt.

(Sent following Precept No.)

Read Return dated 21st January 1854 from the Sessions Judge of Cuddapah, to the Precept of the Foujdaree Udalut under date the 17th January 1854, calling upon the Sessions Judge to reduce the sentence passed on the Prisoner in Case No. 48 of the Calendar for 1853.

(Here enter F.C. No. 201 of 1854)

Read Return dated 20th Instant from the Acting Sessions Judge of Masulipatam, to the precept of the Foujdaree Udalut under date the 10th January 1854, directing that the sentence passed by the Sudr Ameen against

against the 1st Prisoner in Case N°19 of 1853 be reduced to six months imprisonment with hard labor in irons.

(Here enter F.C. N°202 of 1854)

Read Statement dated 1st Instant, Submitted by the Sessions Judge of Combaconum, of Batta paid to Prosecutors and witnesses of his Court, during the 2nd half of 1853.

(Here enter F.C. N°205 of 1854)

Read Statement dated 1st Instant submitted by the Sessions Judge of Tinnevelly, of Batta paid to Prosecutors and witnesses attending before his Court, during 2nd Half of 1853.

(Here enter F.C. N°212 of 1854)

Read letter dated 21st Instant from the Sessions Judge of Guntoor, reporting execution of the Prisoner in Sessions Case N°19 of 1853.

(Here enter F.C. N°213 of 1854)

Read

Read Convict labor report dated 2nd Instant, Submitted by the Magistrate of Salem, of the Jail at Salem under his charge for the Months of December 1853.

(Here enter F.C. N°217 of 1854)

Read Statement dated 1st Instant, submitted by the Subordinate Judge of Salem, shewing amount realized by the labour of the Prisoners during the 4 Quarter 1853.

(Here enter F.C. N°218 of 1854.)

Read Return dated 20th Instant, from the Sessions Judge of Bellary, to the precept of the Foujdaree Adalut under date the 9th January 1854, directing that Case N°95 of 1853 on the Sessions' file which had been remanded to the Subordinate Court, be called up and the trial thereof proceeded with.

(Here enter F.C. N°219 of 1854.)

Read

th January 1854

th January 1854

Read Calendars of Cases
Nos 3-7-14 and 15 submitted by the Sessions
Judge of Bellary under date the 20th January
1854.

(Here enter F.M. Nos 220-222-223-and 224 of 1854)

Read Calendar of Case No 1 of
1854 submitted by the Sessions Judge of
Combaconum under date the 23d January 1854

(Here enter F.M. No 227 of 1854)

£ 818.

F.M.

Monday
30th January 1854 } At a Court of the Fouzdaree Adalut

Present

The Hon.ble G. S. Hooper Esquire
W. W. A. Morehead Esquire } Puisne Judges
W. J. L. Strange Esquire

Read Calendar of case No 47 of
1853 of the Sessions Court of Combaconum.

(Here enter F.M. No 169 of 1854)

The Court of Fouzdaree Adalut on
approve of the recommendation made by the Sessions
Judge in this case that the imprisonment, which
the prisoners noted in the margin have been adjudged
to suffer on their conviction of the crime of Forgery
be reduced to (1) one year's imprisonment with hard
labor without irons, and they do authorize the Sessions
Judge to issue his warrant accordingly.—

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

(Sent in No)

1st Ramakistnyen
2d Erdumbarapillay
3d Vytilingapillay

Read Calendar of Case No 48

of

30th January 1854

of 1853 of the Sessions Court of Combaconum.—

Here enter F. C. No. 193 of 1854

The Court of Foujdary Udalut observe

of the recommendation made by the Sessions Judge in

this case that the imprisonment, which the prisoner noted

1st Narayanen in the margin has been adjudged to suffer on his con-

viction of the crimes laid to his charge, be reduced to

/4/ four years imprisonment with hard labor in irons

and they do authorize the Sessions Judge to issue his

warrant accordingly.

Ordered that Extract from these

Proceedings be forwarded to the Sessions Judge of

Combaconum for his information.—

/Sent in No. /

Read Calendar of case No. 515 of

1853 submitted by the Sessions Judge of Cuddapah

under date the 21st January 1854.—

/Here enter F. C. No. 211 of 1854/

The Court of Foujdary Udalut re-

-solve to direct that an English translation of the records

of the above case be submitted for their consideration.—

Ordered that Extract from these

Proceedings be forwarded to the Sessions Judge of

Cuddapah

30th January 1854

Cuddapah by precept returnable in ten days from date

after its receipt.—

/Sent following precept. No. /

Read letter from the Acting Sessions

Judge of Masulipatam dated 19th December 1853 re-

porting the circumstances attending the escape of two

convicts on the 3d December 1853.—

/Here enter F. C. No. 2768 of 1853/

1.

As remarked by the Acting Judge

the guard was wholly inadequate to the number of

prisoners under their charge and this circumstance

doubtless tempted the convicts to make their escape.—

2.

In para 13 the Sessions Judge attributes

the inefficiency of the peons, instanced in this case by

cowardice to the pernicious influence of the jail rule

directing the employment of the relatives of superannu-

-ated peons. The Clause referred to makes the proviso

that the party selected shall be efficient and of this the

Sessions Judge must be the arbiter. If he has reasonable

grounds for doubting the courage of the new candidates,

he is of course at liberty to pass them over.—

Ordered that Extract from these

Proceedings be sent to the Sessions Judge of Masu-

-lipatam

30th January 1854

-lipatam for his information.—

/Sent in No. /

Read Miscellaneous Petition present-
-ed on 1st December 1853 by Coopparamnal of the zillah
of Coimbatore.—

/Here enter T. M. P. No. 179 of 1853/

Mr. W. A. Morehead. 1 Petitioner prays for the release of her
husband sentenced in case No. 44 of 1850 on the file of
the Session Court of Coimbatore.—

II. The grounds of this application are the
existence of the evidence of Talook servants and other
witnesses who are able to prove the absence of the prison-
-er from his village at the time of the occurrence. Petition-
-er prays the Court of Foujdaree Udalut to examine the
witnesses referred to and to direct the release of her hus-
-band.—

III. The Court decline interfering in this stage
of the case. Petitioner can apply to the Session Judge of
Coimbatore to examine the witnesses referred to and that
officer will at his discretion summon and examine
such witnesses if he considers that any useful end will
be attained thereby.—

Ordered, that Extract from these
Proceedings

30th January 1854

Proceedings be granted to the Petitioner on her appli-
-cation.—

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

/Sent in No. /

Read letter dated 20th January
1854 from the Subordinate Judge in charge
of Sessions Court of Calicut submitting for the
final judgment of the Foujdaree Udalut the record
of case No. 68 of 1853 on the Calendar of the Session
Court.—

/Here enter T. M. No. 258 of 1854/

Mr. W. A. Morehead
and
Mr. J. L. Strange 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,
"Konan Hoojil Choy"
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. /

Read

30th January 1854

Read Criminal Reports B dated the 20th January 1854 submitted by the Sessions Judge of Bellary for the month of December 1853—

/Here enter F. No. 228 of 1854/

Read Criminal Reports B dated the 12th January 1854 submitted by the Session Judge of Honore for the month of December 1853—

/Here enter F. No. 229 of 1854/

Read Report dated the 15th January 1854 submitted by the Agent to the Governor in Vizagapatam of persons apprehended in the separate tracts of Vizagapatam and delivered to the Agency for the month of December 1853—

/Here enter F. No. 230 of 1854/

Read statement dated the 1st January 1854 submitted by the Subordinate Judge of Combaconum shewing the amount realized by the labor of prisoners, for the 4th quarter of 1853—

/Here enter F. No. 233 of 1854/

Read Magistrates Report dated the 16th January 1854 submitted by the Session Judge of Chingleput of persons apprehended and delivered to him by the Magistrate in the month of December 1853—

/Here enter F. No. 235 of 1854/

Read Criminal Reports dated 31st December 1853 submitted by the Session Judge of Chicacole for the month of December 1853—

/Here enter F. No. 237 of 1854/

Read Criminal Reports B dated the 23d January 1854 submitted by the Session Judge of Madura for the month of December 1853—

/Here enter F. No. 238 of 1854/

Tuesday
31st January 1854 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire
W. T. L. Strange Esquire
} Puisne Judges

Read Calendar of Case No. 6
of 1853 of the Session Court of Cuddapah.
(Here enter F. C. No. 158 of 1854)

The Court of Foujdaree Udalut

6 Mc Gorrovador
8 M Goondalogador
10 G Gungador
11 P Gungador
14 Mc Pillapanpador
16 Mc Ruchalogador
17 A Marrigador
18 D Ramigador

approve of the recommendation made by the Session
Judge in this case that the imprisonment which
the prisoners noted in the margin have been adjudged
to suffer on their conviction of the crime of "Gang robbery"
be reduced to (7) seven years imprisonment with
hard labor in irons, and they do authorize the Session
Judge to issue his warrant accordingly.—

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

(Sentence No.)

Read again letter under date the 17th
November 1853 from the Session Judge of Cuddapah.

(Here enter F. C. No. 2554 of 1853.)

Read also letter under date the 15th
December

December 1853 from the same Officer.

/Vide order F.D. No. 2703 of 1853/

1. The Session Judge, with his letter of the 17th. November last submitted a letter from the Subordinate Judge, recommending that a sentence of Imprisonment for six months and one day passed by him, upon a boy of 7 or 8 years of age, upon his conviction on a charge of housebreaking and theft should on account of his tender age be reduced to one months Imprisonment with labor without irons.—

2. The Court of Foujdaree Udalut having in their proceedings of the 6th. Ultimo, in which they directed the release of the prisoner with a warning pointed out that it was competent to the Subordinate Judge to pass the reduced sentence recommended by him, the Subordinate Judge represents that the sentence was passed by him in the case in question with reference to the rule laid down in Circular Order No. 139 which prescribes that in cases of house breaking, the period of imprisonment awarded or should be in excess of six months. The Subordinate Judge adds that the records of his Court shew that the Court of Foujdaree Udalut have frequently directed that this rule should be always observed.—

3. The Court of Foujdaree Udalut observe that the rule referred to, is intended for general guidance

guidance, but that when exceptional cases may it is not to be considered binding. The reasons, however which in any special instance may lead to a more lenient punishment being adjudged than that indicated in the Circular Order above quoted should always be set forth.—

Ordered that Extract from these Proceedings be forwarded to the several Session Judges for their information and guidance and for Communication to the Subordinate Judges and Principal Sudders Ameens.—

/Sent in No./

Read letter dated the 12th. Instant from the Agent to the Governor of Fort St. George in Ganjam submitting for the final judgment of the Foujdaree Udalut the record of case No. 23 of 1853 on the Calendar of the Agents Court.—

/Vide enter F.D. No. 2794 of 1854/

W. 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. Gopee Bhaira

and

2d. Chander Misree

31st January 1854

is sufficient to convict them of the crime charged, do con-
vict them thereof, and under the provisions of Clause
Seventh, Section II Regulation XX of 1803 sentence
the prisoner,

1st Gopee Bhaira

to be imprisoned and kept to hard labor in irons
on the public roads or other public works for and
during the period of (2) two years, and the prisoner,

2d Chander Miaree

to be imprisoned and kept to hard labor in irons
on the public roads or other public works for and during
the period of (1) one year—

Sent in No 15

Ex Proc

F. U.

Wednesday 1st February 1854 } At a Court of Foujdary Udalut.

Present:

The Hon'ble G. S. Hooper Esquire
Do W. A. Morehead Esquire
Do T. L. Strange Esquire
} Puisne Judges

Read Calender of Case No 17 of 1854 of the Session Court of Bellary

(Here enter F. U. No 225 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of Robbery with wounding, be reduced to (7) years' imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Thummoogah alias Hannimah.

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

Sent in No. &c.

Ex Rec'd.

J. U.

Thursday. 2d. February 1854. } At a Court of the Fouzdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Miscellaneous Petition received through the Acting Sessions Judge of Masulipatam on 17th. January 1854 from Venkamal and Veeramah on behalf of the 3d. and 4th. prisoners in Case No. 83 of 1853 on the file of the Sessions Court of that Zillah.-

/Here Enter F. M. P. No. 11 of 1854/

Mr. W. A. Morehead. 1. Petitioners pray for the reversal of the sentences passed on the above prisoners.

2. Seeing no reason to question the propriety either of the prisoners conviction or of the sentences passed upon them, the Court of Fouzdaree Udalut reject this petition.-

Ordered, that Extract from these Proceedings be sent to the Acting Sessions Judge of Masulipatam and for communication to the petitioners.- /Sent in No. /

Read

2d. February 1854.

Read letter dated 24th. January 1854 from the Session Judge of Cuddapah submitting for the final judgment of the Sudr Fouzdaree Adalut the Record of case No. 38 of 1853 of the Calendar of the Session Court.

/Here Enter F. M. P. No. 269 of 1854/

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

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

D. Sobbadoo

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 Ste/

Read Calendar of Case No. 17 of 1853 on the file of the Session Court of Mangalore.—

/Here Enter F. M. P. No. 2611 of 1853/

Read also Miscellaneous Petitions received through the Session Judge

2d. February 1854.

of Mangalore from Kristnapah Sr. and Kroostnal the second prisoners in the case.—

/Here Enter F. M. P. Nos. 1884 & 1897 of 1853/

Mr. G. S. Hooper. 1. Seeing reason to question the propriety of the conviction of the prisoners the Court of Fouzdaree Adalut resolve to direct the submission of a translation of the record for their judgment.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Mangalore by precept returnable in XV days from and after its receipt.—

/Sent following Precept &c/

Read Miscellaneous Petition sent by the Session Judge of Salem on the 12th. December 1853, from Srinavasa Murti of the zillah of Salem.—

(Here Enter F. M. P. No. 185 of 1853)

Mr. W. A. Morehead. 1. The Petitioner prays the Court of Fouzdaree Adalut to reverse the order of the Session Judge refusing to admit an appeal preferred by the Petitioner against an order of the Magistrate of Salem of

affirming

2nd February 1854

affirming that of the Head Assistant Magistrate by which the Petitioner was fined and forbidden to exercise his rights in a village.-

2. The grounds stated by the Session Judge are that the time for preferring an appeal had expired, but the Petitioner contends that he has shewn satisfactory reasons for the said delay.-

3. The Court of Foujdaree Udalut resolve to forward this Petition to the Sessions Judge of Salem and to direct him to admit the appeal of the Petitioner against the sentence of the Head Assistant Magistrate.-

4. The Court of Fouydaree Udalut further call the attention of the Session Judge to the statement made in this Petition that the Petitioner had besides being fined on account of a fraud in an Istemrarnamah. been turned out of suspension of a village and referred to a Civil Suit.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Salem for his information and for communication to the Petitioner by precept returnable within 7 days from and after its receipt

(Sent following precept No.)

S. U.

2nd February 1854

Read Return dated 25th January 1854 from the Session Judge of Chittoor to the precept of the Fouydaree Udalut under date the 12th January 1854 on a review of the criminal Reports for the month of November 1853.—

/Here enter S. No. No. 246 of 1854/

Read Report dated 19th January 1854 from the Session Judge of Rajahmundry of the Jail of Convicts in the Jail at Cocanada under the charge of the Magistrate for the month of December 1853.—

/Here enter S. No. No. 256 of 1854/

Read Statement dated 31st December 1853 submitted by the Session Judge of Chicacole of Batta paid to the Prosecutors and Witnesses attending before him during the 2nd half of 1853.—

/Here enter S. No. No. 257 of 1854/

Read Return dated 24th January 1854 from the Session Judge of Cuddapah to the precept of the Fouydaree Udalut under date the 20th January 1854 directing him to pass a definite order upon the case of the Pir Mahomed Saib and to report the same for their information.—

/Here enter S. No. No. 270 of 1854/

Read Return dated 25th January 1854

from

F. C.

Friday
3d February 1854 } At a Court of the Fouzdaree Adalut

Present.

Hon'ble G. S. Cooper Esquire
H. A. Morehead Esquire
H. L. Strange Esquire } Puisne Judges

Read Calendar of Case No 2 of 1854
on the file of the Session Court of Cuddapah
(Here enter F. C. No 170 of 1854)

The prisoner in the above case was convicted of house breaking and theft to the amount of Rupees 1999--2--

2. The Sessions Judge sentenced the prisoner to seven years imprisonment but in consideration that he had not been previously convicted and that the amount of the property actually obtained by him appeared to be small, recommended the reduction of the sentence to 4 years imprisonment.—

3. The Court of Fouzdaree Adalut See no reason for mitigation of the prescribed Sentence in this case and they decline authorizing it.—

Ordered

Feby 1854

from the Session Judge of Rajahmundry to the pre-
=cept of the Fouzdaree Adalut under date the 20th Ja-
=nuary 1854 suggesting that a sentence of 18 months
imprisonment be passed upon the 1st and 1 year
upon the 2d Prisoner in Case No. 28 of 1853 on
the Calendar and in Case of concurrence to sub-
=mit a translation of the record.—

(Here enter F. C. No. 273 of 1854)

Read Report dated 25th January
1854 from the Acting Session Judge of Masulipatam
reviewing the Criminal reports of the Magistracy
for the Month of December 1853.—

(Here enter F. C. No. 282 of 1854)

Read Statement dated 30th Janu-
=ary 1854 submitted by the Session Judge of Chit-
=toor of Batta paid to the Prosecutors and Witnesses
attended before the Session Court from 1st July
to 31st December 1853.—

(Here enter F. C. No. 294 of 1854)

3d. February 1854. Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for his information and guidance. —

/ Sent in Nil. /

Read Calendar of Case No. 2 of 1854 on the file of the Sessions Court of Nellore.

/ Here enter F. No. 172 of 1854 /

The prisoners were charged with having stolen 89 Seers of fine paddy valued at Rupees 1—13—8 from a godown and with having been found in possession of the same knowing it to have been stolen. —

2.

The Court of Fouzdaree Adalut are of opinion that this Case should have been disposed of by the Magistrate and resolve to direct the remission of the Corporal punishment to which the prisoners have been sentenced in addition to three months imprisonment.

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

/ Sent in Nil /

Read Statement submitted by the

3d. February 1854. the Subordinate Judge in Charge of the Court of Calicut in conformity with Circular Order No. 4 for the 2d. half of 1853. —

/ Here enter F. No. No. 180 of 1854 /

The Court of Fouzdaree Adalut view with disapprobation the long termed delay exhibited in the foregoing statement between the close and reference of the trials entered therein. —

Ordered that Extract from these proceedings be sent to the Subordinate Judge in Charge of the Sessions Court of Calicut for his information. —

/ Sent in Nil /

Read Calendar of Case No. 1 of 1854 on the file of the Sessions Court of Masulipatam. / Here enter F. No. No. 192 of 1854 /

In the above Case the prisoner was charged with murdering her mother by "pushing her from herself". The language here used is unintelligible, mere pushing could not well have caused death and the fall which resulted from the pushing which was the proximate cause of death. —

Should

3d February 1854. should have been set forth in the Charge.

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

/Sent in Nº /

Read Criminal Reports of the Zillah of Rajahmundry for the month of December 1853 and Supplemental Criminal reports of the same Zillah for the months of September and November 1853. —

/Here enter F. C. Nº 187 of 1854/

Case Nº 95. / The prisoners in this case were detained for one month before the Police and have now been three months before the Criminal Court and their Case is still undisposed of

Case Nº 114. 2. The prisoners who arrived at the Criminal Court on 25th November were still in detention at the close of the year.

3. The Court of Foujdaree Adalut direct that the Subordinate Judge be required to explain the reasons of the delay in these two Cases. —

Case Nº 46. 4. In this case the prisoner

3d February 1854. was convicted by the Head Assistant Magistrate of attempting to obtain money under false pretences. The nature of the pretence used and its falsity should have been set forth in the Charge. —

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

/Sent following precept Nº /

Read Calendar of Case Nº 20 of 1854 of the Sessions Court of Bellary. —

/Here enter F. C. Nº 249 of 1854/

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the imprisonment which

Mooseelegah. the Prisoner noted in the Margin has been adjudged to suffer on his conviction of the Crime of "Highway Robbery" be reduced to /5/ five years' imprisonment with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly. —

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

3d February 1854. Judge of Bellary for his information.—

(Sentence No.)

Read again Criminal Reports submitted by the Sessions Judge of Salem for the month of November 1853.—

(Here enter F. Dc. No. 2754 of 1853)

Read also return from the Sessions Judge of Salem to the precept of the Foujdaree Adalut dated 10th January 1854.—

(Here enter F. Dc. No. 174 of 1854)

In their proceedings to which the present return is made, the Court of Foujdaree Adalut suggested the reduction of the sentence of 6 months imprisonment for theft passed upon the prisoner in the above case to one month as the amount stolen was small and the offence of which the prisoner had been previously convicted was of a different nature.

2. In the above return the Sessions Judge explains that entry was obtained at night into the premises owned by withdrawing the bolt which secured the door and that in strictness the prisoner should have been charged with housebreaking for which the lowest

3d February 1854. lowest sentence would have been seven months' Imprisonment.

3. Under this explanation the Court of Foujdaree Adalut see no ground for interfering with the sentence passed upon the prisoner.—

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

(Sentence No.)

Read return dated the 28th January 1854 from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 31st December 1853 directing unconditional release of the Prisoners Sheekary Bhut and Ramachendra Shanbogue.—

(Here enter F. Dc. No. 304 of 1854.)

Read Criminal report B submitted by the Sessions Judge of Mangalore under date the 28th January 1854 of persons apprehended and delivered to the Subordinate Judge for the month of December 1853.

(Here enter F. Dc. No. 307 of 1854)

Read Criminal report of the

3d February 1854. the Magistrate of Tanjore for the month of December 1853 submitted by the Sessions Judge of Combaconum under date the 30th January 1854.—

(Here enter F. Vo. No. 308 of 1854)

Read half yearly Statement of Batta paid to prosecutors and witnesses submitted by the Sessions Judge of Salem under date the 1st January 1854.

(Here enter F. Vo. No. 317 of 1854)

Read letter dated the 25th January 1854 from the Sessions Judge of Tellicherry returning the reports received with the Extract from the proceedings of the Tanjore Adalut dated 16th January 1854 and stating that in future due attention will be paid to the instructions therein conveyed.

(Here enter F. Vo. No. 318 of 1854)

Ex Thos

F. Vo.

Monday 6th February 1854. At a Court of the Tonjdaree Adalut.

Present.

G. S. Cooper Esquire,
W. A. Morehead Esquire,
T. L. Strange Esquire,
} Puisne Judges

Read letter under date the 25th Ultimo from the Agent to the Governor of Fort St. George at Kurnool, submitting for the final judgment of the Tonjdaree Adalut the report of the trial of Criminal Case No. 56 of 1853 on his file.

(Here enter F. Vo. No. 292 of 1854.)

The Court of Tonjdaree Adalut concur with the Agent in his conviction of the Prisoners 1 to 17 of the crime charged, and under the provisions of Clause VII Section II. Regulation XX of 1803 resolve to direct that the Prisoners

1st Boreum Nagadoo
2d Curra Timmadoo
3d Pillay Nagadoo
5th Govendoogadoo
6th Pedda Timmadoo
7th China Timmadoo
8th Potta Venkatagadoo
9th Cootta Timmadoo

10.

10th Sungevegadoo

11th Senapully Lutchegadoo

12th Pedda Perrogadoo

13th Dodeboyena Gorradoo

14th Golla Sastradoo.

15th Serigery Ramsadoo

16th Yen Katachellum

17th Dodligaradoo

be imprisoned and kept to hard labor in irons for and during the period of six months and that the 4th Prisoner, Gangoo be imprisoned for the same period with labor suited to her sex.

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

(Sent in &c.)

Read letter under date the 25th Ultimo from the Agent to the Governor of Fort St. George at Rumnad submitting for final orders a summary of the Evidence in Criminal Case No. 62 of 1853 with his opinion as to the amount of punishment to be awarded the Prisoner.

Vide Enter F.C. No. 293 of 1854

The Court of Foujdaree Adalut concur with the Agent in his conviction

of the Prisoner and agreeably to the recommendation of that officer, resolve to direct that the Prisoner Chenchoo be imprisoned and kept to hard labor in irons for and during the period of six months under the provisions of Clause 3d Section IV Regulation XV of 1803.

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

(Sent in &c.)

Read letter under date the 27th Ultimo from the Agent to the Governor of Fort St. George at Rumnad, submitting for final orders a report of the trial of Criminal Case No. 20 of 1854 on his file

Vide Enter F.C. No. 296 of 1854.

The Court of Foujdaree Adalut concur with the Agent in his conviction of the Prisoner of the Crime charged, and under the provisions of Clauses 2 and 5 Section IX Regulation XV of 1803. sentence the Prisoner

Dodeogah

to be imprisoned and kept to hard labor in irons for and during the period of two years.

Ordered

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

Sentence Pa

Read letter dated the 25th Ultimo
from the Sessions Judge of Bellary submitting
for the final judgment of the Sonjdaree
Adalut the record of case No. 40 of 1854 on
the Calendar of the Session Court.

Here Enter F. R. No. 338 of 1854.

The Court of Sonjdaree Adalut
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

Athamah

is sufficient to convict her of the crime of
Murder, do convict her thereof; and under
the provisions of Section x Regulation xvii
of 1802 sentence her to suffer death by being
hanged at the usual time and place of
Execution.

Sentence Pa

Read letter under date the
27th Ultimo from the Agent to the Governor
of Fort St. George at Rumnad submitting
for the final judgment of the Sonjdaree
Adalut

F. R.
6th February 1854.

Adalut a report of the trial of Criminal
Case No. 1 of 1854 on his file.

Here enter F. R. No. 343 of 1854

The Court of Sonjdaree Adalut
concur in the conviction of the Prisoners
1 to 9 of the Crime of Gang robberry and in
accordance with the recommendation
of the Agent resolve to sentence the
Prisoners.

1st Pedda Lingadoo
2d Pedda Ankadoo
3d Pedda Potadoo
4th Padiegandoo
5th Poortadoo
6th Chinna Potadoo
7th Biagadoo
8th Chinna Goorradoo and
9th Nangadoo.

to be imprisoned with hard labor in irons
for and during the period of six 6 months each
2. With reference to the suggestion
contained in the 11th para of the Agents
letter the Court of Sonjdaree Adalut
desire to be informed whether there is
any suitable Building at Yedgode
in which the prisoners can be secured
at night, and if so, whether it is a
Tahsildar's station.

Ordered

Ordered that Extract from
these Proceedings be forwarded to the
Agent to the Governor of Fort St. George
at Kurnool for his information and
guidance by Peon Sepoy chunnable within
III days from and after its receipt.

Sent following receipt No

Read letter under date the
27th Ultimo from the Agent to the Gover
of Fort St. George at Kurnool, submitti
for final orders a summary of the evide
in Criminal Case No 59 of 1863 on his fi

Here enter F. C. No 344 of 186

The Agent convicts the Pri
in this case of the Crime of Highway
Robbery and under the provisions of
Clause 3rd and 5th Section IV Regulation X
of 1803 suggests that a sentence of 2 years
imprisonment may be passed upon him
2.

The Court of Fouzdaree
Udalut concurring in the conviction of
the Prisoner

Venkatagundoo

resolve to direct that he be imprison
and kept to hard labor in irons for a
during the period of two years under
the provisions of the Law quoted.

Ordered that Extract

these Proceedings be forwarded to
the Agent to the Governor of Fort St.
George at Kurnool for his informa
and guidance.

Sent in No

Read letter under date
the 29th Ultimo from the Agent to the
Governor of Fort St. George at Kurnool
submitting for the final judgment
of the Fouzdaree Udalut a report of
the trial of Case No 57 of 1863 on his
Criminal file.

Here enter F. C. No 360 of 1864.

The Court of Fouzdaree
Udalut concur with the Agent in his
conviction of the Prisoner in this case of
the crime of Highway Robberry and
agreeably to his recommendation resolve
to direct that the Prisoners

1st Chinna Sutchegadoo

2d Cotta Ramoodoo

be imprisoned and kept to hard labor
in irons for and during the period of
six months under the provisions of
Clauses 3d & 5th Section IV Regulation XV
of 1803.

Ordered that Extract
from these Proceedings be forwarded
to

to the Agent to the Governor of Fort St. George at Rajmundry for his information and guidance.

Sentin Sr.

Read Miscellaneous Petition presented by T. Appiah Vakeel on behalf of Tolaty Vencataraizer of the Zillah of Rajahmundry.

(Here enter F. M. P. No 184 of 1853)

Mr. W. A. Morehead, and Mr. J. L. Strange

The Petitioner complained to the Magistrate against a wealthy Mootahdar of the district who upon an investigation of the case was ordered to find two sureties for his future good conduct.

2.

Upon appeal the order of the Magistrate was reversed by the Sessions Judge

3.

The Mootahdar then petitioned the Sessions Court to recover from — Petitioner travelling expenses, Vakeel's fees, and other costs amounting to Rupees 365-4-9 under clause 3. Section XXXIX Regulation VII of 1802.

4.

The Sessions Judge adjudged Petitioner to pay to the said Mootahdar Rupees 133-3-2. and in default deputed an officer of his Court to sell Petitioners property.

5

The Petitioner prays the Court

of

of Tongdaree Udalut to reverse this order of the Sessions Judge and to order his property to be released from attachment.

6.

The Court of Tongdaree Udalut consider that the enactment under which the Petitioner has been adjudged to pay costs gives power only to the Criminal Courts to levy costs incurred on prosecutions before them.

Section XXXIX Regulation VII of 1802

7

This case was a Magisterial one and the Regulation does not therefore appear applicable.

8.

Under these circumstances the Court of Tongdaree Udalut resolve to disallow the costs adjudged by the Sessions Judge of Rajahmundry.

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

Sentin Sr.

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

Read Supplemental Return dated 31st January 1854 from the Sessions Judge of Cuddalore to the Precept of the Tongdaree Udalut under date the 13th January 1854 conveying observations on the Criminal

Reports

6th February 1854. Reports for the months of November 1853.

/ Herewith F. R. No. 322 of 1854 /

Read letter dated 27th January 1854 from the Sessions Judge of Madura returning the Criminal Reports forwarded with the Extract from the Proceedings of the Foujdaree Adalut dated 16th January 1854.

/ Herewith F. R. No. 357 of 1854. /

Read return dated 30th January 1854 from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 26th January 1854 observing that the Sessions Judge has omitted to describe the manner in which the Prisoner Purgy effected his escape as directed in Circular order of the Foujdaree Adalut under date the 28th March 1832.

/ Herewith F. R. No. 333 of 1854. /

Read Extract dated 21st January 1854 from the Sessions Judge of Tinnevelly from the Proceedings of the Sessions Court held on the Explanation submitted by the Magistrate of Tinnevelly with his letter dated 19th January 1854.

/ Herewith F. R. No. 335 of 1854. /

Read return dated 31st January 1854 from the Sessions Judge of Salem

6th February 1854 to the precept of the Foujdaree Adalut under date the 19th January 1854 directing the restoration of Shaik Imam to his situation of Jailor of Salem.

/ Herewith F. R. No. 341 of 1854. /

Read Calendar dated 28th January 1854 from the Sessions Judge of Bellary in Case No. 28 on the Sessions file for 1854.

/ Herewith F. R. No. 324 of 1854 /

Read Calendar dated 25th January 1854 from the Sessions Judge of Salem in Case No. 2 of 1854. and the Translation of Futwah required by the Circular order No. 1848.

/ Herewith F. R. No. 342 of 1854 /

Read Calendar dated 25th January 1854 from the Sessions Judge of Coimbatore of Prisoners in Case No. 2 of 1854 of the Sessions Court of Coimbatore, Committed for trial by the Principal Sudr Ameen with remarks of the Sessions Judge.

/ Herewith F. R. No. 354 of 1854. /

4 Th

F. U.

Tuesday 7th February 1854. } At a Court of the Foujdaree Udalut.

Present.

G. S. Cooper Esquire
W. A. Morehead Esquire
H. T. Strange Esquire
} Puisne Judges

Read Calendar of Case No. 4 of 1854 of the Session Court of Nellore.-

/Here enter F. R. No. 264 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of "Robbery by open violence" be reduced to (3) three years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.-

1. Cottu Pitchigadoo,
2. Talari Narasadu.
3. Chintala Venkatigadu.
4. Bommu Nagadu.
5. Mandagunta Adigadu.

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

(Sent in No.)

F. U.

Wednesday
8th February 1854 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqre } Puisne Judges
J. L. Strange Esqre

Read Calendar of Cases
No 2 of 1854 on the file of the Sessions
Court of Bellary.—

(Here enter F. U. No 166 of 1854.)

1 This case was disposed of
in the absence of two of the witnesses who had
been permitted by the Subordinate Criminal
Judge to return to the Village, the Subordi-
nate Court having been closed on account
of the Christmas holidays.

2 The Court of Foujdaree Udalut
observe that the Subordinate Judge was
not authorized to close his Court during
the Christmas week, which is not included

in

5th February 1854.

in the list of holidays sanctioned for the Courts in the Provinces.

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

Sd/ [illegible] (Sent in No)

Thursday 9th February 1854.

P. 96.

At a Court of the Foujdaree Adalut

Present

G. S. Hooper, Esquire
W. K. Morehead, Esquire
J. L. Strange Esquire
} Puisne Judges.

Read Miscellaneous Petition forwarded by the Sessions Judge from Ahmed Ali of the Zillah of Tinnevelly.-

Here Enter F. N. P. No. 7 of 1854

1. The Petitioner complains that upon petitioning the Sessions Judge that officer has refused to reverse an order passed by the Magistrate by which petitioner feels aggrieved.-

2. The Court of Foujdaree Adalut see no reason to question the correctness of the order passed by the Magistrate upon the matter of this Petition which which they accordingly resolve to dismiss.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Tinnevelly for communication to the Petitioner.-

(Sent in No)

Read

Read again Miscellaneous Petition presented on the 12th December 1853 by Rajahmunnaroo Naick, Ryalee Naick and two others, late Jail Peons in the Zillah of Trichinopoly.

Here enter Ex. No. 1 & 2 of 1854

Read a letter returnable dated the 26th January 1854 from the Sessions Judge of Trichinopoly to the peace of the Court of Fouzdaree Udalut dated the 19th January 1854 calling for further information in the case of the above Petitioners.

Here enter Ex. No. 3 of 1854

It appears from the foregoing returns, that the dismissal of the Petitioners from their situations was founded solely on the report of the jailor.

2 The Court of Fouzdaree Udalut are of opinion that the Sessions Judge was not justified in dismissing the Petitioners without holding an enquiry into the charges preferred against them, and giving them an opportunity of exculpating themselves. It is most dangerous to invest a subordinate officer in such an extent as to give him the power of effecting the dismissal of any one under him, and at this date the Court do not think that any

Mr. W. A. Morehead
and
" T. L. Strange

any Enquiry could be held in this matter advantageously to the cause of truth, and the Court accordingly resolve to direct that the Petitioners be restored to their situations.

3. The Court trust that the Sessions Judge will in future be more circumspect in his proceedings in cases of this nature.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Trichinopoly by precept returnable within 15 days from and after its receipt

Sent following Precept No.

Ordered also, that Extract from these proceedings (para 1 & 2) be granted to the Petitioners on their application

Read letter dated the 25th Ultimo from the Agent to the Governor of Fort St. George at Kurnool submitting for the final judgment of the Fouzdaree Udalut the record of Case No. 43 of 1853 on the Calendar of the Agent's Court.

Here enter Ex. No. 320 of 1854.

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

1st " Antetimee

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 &c.

Read letter under date the 31st January 1854 from the Sessions Judge of Combaconum forwarding English Translation of the record of case No. 48 of 1853 on the Calendar of the Session Court for the final Judgement of the Court of Foujdaree Udalut.

Here Enter F.R. No. 388 of 1854.

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 Auroomoogum
2d Narayanmun
3d Ramasamy
and
4th Cauley.

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

1. In this case nine prisoners were charged the 1st 2d and 3d with having on the night of the month of December murdered

murdered one Cauroo Supramaniam and the remaining prisoners were charged with having aided and abetted them in the crime.

2. The existance of enmity on the part of the 1st prisoner to the deceased in consequence of a dispute about land was established.

3. The case against the prisoners mainly depended upon the evidence of the 1st 2d and 3d witnesses inmates of the same house as the deceased, who distinctly swore to the part taken in the murder by the 1st 2d 3d & 4th prisoners the 2d and 3d holding him while the 1st cut his throat. They further criminated one Shunmoogum not apprehended.

4. Those witnesses further deposed to the presence of the remaining prisoners outside the house.

5. The 4th and 5th witnesses attempted to support this evidence as to identity, but the Court of Foujdaree Udalut concur with the Sessions Judge in deeming their statements worthless

6. The Mahommedan Law officer acquitted the prisoners from 4th to 9th but convicted the 1st to 3d declaring however

however that the 1st alone was liable
to suffer death.

The Sessions Judge concurred
with the Mahommedan Law Officer
except as to the conviction of the 2d & 3d
prisoners and he released all but the
first four prisoners detaining the 4th
because the evidence against him was
precisely the same as that against the
3d whom the Law officer had convicted.

8 In his letter of reference the
Sessions Judge admits that the evidence
of the witnesses was precisely the
same manner upon the whole of the four
four prisoners and confesses himself unable
to assign a reason for rejecting it as to
three and receiving it as to the first
upon whom he recommends that a
sentence of death be passed. The Sessions
Judge considers it certain that there was
a light in the hut at the time of the
murder which rendered identification
possible.

9. The Court of Sonjdaree
Udalut are unable to concur with the
Sessions Judge in the conviction of the
The 1st 2d and 3d witnesses mentioned
the names of none of the alleged murd
=ers on the night of the occurrence and

their fact appears to the Court of Sonjdaree
Udalut to render their subsequent state
ments as to the identity of the prisoners
worthless. They are unable to concur
with the Sessions Judge that reasons for their
silence will easily suggest themselves
for it appears that a large number of
persons had collected immediately
and there could have been no fear as
to any evil consequences from revealing
what they had seen. The 4th and 5th witnesses,
servants of the family, were sent to call
the prosecutor but were not furnished
with the names of the murderers by
the women (1st 2d & 3d witnesses)

The Court of Sonjdaree
Udalut consider it impossible to reconcile
this continued silence with the alleged
recognition of the prisoners at the time
which these witnesses have affirmed
in their evidence.

Setting aside the evidence
11. as to the identity of the prisoners which
constituted the only evidence against
them, the Court of Sonjdaree Udalut
have directed the acquittal of the 1st
2d and 3d prisoners.

The Court of Sonjdaree
12. Udalut

F. U.

Friday } In the Court of the Foujdaree Udalut.
February 1854 }

Present

The Hon'ble G. F. Hooper Esquire
" W. E. Gorshead Esquire } Puisne Judges
" T. L. Strange Esquire

Read Calendar of Cases Nos. 29 of 1854 of the Sessions Court of Bellary.

(Here enter F. U. No. 353 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of "Highway Robbery" be reduced to (6) six months imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Bavvayah
Lutchmiah

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

Sent in Ps.

Read

11th February 1854.

Read the letter dated the 29th ult
from the Agent to the Governor & Governor
in Council forwarding for the final Judgement of the
Foujdaree Udalut the records of Case No 257
1853 on the Agents file.

(Here enter F. M. P. No 30 of 1854)

Mr G. S. Cooper

The Court of Foujdaree
Udalut on a reference to consideration of
the circumstances of the case in which
there being of opinion that the punishment
the prisoner,

1st. Manthoonoony

is sufficient to commit him of the crime
Rape for which in the absence of the
conditions of Hud, Quazeah any person
is punishable under the Mahomedan
Law as declared in futwahs of their
officers, do commit him thereof, and
the provisions of Clause third Section
Regulation XV of 1808 and Section XX
Act VII of 1843 sentence him to be
imprisoned and kept to hard labor
irons on the public roads or other public
works for and during the period of [illegible]
years

11th February 1854.

Read Miscellaneous Petition
presented on the 30th January 1854 by
Messrs. Ritchies Vakeels on behalf
of Vutlearnah and another of the
Zillah of Nellore.

(Here enter F. M. P. No 23 of 1854)

Mr G. S. Cooper
Mr W. H. Maddock

1. The Petitioners two female
prisoners in Calender No 1 of 1854 on
the file of the Sessions Court of Nellore
was convicted of Robbery by open violence
and sentenced to 14 years imprisonment
with labor.

2. This sentence upon the
recommendation of the Sessions Judge
has been mitigated by the Court of
Foujdaree Udalut in their proceedings
of the 21st January 1854. to 4 years
imprisonment with labor.

3. The Petitioners pray
the Court of Foujdaree Udalut to
grant them a further mitigation
of this sentence on account of the
peculiar circumstance of their case.

4. The Court of Foujdaree

Udalut

16th February 1854.

Ordered upon further consideration of the circumstances set forth in this Petition, we are of opinion that the 2 years imprisonment will be a sufficient punishment and resolve to direct the Sessions Judge of Nellore with reference to his proceedings of 21st January 1854, to annul the warrant in this case, observing that the sentence passed on the Petitioner be mitigated to two years imprisonment.

Ordered that extract from these proceedings be sent to the Sessions Judge of Nellore for his information and guidance by Dak & returned in 10 days from and after its receipt.

(Sent following exempt 18)

Ordered also that upon from these proceedings the furnished to Petitioners Vakeels and other ations.

Read Calendar of Cases of 1854, submitted by the Sessions of Chittoor dated the 2d Instant

(Here enter F. C. No. 365 of 1854)

16 February 1854.

Read Calendar of Cases No. of 1854 submitted by the Sessions Judge of Madura dated the 1st Instant

(Here enter F. C. No. 366 of 1854)

Read Report dated the 1st Instant submitted by the Subordinate Judge in charge of Sessions Court of Calicut of Cases pending on the 31st December 1853 and committed for trial during January 1854.

(Here enter F. C. No. 369 of 1854)

Read Report dated the 1st Instant submitted by the Sessions Judge of Guntoor, of Cases pending on the 31st December 1853 and Committed for trial during January 1854.

(Here enter F. C. No. 372 of 1854)

Read Report dated the 2d Instant submitted by the Sessions Judge of Cuddalore of Cases pending on the 1st February 1854, and Committed for trial during the months of November and December 1853.

(Here enter F. C. No. 373 of 1854)

Read

February 1854.

Read Report dated the 1st
Instant submitted by the Sessions
Judge of Rajahmundry of Cases pending
on the 1st February 1854 before the Sessions
Court for a longer period than 25 days.
(Here enter F. U. No 37 of 1854)

No 1813.

Friday
11th February 1854. At a Court of the Foujdaree Udalut

Present

G. J. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read Letter from the Session
Judge of Bellary dated 20th January 1854.
Here enter F. U. No 200 of 1854.

1. With reference to proceedings of the Foujdaree Udalut dated 13th January 1854 the Session Judge explains that he is unable to comply with the directions therein given to fold the Criminal reports lengthways because they will then exceed the dimensions permitted by the Post office rules

2. Under this explanation the Court of Foujdaree Udalut recall the Order referred to and sanction the continuance of the former practice

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

Sent in No

Read Calendar of Cases Nos 9 of
1854 of the Session Court of Chingleput & vicinity.
Vide Entry F. H. No 303 of 1853.
The Court of Foujdaree Udalut
approve of the recommendation made by the Ses-
sion Judge in this Case that the imprisonment
which the Prisoners noted in the margin have
been adjudged to suffer on their conviction of the
Crime of Highway Robbery be reduced to
four years' imprisonment with hard labor in
irons, and they do authorize the Session Judge
to issue his warrant accordingly.
Ordered that Extract from the
Proceedings be forwarded to the Session Judge
Chingleput for his information.
/Sent in./

1st Ramasawmy
2 Govindoo

Read Calendar of Cases Nos
1854 of the Session Court of Nellore
Vide entry F. H. No 238 of 1853
The Court of Foujdaree Udalut
are of opinion that a sentence of (2) two years
imprisonment with hard labor in irons is an
adequate punishment for the offence of which the
Prisoners are convicted and they do therefore

resolve to call upon the Session Judge to reduce
their sentences accordingly.
2. If unable to concur with the Court
in the propriety of the mitigated sentence now
proposed, the Session Judge will be pleased
to submit an English translation of the entire
Record of the case, for their consideration.
Ordered that Extract from the
Proceedings be forwarded to the Session Judge
of Nellore by Precept returnable within
days from and after its receipt.
/Sent following precept No /

Ed. Thos

Monday
15 February 1854. At a Court of the Foujdaree Udalut

Present

G. L. Hooper Esquire
W. C. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Miscellaneous Petition presented on the 26th January 1854 by Mr. Shaammah of the Zillah of Nellore.

(Here Enter F. M. P. No 15 of 1854)

The Petitioner's son Narasu is a prisoner in Case No 2 of 1853 before the Sessions Court of Nellore and has been sentenced to seven years imprisonment with hard labor in irons being convicted of Housebreaking and theft. The Petitioner submits that the evidence against her son was insufficient, and prays the Court of Foujdaree Udalut to order his release.

2 The Court of Foujdaree Udalut see no reason to question the justice of the sentence passed by the Sessions Judge in the case in question, and therefore

resolve to reject this Petition.-

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

Read Miscellaneous Petition presented on the 26th January 1854 by Mr. Shashummah of the Zillah of Nellore

/Here Enter F. M. P. No 20 of 1854/

Mr G. L. Harper / The Petitioner prays the Court of Foujdaree Udalut to cancel the sentence of 14 years Imprisonment with hard labor in irons, which has been passed on her son, who was 7th Prisoner in Case No 15 of 1853 before the Session Court of Nellore.

2 The Petitioners son 7th Prisoner was convicted and sentenced by the Court of Foujdaree Udalut, on a careful examination of the whole of the Record of the Case in question. The Court of Foujdaree Udalut see no reason whatever to doubt the correctness of their decision, and therefore resolve to reject this Petition.-

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

Read

Read Miscellaneous Petition presented on the 30th January 1854 by H. Wilkins Esquire, Vakeel on behalf of Mahomed Sela prisoner in Case No 20 of 1853 on the file of the Session Court of Trichinopoly.-

/Here Enter F. M. P. No 21 of 1854/

Read also Calendar of the above Case.

/Here Enter F. M. No 2396 of 1853/

Mr J. L. Strange / This is an application for the cancellation of the sentence passed upon the prisoner in the above Case, and for his release.-

2 Seeing no reason to question the propriety of the conclusion at which the Session Judge has arrived, the Court of Foujdaree Udalut reject this petition, and decline hearing the Vakeel in its appeal.-

Ordered, that Extract from these Proceedings be furnished to the Petitioners Vakeel in this application.

Read again Calendar of Case No 20 of 1853 on the file of the Session Court of Guntoor.-

/Here Enter F. M. No 49 of 1854/ Read

9th February 1854.

13th February 1854

Read also return from the same office, to precept of Foujdaree Udalut dated 20th January, directing the submission of a translation of so much of the record of the above Case as affected the 1st prisoner.

/Here Enter F. No. No 38 of 1854/

Upon a consideration of the portions of the records submitted with the above return the Court of Foujdaree Udalut see no reason for questioning the propriety either of the prisoner's conviction, or of the sentence recorded against him.

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

/Sent in No. /

Read Calendar of Cases No. 1 of 1854 on the file of the Sessions Court of Bellary.

/Here Enter F.No. No 226 of 1854/

The prisoners are convicted of causing the death of a woman by death. The Sessions Judge convicted them of culpable homicide, and sentenced them to one months imprisonment.—

The

F.No.

13th February 1854

2 The Court of Foujdaree Udalut are of opinion, that the offence committed was of not actually murder, culpable homicide under circumstances of great aggravation. They are unable to conjecture the considerations which can have weighed with the Sessions Judge in adjudging to such an offence so inadequate a punishment. They deem it necessary to point out that to constitute malice, it is by no means necessary that the existence of deeply-rooted enmity in the prisoner's mind, should have been proved.

3 The sentence should have been passed under Clause second Section XV Regulation VII of 1802, and not under Clause seventh Section II Regulation XV of 1803, as entered in the Calendar.—

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

/Sent in No. /

Read Calendar of Cases No. 1 of 1854 dated 24th January 1854 sent by

by the Sessions Judge of Chicacole.

/Here Enter F.M. No 266 of 1854/

1 In this Case, of twenty one prisoners charged with House-breaking, theft, and receiving stolen property, nineteen have been convicted by the Mahomedan Law Officer and Sessions Judge, and sentenced to seven years imprisonment with hard labour in irons.

2 The 11th prisoner convicted of having received stolen property knowing it to be stolen, was convicted and sentenced to 3 years imprisonment with hard labour in irons.—

3 The 18th prisoner was acquitted and released.—

4 With reference to the 19 prisoners sentenced to 7 years imprisonment with hard labor in irons, the Sessions recommended that their sentence should be mitigated to 4 years imprisonment.

5 The Court of Foujdaree Udalut resolve to mitigate the sentence upon nineteen prisoners, in accordance with the recommendation of the Sessions Judge.

6 The Court direct the Sessions Judge, in all Cases to set forth in the Statement containing the sentence the grounds upon which each prisoner, when there are several, has been convicted.

7 The Court of Foujdaree Udalut observe in the Case now under notice that the trial was closed on the 5th January 1854, but that no sentence was passed until the 18th January, a delay for which no cause has been assigned by the Sessions Judge.—

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

/Sent in No /

Read Calendar of Case No 2 of 1854, dated 24th January 1854, sent by the Sessions Judge of Chicacole.—

/Here Enter F.M. No 265 of 1854/

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

2 From the abstract of the charge which is very indistinctly worded, it

it would appear that the Prosecutor is a child who was entrusted during the evening of the 15th October 1853 to the Prisoners care, to be taken to a feast and that while in his charge, the Prisoner robbed him of ornaments valued at 15 Rupees.

3 The Moosteer acquitted the prisoner, and was of opinion that he should be released.

4. The Sessions Judge concurred in considering the evidence insufficient for conviction, but being of opinion that there was strong suspicion against the Prisoner, ordered him to find security for his good behaviour for 3 years, in two sureties of 100 Rupees each, under Clause I Section X Regulation VII of 1827.

5 The Court of Foujdaree Udalut observe that the Sessions Judge has altogether omitted any explanation that may have been given by the Prisoner in his defence, nor has the Sessions Judge given any sufficient grounds upon which he based the strong suspicion, which caused him to order the Prisoner to find security for three years.

The age of the Prosecutor should also have been distinctly specified.

7 The Court of Foujdaree Udalut resolve to call upon the Sessions Judge of Chicacole for information upon these points.

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

/Sent following Precept No./

Read Miscellaneous Petition presented by J. H. Wilkins Esqr. Vakeel on behalf of the prisoners convicted of Riot in Cases Nos. 35 and 36 of 1853, on the file of the Sessions Court of Trichinopoly.

/Here Enter F.M.P. No. 22 of 1854./

Mr. J. L. Strange

This is an application for the reversal of the sentences passed upon the prisoners in the above Cases, and for their unconditional release.

2 Seeing no reason to question the propriety of the conviction of the prisoners in No. 36, the Court reject this Appeal petition, so far as they are concerned but they resolve to direct the submission

of

13th February 1854

of a translation of the record of Case No. 35 of 1853 for their judgment and that the operation of the sentence passed upon the prisoners be suspended until further orders.-

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

/Sent following Precept. No./

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

Ed 1 Rld.

Read Miscellaneous Petition presented on the 26th January 1854 by Chellammal of Tillak Chittoor.

/Here enter S. Mo. P. No. 14 of 1854/

Mr. W. A. Morehead /

This is an appeal from the sentence passed by the Sessions Judge of Chittoor on the 3d prisoner in Case No. 3 of 1853 on the Calendar of the Sessions Court.-

2. Before passing final orders in the matter of this petition, the Court of Sudder Adawlut resolve to direct that an English translation of the record

13th February 1853

record of the above case be submitted for their consideration.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor by precept returnable in X days from and after its receipt.

February 1854.

F. U.

Tuesday
14th February 1854 At a Court of the Foujdaree Udalut

Present

Wm G. S. Hooper Esqre
W. W. A. Morehead Esqre
W. T. L Strange Esqre
} Puisne Judges

Read again Criminal reports submitted by the Sessions Judge of Tinnevelly for the month of October 1853

(Here enter F. U. No. 2719 of 1853)

Read also return from the same officer to precept of the Foujdaree Udalut dated 9th January 1854 calling upon him to review Cases 108 & 110 of the above reports.—

(Here enter F. U. No. 198 of 1854)

Under the explanations submitted in the above return the Court of Foujdaree Udalut decline interfering with the sentences passed in the Cases reviewed as they deem the reasons assigned quite satisfactory.—

II They observe at the same

time

14th February 1854

time that the previous conviction of the prisoner in Case No. 108 should have been noticed in the reports.—

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

(Sent in Pc.)

Read Calendar of Case No. 26 of 1854 of the Sessions Court of Bellary.

(Here enter F. C. No. 323 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the prisoner noted in the margin has been adjudged to suffer on his Conviction of the Crime of House breaking and theft be reduced to (3) five years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly

1 Wodd Veragoh

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

(Sent in Pc.)

Exd. E.G.

Wednesday
15th February 1854

F. C.

At a Court of Foujdaree Udalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqre
W. T. L. Strange Esqre
} Puisne Judges

Read Calendar of Case No. 4 of 1854 of the Sessions Court of Chingleput.—

(Here enter F. C. No. 410 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the prisoners noted in the margin have been adjudged to suffer on their conviction of the Crime of House breaking and Theft, be reduced to (3) three years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.—

1 Ramakistna Reddy
2 Raganen

2 As the Case appears to have

Conc

15th February 1854

Come under the cognizance of the Sessions Judge in consequence of the 2d Prisoner being in the service of the Prosecutor whose house he robbed, the Court of Foujdaree Udalut observe that this fact should have been set forth in the charge

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

(Sent in Pro.)

S.d " S.J.

Thursday
16th February 1854.

16th

S. U.

At a Court of the Foujdaree

Present

G. S. Cooper Esqre
W. A. Morehead Esqre } Puisne Judges
S. L. Strange Esqre

Read letter under date the 31st January 1854 from the Principal Sudder Ameen of Tinnevelly

(Here enter S. U. No. 385 of 1854)

The Court of Foujdaree Udalut are of opinion that the case referred to in the foregoing letter in which four prisoners are charged with Cattle stealing one of them having been previously convicted and punished for Housebreaking may be properly disposed of by the Principal Sudder Ameen under the provisions of Clause fourth Section III. Regulation VI. of 1822.

Ordered that Extract from these proceedings be sent to the Principal Sudr Ameen of Tinnevelly for his information

(Sent in No.)

February 1854

Read again Miscellaneous
Petition presented 1st September 1853 by C.
Rungapah of the Zillah of Chittoor.
/Here enter F.C. M.D. No. 121 of 1853/
Read also Return dated 23d
December 1853 from the Session Judge of
Chittoor to the precept of the Foujdaree
Udalut under date the 29th September
1853. referring to the Session Judge the
above petition on behalf of Rungapah
Prisoner in Criminal Case No. 66 of 1853.
and directing that the case should be
disposed of with reference to certain deci-
-tions recorded in proceedings of the Fou-
Foujdaree Udalut 29th September 1853.
/Here enter F.C. No. 2765 of 1853/
Read Miscellaneous Petition
presented on the 16th January 1854 by C.
Rungapah of the Zillah of Chittoor
/Here enter F.C. M.P. No. 9 of 1854/
Read also return made on
the 8th February 1854 from the Session Judge
of Chittoor to the precept of the Foujdaree
Udalut dated the 20th January 1854
for an English Translation of the Ori-

16th February 1854

Case No. 66 of 1853 on the Calendar of the
Subordinate Criminal Court.
/Here enter F.C. No. 412 of 1854/

Mr. Morehead /

The Court of Foujdaree Adawlut
having carefully gone through the record
of this case concur with the Session
Judge in considering the conviction
of the Prisoner fully borne out by the
record of the trial.-

2. The Court therefore resolve
to confirm the sentence of the Subordinate
Judge
and to reject this petition.-

Ordered that a Extract from these
Proceedings be sent to the Session Judge
of Chittoor for his information.-
/Sent in No. /

Ordered also that a Extract
from these Proceedings be furnished
to the Petitioner upon his application

E. Thomas

F. 26.

Friday 17th February 1854.

At a Court of the Tsnjdaree Udalut

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
T. Lo. Strange, Esquire
} Puisne Judges

Read Calendar of Case No 131 of 1854 of the Session Court of Bellary. (Here enter F. 26. No 114 of 1854.)

The Court of Tsnjdaree Udalut approve of the recommendation made by the Session Judge in this Case, that the imprisonment which the Prisoner noted in the Margin have been adjudged to suffer on their conviction of the Crime of "Highway Robbery" be reduced to 7 seven years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

1st Eeroogah
2nd Vobelyadoo
3rd Cheruppa Naido

Ordered

17th February 1854

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

(Sent in No.)

Read Calendar of Cases Nos. 4 5, 6 and 7 of 1854 of the Sessions Court of Combaconum

(Here enter F. C. No. 416 of 1854.)

The Court of Tonjadore Udalut approve of the recommendation made by the Sessions Judge in these Cases that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Perjury, be reduced to two years' imprisonment with hard labour in irons, and they do authorize the said Judge to issue his warrant accordingly.

Venkatasoobbien
Punchanadien alias Soobbien 3/3
Kistnien
Ramastamien

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

(Sent in No.)

17th February 1854

Read again Calendar of Cases No. XXXVIII of 1853, on the file of the Sessions Court of Calicut.

(Here enter F. C. No. 1964 of 1853.)

Read also miscellaneous petition presented on 31st December 1853, on behalf of the prisoner in the above case by A. M. Ritchie Esqre, Vakeel.

(Here enter F. C. P. No. 1947 of 1853.)

Read also return from the Sessions Judge of Calicut, to precept of the Tonjadore Udalut, dated 9th January 1854, directing the submission of a translation of the record of the above case.

(Here enter F. C. No. 405 of 1854.)

Mr W Sturrock. The Prisoner in the above case was charged with culpable homicide, in having inflicted upon one Doolatha Imbichooty, bruises and other injuries, from the effect of which he died on the same night.

2 The evidence against the Prisoner consisted of proof of the occurrence of a quarrel in which the prisoner struck the

the deceased, of declarations by the deceased attributing the pain which he suffered to a kick inflicted by the prisoner and which were uttered by the deceased coincidently with the injury.

3 It was further proved that on the same night the deceased died, omitting blood and up to the moment of his death, attributing the injuries received to the prisoner.

4 The Sessions Judge in concurrence with his Mahomedan Law Officer convicted the prisoner of Culpable Homicide and sentenced him to 7 years imprisonment with hard labour.

5 In the petition of appeal it was urged in prisoner's defence that there was nothing to trace the death of deceased to the acts of the prisoner that the record led to a conclusion diametrically opposed to the declaration of deceased which it is further submitted should not have been received in evidence.

6 The Court of Foujdaree Udalut

are of opinion that the evidence is sufficient to connect the death of the deceased with the act of the prisoner. They observe that the declaration made by the deceased at the moment of receiving the injury were properly received in evidence.

7 The Court of Foujdaree Udalut however while concurring with the Sessions Judge in the conviction of the prisoner are of opinion that the sentence passed is unnecessarily severe.

8 They observe that the assault as represented by the 1st and 2d and 3d witnesses was not very violent and that their representation as to its character is substantially consistent with the deposition given by the deceased previously to his death under circumstances which must have shown him that all hope of life had passed away.

9 The assault appears to have originated in a quarrel between the prisoner and the deceased. Both

were

17th February 1854

were engaged in the scuffle, and there is
every ground for concluding that the death
resulted from an accidental blow given
in the heat of blood. Under these circum-
stances the Court of Foujdaree Udalut
are of opinion that the imprisonment
which has been already inflicted is
a punishment sufficient for the offence
and they resolve therefore to direct the
prisoner's release.

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

(Sent following Precept No.)

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

Rs. 18 0.

F. U.

Monday - - - 20th February 1854 } At a Court of the Foujdaree Udalut

Present.-

G. S. Hooper Esquire —
W. A. Morehead Esquire — } Puisne Judges
T. L. Strange Esquire —

Read Miscellaneous Petition
presented on the 2d February 1854 by
Parasoorama Gramny of the Tillah of
Chinglepute. (Here enter S. & F. Mo. P. No. 21 of 1854)

Mr. T. L. Strange J. This is an application for re-
=view of the order of the Court of Sudder
Udalut dated 8th September and for
the granting of the prayer rejected by
that order.—

2 Seeing no ground for alter-
=ing the order of which review is request-
=ed, the Court of Foujdaree Udalut
reject this Petition.—

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

Read Calendar of Case
No. 9 of 1854 of the Sessions Court of
Masulipatam

20th February 1854.

Masulipatam.-

(Here enter F. C. No. 430 of 1854).

1 The Court of Fouzdaree Udalut are of opinion that a Sentence of (6) six Months' imprisonment with hard labor in irons will be adequate punishment for the offence of which the Prisoner in this case has been convicted, and they resolve to call upon the Acting Session Judge to pronounce his Sentence accordingly.-

2 If unable to concur with the Court in the propriety of the mitigated Sentence now proposed, the Acting Session Judge will be pleased to submit an English translation of the entire Record of the case for their consideration.

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Masulipatam by Receipt returnable within 2 days from date after its receipt.-

(Sent following Precept No.

Read Miscellaneous Petition presented on the 31st January 1854 by

20th February 1854.

R. Mahalutchmee of the Zillah of Nellore.-

(Here enter F. M. P. No. 2 of 1854)

Mr. G. S. Hooper 1 Petitioner prays for the release of her husband first prisoner in Case No. 9 of 1853 on the file of the Sessions Court of Nellore.-

2 The Court of Fouzdaree Udalut see no reason to question either the propriety of the conviction of the prisoner or of the Sentence passed upon him and they resolve to reject this Petition.-

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

Read letter dated 18th January 1854 from the Sessions Judge of Nellore forwarding Criminal Reports for December and copies of correspondence between the Magistrate and the Acting Joint Magistrate relative to the refusal of the latter officer to examine witnesses for the defence in a case under Act VII of 1843.

(Here enter F. C. No. 155 of 1854)

1 The Court of Fouzdaree Udalut

20th February 1854.

Adalut upon a perusal of the correspondence forwarded by the Session Judge with his letter, are of opinion that the Acting Joint Magistrate erred in considering the point sought to be established by the accused in the present case, (23 - 1853) one of no relevancy - whereas if established it might have served to subvert the evidence for the prosecution - As such it was due to the accused that it should be received and fairly weighed. -

2 It is only when evidence is cited to points of a clearly immaterial nature that the examining Officer may exercise his discretion in declining to receive evidence for the defence. -

Ordered that Extract from these Proceedings be sent to the Session Judge of Nellore for communication to the Magistrate and Acting Joint Magistrate. -

(Sent in No.

Read Miscellaneous Petition presented on the 16th January 1854 by Ramasamy Ayen of the Zillah of Chingleput

F. C.

20th February 1854.

Chingleput -

(Here enter F. M. P. No. 10 of 1854.)

Mr. G. J. Hooper. 1 Petitioner prays for the release of his daughter sentenced by the Principal Sudder Ameen of Chingleput to 18 months' imprisonment in Criminal Case No. 69 of 1853. -

2 The Court of Foujdaree Adalut have considered the Calendar of this Case, together with the remarks of the Sessions Judge upon a review of the Calendar and they are of opinion that no ground exists for interfering with the sentence passed and accordingly reject this petition. -

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

Read Calendar of Prisoners in Case No. 1 of 1854 sent by the Session Judge of Coimbatore. -

(Here enter F. C. No. 371 of 1854)

1 In this case 12 prisoners were charged with Gang Robbery with open violence.

The

2 The robbers three of whom are still at large broke into two neighbouring houses, ill-treated one of the inmates and robbed gold and silver ornaments and ready money to the value of Rupees 105.-

3 The Mahomedan Law Officer acquitted the Prisoners on the ground of the insufficiency of the evidence against them - but considering that there was strong suspicion against the 4th and 5th Prisoners pronounced a Sentence of Gooman against them

4 The Sefsion Judge concurring in this finding of the Mahomedan Law Officer released the prisoners unconditionally except 4th and 5th prisoners who were required to find security for their good conduct and appearance for two years in two Sureties of 25 Rupees each in default to be imprisoned for a like term of years.-

5 It would appear that the 4th prisoner in this case was identified by the Prosecutor and several witnesses at the time of the robbery - further that one witness deposed to his receiving a wound on his hand while engaged in the robbery and that upon the robbers being traced to this prisoner's village and his being apprehended, he (4th prisoner) was found with his hand wounded as described by the witness.-

6 Both the 4th and 5th Prisoners produced articles of property identified by the Prosecutor and 1st witness as part of the stolen property and neither of these Prisoners can account in any satisfactory manner for the possession of this property.-

7 Under these circumstances the Court of Fonjdaree Udalut are at a loss to understand why the Sefsion Judge should have hesitated to convict the 4th and 5th prisoners in this case of the crime with which they are charged.-

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

(Sent in A° 5

Ex. Wyatt

S. U.

Tuesday
21st February 1854.

At a Court of the Fouzdaree Udalut

Present

G. S. Hooper Esqre.
W. A. Morshead Esqre.
J. L. Strange Esqre.
} Puisne Judges

Read Calendars of Cases Nos. 23 and 24 on the file of the Sessions Court of Bellary submitted on the 26th January 1854 by the Sessions Judge.—

(Here enter S. U. Nos. 283 & 284 of 1854)

Case No. 23 — In this case the prisoner Mothershaw was charged with robbery in having in the day time robbed from the person of a child (Prosecutor's son) gold and silver ornaments valued Rupees 7-8—. The Mahomedan Law Officer convicted the prisoner of robbery in which conviction the Sessions Judge concurred merging sentence in that of Case No. 24.—

Case No. 24. 2 — In this case the same prisoner Mothershaw

21st February 1834

Mothershaw was charged by another Prosecutor with "Maliciously and by fraud enticing away a child with intent to steal the ornaments on the childs' person". The Mahomedan Law Officer convicted Prisoner of Robbery but declared that no fresh sentence could be passed against prisoner punishment having already been awarded in Case No 33.

3 The Sessions Judge passed a cumulative sentence, in both these Cases, of three years' imprisonment with hard labor in irons.—

4 The Court of Sunjdarees Udalut are of opinion that the charge in both these Cases should have been theft, and that a sentence of six months imprisonment with hard labor in irons will suffice. They therefore resolve to call upon the Sessions Judge to reduce the sentences accordingly. If unable to concur with the Court in the propriety of the mitigated sentences now pro-

21st February 1834

the Sessions Judge will be pleased to submit an English translation of the entire record of the Case for their consideration.

Ordered, that Extracts from these Proceedings be sent to the Sessions Judge of Bellary by Precept returnable within three days from and after its receipt.

(Sent following Precept No)

4th Vol W

Wednesday
22.nd February 1854.

No

At a Court of the Zoujdaree Udalut

Present

G. S. Cooper Esquire
W. C. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges

Read again letter under date the 27th Ultimo from the Agent to the Governor of Fort St. George at Kurnool submitting for the final Judgment of the Zoujdaree Udalut a report of the trial of case No. 1 of 1854 pur his file

(Here Enter F. M. No. 343 of 1854)

Read also return under date the 10th Instant, to the precept of the Court of Zoujdaree Udalut dated the 6th Idem, directing the Agent to report whether there is any suitable building at Yelgode in which the prisoners in the above case can be secured at night, and if so, whether Yelgode is a Tahsildar's station? —

(Here Enter F. M. No. 441 of 1854)

In the above return the

Agent

Agent reports that there are a Choultry and several unoccupied houses at Yelgode which might be made available for the custody of the prisoners referred to, and that the village in question is the station of a Karcoon and a guard of Kurnool Horse.-

2 Under these circumstances the Court of Fouzdaree Udalut authorize the Agent to locate the prisoners at Yelgode, and to employ them as proposed by him.-

Ordered, that Extract from these Proceedings be sent to the Agent at Kurnool for his information and guidance.-

(Sent pr No)

Read Calendar of Cases Nos and 8 of 1854 on the file of the Sessions Court of Masulipatam.-

(Here Enter F.C. Nos 428 and 429 of 1854)

1 In each of the above Cases the prisoner was convicted of robbery by force & violence. The Acting Sessions Judge recommends the mitigation of the prescribed sentence to 3 years' imprisonment with hard labour.-

The

II The Court of Fouzdaree Udalut are of opinion that the sentence proposed by the Acting Session Judge is sufficient to meet the requirements of justice and they resolve to authorize the proposed mitigation.-

III They have at the same time to point out to the Acting Session Judge that the charge in each of these Cases should have set forth more precisely the specific nature of the criminality of each prisoner.-

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

(Sent on No)

Read Calendar of Case No 48 of 1853 on the file of the Session Court of Cuddalore.-

(Here Enter F.C. No 490 of 1854)

1 The prisoner in this Case a convict in the Jail at Cuddalore was charged with having attempted to stab the prosecutors another convict with intent

intent to murder him.-

The Sessions Judge in concurrence with his Mahomadan Law Officer consider the evidence sufficient for the conviction of the prisoner of the Crime charged but being of opinion apparently that it is not competent to him to pass sentence in the Case, has set it down for reference to the Foujdaree Udalut under the provisions of Clause Second Section VI Regulation XV of 1803.-

3 The Court of Foujdaree Udalut observe that the Clause quoted is not applicable to this Case the Crime charged not being of such a nature as to render the prisoner liable to a sentence of death the Case should be disposed of under the provisions of Clause Seventh Section II of the Regulation quoted under which the Sessions Judge is competent to pass a sentence of seven years imprisonment and thirty nine stripes and it is only in the event of the Sessions Judge considering the above amount of punishment insufficient that the trial should be referred to the Foujdaree Udalut.-

4 The Court of Foujdaree Udalut direct that the Sessions Judge will dispose of the Case with reference to the foregoing remarks.-

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.-

4 Cy Mo W (Sent following Precept No)

Thursday
23rd February 1954.

At a Court of the Tanjolaree Adalut

Present

G S Hooper Esquire
W A Morehead Esquire
J L Strange Esquire
} Prisne Judges

Read Petty Calendars of the Magistracy submitted by the Sessions Judge of Bowore for the third Quarter of 1953.-

(Here enter F.C. No 245 of 1954)

Cases 46, 48 (inclusive) / Cases 48 and 49.- The prisoners in the cases noted in the margin were charged with Misdemeanour on having felled trees in the Government jungles without permission their offences should have been designated trespasses

2 The same remark applies to cases Nos 6 and 19 of the Calendar of persons released.-

3 With the above Calendars the Sessions Judge submits a letter from the Magistrate of Canara dated 20th December 1953 pointing out that the preparation of a Statement of the evidence in petty cases, contained in proceedings of Tanjolaree Adalut dated 13th July 1953 will entail upon his establishment a great additional labor, and suggesting that the order referred to be cancelled.-

4 The Court of Tanjolaree Adalut on a consideration of the Magistrates letter resolve to

Sessions

Friday.
24th February 1854.

F. M.

At a Court of the Sessions Udalur.

Present.

G. S. Hopkins Esqre.
W. A. Morehead Esqre.
J. L. Strange Esqre.
} Puisne Judges.

Read Criminal Reports submitted by the Sessions Judge of Coimbatore for the month of November 1853.

/Here enter F. M. No. 2732 of 1853./

Read also Criminal Reports submitted by the Sessions Judge of Calicut for the month of November 1853.

/Here enter F. M. No. 2755 of 1853/

Read also letter under date the 31st December 1853 from the Sessions Judge of Calicut forwarding copies of a letter from the Joint Magistrate of Malabar and an Extract from the proceedings of the Session Court of Coimbatore with reference to the proceedings of the Session Court of Calicut under date the 2nd December 1853 reversing the sentence passed by the Joint Magistrate residing at Ootacamund on the prisoners in Case No. 8 charged with having deserted certain travellers whom they had contracted to convey to Shola hill in Malabar

and

23d February 1854 -

dispense with the abstract of evidence referred to, time, place and manner of the commission of the offence should however invariably be stated.

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

/Entries No.

Read Petty Calendars dated the December 1853 submitted by the Sessions Judge of the Magistracy for the 3rd Quarter ending on the September 1853.

/Here enter F. M. No. 236 of 1854/

Read Extract dated 3d January submitted by the Sessions Judge of Calicut from Proceedings of the Sessions Court held on previous Magistrates Calendars for the 3rd Quarter of 1853.

/Here enter F. M. No. 67 of 1854/

Read Extract dated 3d January submitted by the Sessions Judge of Coimbatore from the ceedings of the Sessions Court, held on previous Magistrates Calendars for the 3rd Quarter of 1853.

/Here enter F. M. No. 96 of 1854/

Eq. Ord. No

24th February 1854.

and from whom the [illegible] received an advance

(Here enter F.C. No. 40 of 1854.)

1.

The prisoners in question [illegible]
sent to the Jail at Coimbatore to undergo the
but as parts of the case would seem to have been
to both the Sessions Judges of Coimbatore and
by the latter Officer on whose report it appeared
some of the prisoners on the ground that the
charged was not proved & the case being
by the Sessions Judge of Coimbatore the pun
which formed part of the sentence was remitted
remainder of the sentence being confirmed

2.

The Court of Sudder Adawlut
that the circumstances of the prisoners having
an advance of hire rendered their desertion
fulfilment of their contract a fraud, and as
punishable under Regulation X. of 1816

3.

The transmission of the
the case to both Sessions Judges was irregular
have been sent to the Court within whose
the offence charged was committed, and as
the prisoners appear to have been in the
Calicut, to the Jail at which station
should have been sent.

Ordered that the

24th February 1854.

proceedings be forwarded to the Sessions Judge of Coimbatore
for his information and for communication to the Joint
Magistrate of Malabar.

(Sent in No.)

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

(Sent in No.)

Read Calendar of Case No.
6 of 1854 of the Sessions Court of Masulipatam

(Here enter F.C. No. 457 of 1854.)

The Court of Sudder Adawlut
approve of the recommendation made by the Sessions
Judge in this Case, that the imprisonment which
the Prisoners noted in the margin, have been adjudged
to suffer on their conviction of the crimes laid to their charge
be reduced in the case of the 1st and 4th Prisoners
to (7) seven years, and in that of the 3rd to 6 months'
imprisonment with hard labor in irons, and they do
authorize the Sessions Judge to issue his warrant accor-
dingly.

Chodavarapoo Innagapoo
Paumoor Soobadoo
Kamurty Mookkiah

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

(Sent in No.)

4 Oct Wells

F. U.

Saturday 25th February 1854

At a Court of the Foujdaree Udalut

Present

G/R — G. S. Hooper Esquire
Well — W. A. Morehead Esquire } Puisne Judges
Ll. — J. L. Strange Esquire

Read Return dated 24th January 1854 from the Sessions Judge of Combaconum to the precept of the Foujdaree Udalut dated 10th January 1854 communicating remarks and orders on the Criminal report of November 1853.—

(Here Enter F. U. No 239 of 1854)

Case No 130. The Court of Foujdaree Udalut observe that the manner in which the prisoner in the case referred to effected his entry into the prosecutor's house by lifting up a tatty door has frequently been ruled to constitute breaking. This ruling is in accordance with the provisions of the Circular Order of the Foujdaree Udalut dated 28th January 1828, as amended by the Circular Order of the 28th August of the same year

25th February 1854

year under which the entry by night with intent to steal into a Dwelling house or other habitation if the Door thereof closed though not fastened is declared to be sufficient to constitute breaking.

2 The rule laid down in the Courts proceedings of the 3d January 1854 to which the Sessions Judge refers is therefore incorrect.

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

Exd.
E.T.

(Sent in Ke)

Monday
27th February 1854

No 16

At a Court of the Sowdaree Adalut

Present

G S Cooper Esquire
W A Morehead Esquire
J L Strange Esquire

} Puisne Judges.

Recd Miscellaneous Petition presented on the 16th February 1854 by Syed Dullee Ahmed Vakeel on behalf of N Verramah alias Vere Chetty of the Zillah of Rajahmundry.

(Here enter S. & P. No 36 of 1854)

Mr W A Morehead. 1 The Petitioner complains of the decision of the Sessions Judge in Case No 22 of 1853. and prays the Court of Sowdaree Adalut by precept to order the Prisoners in that Case to be punished, and that certain grain found in their possession which has been restored to them on their release, may be given up to the Petitioner, who claims it as his own.

2 The release of the Prisoners by the Sessions Judge is final. The Court of Sowdaree Adalut see no reason to question the propriety of the order passed by the Sessions Judge relative to the disposal of the grain in question and

accordingly

accordingly resolve to reject this Petition.

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

Read Miscellaneous Petition by the Sessions Judge of Bellary from Moorabad of the Zillah of Bellary.

(Here enter F. M. P. No. 32 of 1854)

Mr. W. A. Morhead. 1 The Petitioner who is detained as prisoners in Case No. 31 of 1854 on the file of the Sessions Court of Bellary prays the Court of Sunjedaree Adalut to order their release. They say Petitioner submits, innocent of the crime which they have been charged.

2 The Court of Sunjedaree Adalut see no reason to disturb the finding of the Court below on Petitioner's petition and therefore resolve to dismiss this Petition.

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

(Sd) T. Pycroft
(Sd) W. Elliot

Read Criminal Report dated 15th January 1854 sent by the Sessions Judge of Chingleput.

(Here enter F. M. No. 447 of 1854)

Case No. 10. 1 By this Case two prisoners charged with Housebreaking and Theft in having broken into a Bungalow at Kunore and stolen thereout Copper & Shirting valued at Rupees 9-3-4 were sentenced 1st Prisoner to two years imprisonment with hard labor in irons.

2 The Court of Sunjedaree Adalut are of opinion that this sentence is unnecessarily severe, considering the small value of the property stolen and resolve to request the Sessions Judge to review this Case.

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

(Sd) T. Pycroft
(Sd) W. Elliot

Read Miscellaneous petition presented on the 9th February 1854, by Sheik Ally of Trichinopoly.

(Here Enter F. M. P. No. 13 of 1854.)

1 This is an application for the restoration of the Petitioner to his situation of Jail Peon at Trichinopoly from which he was dismissed by the Sessions Judge.

Before

27th February 1854.

2. Before disposing of this petition the Court of Foujdaree Adalut resolve to forward the English Translation thereof to the Session Judge of Trichinopoly for any explanation he may have to offer with reference to the allegations therein contained. —

Ordered that Extract from these proceedings be forwarded to the Session Judge of Trichinopoly by precept returnable within 10 days from and after its receipt. —

(Sent following precept No. 1)

Do 1810

F. A.

Tuesday 28th February, 1854. At a Court of the Foujdaree Adalut.

Present.

G. L. Harper, Esq^re^,
W. A. Morehead, Esq^re^,
T. L. Strange, Esq^re^,
} Puisne Judges.

Read letter dated 24th February 1854, from the Session Judge of Chingleput submitting for the final judgment of the Foujdaree Adalut, the Record of Case No. 5 of 1854 on the Calendar of the Session Court.

(Here enter F. A. No. 527 of 1854.)

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,

Chinniah,

Wm G. L. Harper.

is insufficient to convict him of the crime of Bestiality, for which, according to the Mahommedan

Law

28th February 1854.

Law, as declared in Section 5 of this Law Officers, discretionary punishment is awardable, do award him thereof, and under the provisions of Clause VII, Section II, Regulation XV of 1803, Regulation VIII of 1828, and Section XXXIV, Act VII of 1843, sentence him to receive 50 lashes with a Cat-o'-nine-tails and to be imprisoned and kept to hard labor in irons, on the public roads, or other public works for and during the period of (2) two years.

(Sentence No.)

Read letter dated 31st December 1853, from the Sessions Judge of Calicut transmitting for the final Judgment of the Court, Case Udalut, the Record of Case No. 66 of 1853, on the Calendar of the Sessions Court

(Here enter F.C. No. 545 of 1853)

Mr. W. A. Forsbrook.

The Court of Sessions having met on a deliberate consideration of all the circumstances of the case in evidence before them

28th February 1854.

being of opinion that the prisoners,

1st, Chakan Pony Appen,

2nd, Appeta Vettil Krishna Nair,

3rd, Ayapen Nair,

4th, Chakan Appen,

5th, Parayil Padikil Chamin,

and,

6th, Villoothadatha Kouthy Krishnen,

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.

(Sentence No.)

4th Nov.

Thursday
2d March 1854

F. Cc.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqr
T. L. Strange Esqre
} Puisne Judges

Read Criminal Reports submitted by the Sessions Judge of Madura for the Month of January 1854.

(Here enter F. Cc. No. 458 of 1854.)

Case No 10

The 3d Prisoner in this case was charged as an accessary to the crime of administering poison with intent to kill by being present both when 1st prisoner gave poison in the hands of the 2d, and when 2d prisoner mixed the same in the said meals, and by being cognizant of the intention with which the acts were committed.—

The Court of Foujdaree Udalut

observe

observe that the prisoner in question should have been charged as a principal the circumstance of his having been present at the commission of the crime with a guilty knowledge of the intention of the other prisoners rendering him a principal in the eye of the Law.

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

(Sent in No)

Read Criminal Report submitted by the Sessions Judge of Salem for the Month of January 1854.

(Here enter F. No. 597 of 1854)

Case No 211 1 The 1st Prisoner in this case was charged with having assaulted & wounded the prosecutor with intent to kill him.

2 The 2d and 3d Prisoners were indicted as accessaries in having aided

and abetted the 1st prisoner, the 2d by holding the said Prosecutor down at the time and place when the said wound was inflicted, and the 3d by being present at the said time and place and in having then and there struck the said Prosecutor with a stone on the forehead.

The 2d and 3d Prisoners should

3 have been indicted as principals in the Commission of the Crime laid to their charge in which, according to the statement of charge, they are both shown to have taken an active part.

The Prisoner in this case

Case No 53. 4 was likewise improperly charged as an accessory he having been present at the Commission of the offence charged

The Court of Foujdaree

5 Adalut direct that the practice which it appears obtains in the Salem Jail of allowing to prisoners employed on

public

public works the maximum rate of diet prescribed by this Courts Letter of the 5th April 1850, be discontinued, the rate in question not being granted in any of the other Jails.

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

(Sent following Precept No)

Read Calendar of prisoners Offenses tried by the Magistracy of North Arcot during the 4th Quarter of 1853, submitted by the Sessions Judge of Chittoor under date the 13th Instant.

(Here enter F.C. No 38 of 1854)

The Court of Foujdaree Udalut direct that the names of the Subordinate and Assistant Magistrates be in future entered under the cases of cases tried by them respectively.

Ordered, that Extract from

these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and communication to the Magistrate of North Arcot.

(Sent in No)

Read Miscellaneous Petition presented on 20th February 1854 by Cotammal of the Zillah of Nellore.

Here enter F. M. P. No 37 of 1854,

This is an application for the release of petitioner's younger brother sentenced for robbery in No 3 of 1854 on the file of the Session Court of Nellore.

Seeing reason to question neither the prisoner's conviction nor the propriety of the sentence passed upon him, the Court of Foujdaree Udalut reject this petition.

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

Read

2nd March 1834

Read Miscellaneous Petition presented on the 5th January 1834 by E. Salmon Esqr. Vakeel on behalf of Jaffer Ally prisoner in Case No 9 of 1833 on the Calendar of the Sessions Court of Rajahmundry.

(Here enter F. Mc. P. No 3 of 1834)

This is a further application for the reversal of the sentence passed by the Court of Foujdaree Udalut upon the prisoner in the foregoing Case; the petitioner prays that he may be heard orally by his Vakeel before a full Court as to the justice and legality of his conviction and sentence. The Court of Foujdaree Udalut has carefully considered all that has been urged in this petition and see no reason to doubt the justice or legality of the sentence passed by it upon the Petitioner.

2 The Court of Foujdaree Udalut accordingly resolve to reject the Petitioner's application

2nd March 1834

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

Read return dated 28th January 1834 from the Subordinate Judge in charge of the Sessions Court of Calicut to the Precept of the Foujdaree Udalut under date the 20th January 1834 directing the Sessions Judge to submit his orders recorded in Case No 10 of 1833 on the Joint Magistrates' Report for November last.

(Here enter F. Uc. No 313 of 1834)

Read Report dated 1st Ultimo submitted by the Sessions Judge of Nellore, of Cases pending for the Month of January 1834.

(Here enter F. Uc. No 358 of 1834)

Read Report dated 3rd Ultimo submitted by the Principal Sudr Ameen in charge of Tinnevelly, of a Case depending before the Sessions Judge up to 31st January 1834 in which the trial has been delayed beyond 25 days.

(Here Enter F. Uc. No 401 of 1834)

Read

2nd March 1854.

Read Statement dated 31st January 1854 submitted by the Sessions Judge of Honore, of Batta paid to the Prosecutor's witnesses attending before him for the half year ending the 31st December 1853.

(Here enter F. Ch. No. 102 of 1854)

Read Calendar of Cases Nos. 1, 2 & 3 of 1854 submitted by the Sessions Judge of Tellicherry under dates the 20th & 24th January 1854.

(Here enter F. Ch. Nos. 104 & 107 of 1854)

Read Calendar of Case No. 30 of 1854 submitted by the Sessions Judge of Bellary under date the 7th Ultimo.

(Here enter F. Ch. No. 108 of 1854)

Read Report dated 31st January 1854 submitted by the Sessions Judge of Chittoor of Cases pending before him for more than 25 days.

(Here enter F. Ch. No. 111 of 1854)

Read Calendar of Case No. 39 submitted by the Sessions Judge of Bellary under date the 9th Ultimo.

(Here enter F. Ch. No. 115 of 1854)

Exd
J.P.S.

F. Ch.

Friday 3rd March 1854.

At a Court of the Foujdaree Adalut

Present.

G. S. Harper Esquire
W. A. Morehead Esquire
T. Le. Strange Esquire
} Puisne Judge

Read Calendar of Case No. 39 of 1854 of the Sessions Court of Bellary.

(Here enter F. Ch. No. 539 of 1854)

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case, that the imprisonment, which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of "House breaking with theft," be reduced to (4) four years' imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Dooragoo

Ordered that Extracts from these

&c

these Proceedings be forwarded to the Sessions Judge of Bellary for his information.

(Sent in No.)

Read again Miscellaneous Petition presented on the 11th December 1853 by Mootoo Reddy of the village of Trichinopoly

(Here enter F. M. P. No 187 of 1853.)

Read Return dated 17th Feb 1854 from the Sessions Judge of Trichinopoly to the precept of the Fouzdaree Udalut dated 23rd January 1854, directing the Sessions Judge to call up the proceedings held by the Assistant Magistrate in the matter of above petition, and to forward such orders the case might require.

(Here enter F. M. No 187 of 1853.)

1. The Court of Fouzdaree upon a Consideration of the Report by the Sessions Judge of Trichinopoly is of opinion that the Petitioner was fined and rightly dismissed from situation as Village Moonsiff.

2. They accordingly resolve to reject this Petition.—

Ordered that Extracts from these Proceedings be sent to the Sessions Judge of Trichinopoly, for his information

Sent in No.

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

Read again Miscellaneous Petition presented on the 12th December 1853 by Govinda Naick, late Jail Peon of Trichinopoly.

(Here enter A and F. M. P. No 85 of 1853.)

Read also returns from the Sessions Judge of Trichinopoly, to the precept of the Fouzdaree Udalut dated 23rd January 1854, calling for explanation on the matter of the above petition.

(Here enter F. M. No 367 of 1854.)

Under the explanation furnished by the Sessions Judge the Court of

of Sudder and Fouzdaree Udalut resolve to reject the above petition.

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

(Sent in No)

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

Read again Extract from the Proceedings of the Sessions Court of Combaconum, under Date the 6th December last, forwarding the Calendars of Cases No 36 - 37 and 38, on the file of the Magistrate of Tanjore, together with a Copy of a Letter from that Officer preferring Certain Charges against the District Moonsiff of Tritoory poondy.

(Here enter F. Vo. No 2659 of 1853)

Read also return under date the 14th January 1854 from the Sessions Judge of Combaconum, to the precept of the

Fouzdaree Udalut, dated the 17th December 1853, directing him to investigate the Charges preferred by the Magistrate against the District Moonsiff of Tritoory poondy and to report the result of the investigation.—

(Here enter F. Vo. No 122 of 1854)

The Charges which the Magistrate of Tanjore has brought against the District Moonsiff of Tritoory poondy are, that he caused a violent assault to be committed on the person of one Veerarago Naick a peon on the Tahsildars' Establishment; that he as Acting District Moonsiff of Puttoocottah and as District Moonsiff of Tritoory poondy he had caused the inhabitants to be oppressed under false ideas of upholding his new dignity; and that he had given shelter in his private house to persons against whom a Magistrates warrant had issued, and threatened to fire on those who were entrusted with the Execution of the warrant;

Do

In regard to the first charge
the Sessions Judge has recorded the following
remarks.

"In support of the first charge, eight
"witnesses were examined, and of these, five are
"employed under the Tashildar. It appears
"that while the Moonsiff was holding his
"Court the Complainant was making a noise
"in the street, and as he refused to listen
"to a peon who told him to be quiet, he
"was brought before the Moonsiff, what
"immediately occurred then the witnesses
"were very backward to relate; one said
"that the Moonsiff asked the Complain-
"why he made such a noise, and that
"answered something in Telugoo which
"he, witness, did not understand; another
"said the Complainant answered in Tam-
"others insisted that neither the Moon-
"nor the Complainant spoke a word to
"other, but that as soon as the latter
"brought into Court the Moonsiff im-
"turned to his peons and said "beat the
"The truth no doubt is that persons

"on his being a peon of the Tashildar, the
"man was impertenent (as the Moonsiff
"states in his defence) and the peons of the
"Court chastised him; and in permitting
"this the Moonsiff was certainly wrong,
"but it does not appear to the Sessions
"Judge that the Moonsiff intended in
"the first instance to punish the Com-
"plainant himself, because it is clear
"as some of the witnesses admitted, that
"the Moonsiff directed his peons to take
"the man to the Tashildar and to complain
"to him of his servants' conduct - Some
"notion may be formed, of the Tashildar's
"desire to make out a strong case from
"the fact that after the Complainant had
"been beaten, he is proved to have been
"walking about on the 16th in the Tritony
"poondy, but on the night of the 17th
"he was very unnecessarily sent in a Dhooly
"to the hospital at Tanjore, where the apothe-
"cary after having examined him certified
"that although the peon complained of
"much pain from blows received, no external
"marks were visible"

In

3 In regard to the first part of the second charge the Sessions Judge states that the Moonsiff admits having been questioned by Mr. Morris regarding the alleged obstruction of a Daloyet by his person when walking through the street in which the Moonsiff resided, at Puttoocottah with his shoes on but that he had denied the accusation and had requested Mr. Morris to order his Daloyet to point out who had obstructed him which was not done.

4 The Complaint that persons are not allowed to pass by the Moonsiffs house at Tritoorapoondy with their shoes on, has not been supported by the evidence of any person who could of his own knowledge specify an instance in which the practice complained of had been put into operation.

5 With respect to the other two cases of assault the Sessions Judge states his opinion that the evidence in support of them cannot in any degree depended on whether judges from the action of the deponents or by its manifestment of truthfulness.

6 With reference to the 3d charge Viz. that the Moonsiff had given shelter in his private house to persons against whom a Magistrates warrant had issued and threatened to fire on those who were entrusted with its execution the Sessions Judge gives the following account of the occurrence upon which the Magistrates judgment was based.

"The Moonsiff had been
"to Combaconum and did not return
"to Tritoorapoondy till 5 P. M. on the
"21st. The Moonsiff states, as he stated
"in an Urzee written at the time, that
"a Crowd assembled before his house in
"the course of that evening, and being ap-
"prehensive that a forcible entry into his house
"would be attempted during the night,
"he threatened to shoot any one who made
"such an attempt.

"The Daloyets who were charged with

"with the Magistrates' warrant admit that
"they did not attempt to see the Moonsiff
"that evening, and that when they went
"to his house the next morning he desired
"them to give a list of the persons for
"whom they had a warrant, and immediately
"afterwards sent out to them three peons
"whose names were in the list and who
"were in his house."

"The Sessions Judge cannot
"allow that in this the Moonsiff displays
"any desire to resist the Magistrates
"warrant or to enable others to evade it.
"As he gave up the peons who were in
"his house as soon as the Delegate
"applied to him in the morning, it is
"only a fair presumption to suppose
"that he would have done the same
"on the previous evening if a peon
"application had been made to him."

The Sessions Judge states
7 in conclusion that he has formed a good
opinion of Appusamy Pillay's capacity
as a Judicial Officer, and has more

once had occasion to notice his zealous
endeavours to put a stop to fraud and
chicanery within his jurisdiction.

8 The Court of Fouzdaree
Adalut consider the Sessions Judge's
return to be a full acquittal of the
District Moonsiff on the several
charges preferred against him.

The Magistrate appears
9 to have acted somewhat hastily in the
matter, and it is to be regretted that
instead of urging a reference to the
Fouzdaree Adalut he did not confine
himself to referring the matter to the
Civil Judge to be dealt with as he
thought proper.

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

(Sent in Ps. 15

Ex 1810

Read letter dated 9th February
1854 from the Subordinate Judge in charge
of the Sessions Court of Cuddapah, reporting

3rd March 1854

reporting the Prosecution of the Prisoner D.
Soobadoo in Case No 38 of the Calendar for
1853.

(Here enter F. No. No 119 of 1854)

F. No.

Saturday.
4th March, 1854. At a Court of the Foujdaree Ad

Present.

G. L. Cooper, Esquire
W. A. Morehead, Esquire } Puisne Judges
T. L. Strange, Esquire

Read Calendar No 1 of persons punished by the Magistracy of Rajahmundry from October to December 1853 both inclusive sent by the Sessions Judge of Rajahmundry dated 21st January 1854.

(Here Enter F. No. No 484 of 1854)

Case No 73. 1. The prisoners a Village Mounsiff and two Curnums were charged with abuse of authority in having released two persons, whom they had apprehended on a charge of theft, without reporting the matter to the Head of Police.—

2. The 2d and 3d prisoners

were

were sentenced to 15 days - and the 1st to 8 days imprisonment with labor under Clause 2d Section III Regulation III of 1819.

3. As regards the 2d and 3d prisoners Village Cumums - The Court of Fouzdaree Udalut consider that they cannot be regarded as Officers of Police and therefore that they were not amenable to Clause 2d Section III Regulation III of 1819.

4. The act with which the three prisoners in this case were charged was rather an omission of a duty than an abuse of authority and as such did not come under the scope of the Regulation cited.

5. This Regulation contemplates something done - an omission of the nature noted in the charge might call for the removal of the persons from Office but cannot subject them to a criminal prosecution.

Abuse of authority.

Case No. 79. 6. The Defendant in this

4th March, 1854

case was also a Village Cumum and as such could not be punished under the provisions of Clause 2d Section III Regulation III of 1819.

Case No. 88. 7. In this charge - Abuse of authority it is not clear, under what pretence 40 Rupees were extorted from the Prosecutor.

Case No. 102. 8. In this case a peon was charged with abuse of authority.

9. It is not stated under what pretence violence was offered to the prosecutor and one rupee extorted from him.

10. Unless these acts were done by the peon in his official capacity the Court of Fouzdaree Udalut observe that the charge should have been assault and robbery.

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

Sent in No /

Read

4th March, 1854.

Read Criminal Report submitted by the Sessions Judge of Chittoor for the month of January 1854.

Here Enter F.No. № 439 of 1854.

Report B.
Case № 1 of 1854.

In this case the prisoner charged with housebreaking and theft to the amount of Rupees 52—11—6 was sentenced by the Mahomedan Sudder Ameen to receive 50 Lashes and to be imprisoned for two years with hard labor in irons. Instead of Clauses fourth and sixth quoted by the Mahomedan Sudder Ameen the punishment should have been inflicted under the provisions of Clause sixth Section VII Regulation VII of 1822. The Court further observe that the 3d count of the indictment charging the prisoner with a previous conviction of a cognate offence was unnecessary unless it was intended to commit the prisoner to the Sessions Court under Clause second of the same section and regulation.—

Order

F.No.

4th March, 1854.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for his information and for communication to the Mahomedan Sudder Ameen.—

Sent in № /—

Read Criminal Reports for the month of January 1854 from the Subordinate Criminal Judge in charge of the Sessions Court of Cuddapah.—

Here Enter F.No. № 472 of 1854.

Case № 10.
False complaint.

1. In this case the Prisoner was sentenced to find two securities in 40 Rupees each or in default to be imprisoned for sixth months under Clause 1st Section IV Regulation II of 1822.

2. The Court of Fouzdaree Udalut do not consider that this was a case in which security should have been required.—

3. The Court of Fouzdaree Udalut observe that in the Reports for

for the month of January now under notice there are no less than seven cases in which the Prisoners have been held to security.—

4. The attention of the Subordinate Judge in charge is directed to the Circular Order of the Court of Fouzdaree Udalut dated the 2d September 1834 - in which all Officers empowered to demand security, are required to exercise a sound discretion both as to the frequency of such requisition and as to the amount thereof.—

5. The Court of Fouzdaree Udalut are generally of opinion that if the necessary exertions are made the guilt or innocence of Prisoners may and should be finally determined.—

Case No. 2. B. 6. The 1st Prisoner in this case was charged with Fraud and selling fraudulently Goats the property of the complainant he the 1st Prisoner having falsely represented to the 2d Prisoner that they were his own (1st Prisoner's) property.— 2d 3d 4th and 5th Prisoners with aiding and abetting 1st Prisoner to commit the above fraud.—

7. The Court of Fouzdaree Udalut consider that the charge in this case should have been Theft the goats having been stolen from the Prosecutor.—

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

/Sent in No. 1/—

Read Monthly Statements and reports for the month of January 1854 - dated 15th February 1854 - sent by the Sessions Judge of Trichinopoly /Here enter F.H.C. No. 468 of 1854/—

B. Case No. 5. 1. The charge in this case was of "Wounding with intent to kill" against

4th March, 1854.

against the 1st prisoner - and of "being accessories before the fact" against the 2d and 3d Prisoners - all these prisoners were sentenced to find good and sufficient security each in two sureties of 10 Rupees each, for their good behaviour and appearance when required for 3 months - in default to be imprisoned for that period.-

2. The Court of Foujdaree Udalut do not consider that the fact of the 2d and 3d prisoners having uttered threats against the Prosecutors is sufficient to justify their being held to security on so grave a charge as that of being accessories before the fact to the crime of wounding with intent to kill.-

3. They therefore direct that this requisition of security as regards the 2d and 3d Prisoners be cancelled and that they be unconditionally released.-

Ordered, that Extract from

Fde.

4th March, 1854.

from these Proceedings be forwarded to the Sessions Judge of Trichinopoly for his information and guidance by precept returnable in III days from and after its receipt.-

Sent following Precept No. 1/-

Circular Orders.

No. 203.

1. The attention of the Judges of the Court of Foujdaree Udalut has recently been drawn by the Magistrate of Tinnevelly to the practice which obtains in that District, and which it is believed is prevalent elsewhere, of committing for trial before the Subordinate Criminal Court persons who effect their escape from their guards when in Custody upon charges of a petty character.-

2. The practice is obviously calculated to produce much needless inconvenience, and the Court were in the first instance of opinion that a legislative enactment would be

be required to amend it, but on a consideration of the Provision of Clause third, Section IV Regulation VII of 1822, the Court of Foujdaree Udalut are satisfied that the award of a special sentence for escapes committed by persons under examination, and charged with petty offences was not contemplated by the legislature, and that the punishment of escapes by persons under examination should be restricted to those cases in which the offence charged falls properly under the designation of a crime, and is not adjudicable either by the Police or Magistracy under Regulation IX or XI of 1816.

/Sent following letter a. No. /-

Read again Calendar of Records No. 29 of 1853 on the file of the Sessions Court of Cuddapah.

/Here enter F.M. No. 1897 of 1853/-

Read again also Miscellaneous Petition presented on the 16th January 1854 by

by S. Teroomala Charry Vakeel on behalf of Malahari Row prisoner in the foregoing Case.-

/Here enter F.M.D. No. 8 of 1854/-

Read also return under date the 15th February 1854 from the Subordinate Criminal Judge in charge of the Sessions Court of Cuddapah to the precept of the Foujdaree Udalut dated the 9th February 1854 calling for certain documents connected with the foregoing Case.-

/Here enter F.M. No. 466 of 1854/-

Mr W.A. Morehead 1.
and
Mr T.L. Strange

The Court of Foujdaree Udalut resolve to reverse the sentence passed upon the prisoner in the foregoing Case and to direct that he be immediately released.-

2. The grounds of the Courts judgment will be communicated to the Sessions Judge in subsequent proceedings.-

Ordered, that Extract from these Proceedings be forwarded to

4th March, 1854

to the Sessions Judge of Cuddapah by precept returnable in 11 days from and after its receipt.—

Sent following Precept No. 1—

Read return dated the 10th February 1854 from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 3d idem, conveying their remarks upon review of the Criminal Reports for December and Supplemental Criminal Reports for September and November 1853.—

Here Enter F.R. No. 435 of 1854/—

Read letter dated the 11th ultimo from the Subordinate Judge in charge of the Sessions Court of Calicut, transmitting the Warrant issued for the execution of the sentence of death passed on the Prisoner in Case No. 68 of 1853 on the Calendar of the Sessions Court of Calicut with the endorsement of the Subordinate Judge and forwarding the report required by Circular Order of the Foujdaree

4th March, 1854

Foujdaree Adalut dated 3d May 1850

Here Enter F.R. No. 440 of 1854/—

Read Criminal Report dated the 15th ultimo submitted by the Sessions Judge of Chingleput for the month of January 1854.—

Here Enter F.R. No. 446 of 1854/—

Read return dated the 11th ultimo from the Sessions Judge of Nellore to the precept of the Foujdaree Adalut under date the 10th idem, directing the mitigation of the sentence in Calendar No. 1 of 1854.—

Here Enter F.R. No. 451 of 1854/—

Read return dated the 14th February 1854 from the Sessions Judge of Nellore to the precept of the Foujdaree Adalut under date the 11th idem, recalling upon him for a reduction of the sentence in Calendar No. 3 of 1854 and if unable to concur to submit and English Translation of the Record.

Here Enter F.R. No. 452 of 1854/

4th March 1854

Read return dated 13th February 1854, from the Session Judge of Salem to the precept of the Fouzdaree Udalut, dated the 2d February 1854 directing the Session Judge to admit the Appeal preferred by Sreenevassa Mootie against the sentence of the Magistracy by which he was fined and forbidden to exercise his right in a village.

/Here enter F. No. No. 442 of 1854/

4th March

F. No.

Monday,
6th March, 1854.

At a Court of the Fouzdaree Udalut

Present.

The W. A. Morehead, Esquire.
J. L. Strange, Esquire. } Puisne Judges

Read Miscellaneous Petition presented on the 26th January 1854, by Y. Lutchmee Zillah of Nellore.

/Here enter F. M. P. No. 16 of 1854/

Read also Miscellaneous Petition presented on the 26th January 1854, by R. Datchama Moorty, of the Zillah of Nellore.

/Here enter F. M. P. No. 17 of 1854/

Read also Miscellaneous Petition presented on the 26th January 1854 by R. Lutchmanah, of the Zillah of Nellore.

/Here enter F. M. P. No. 18 of 1854/

Read also Miscellaneous Petition presented on the 26th January

by

by Mr. Sheshammah of the Zillah of Nellore.

/Here Enter F. M. P. No. 20 of 1854/-

1. These Petitions are presented by their relatives on behalf of the 3d. 4th. 7th. and 8th. Prisoners, in Case No. 15 of 1853, on the file of the Sessions Court of Nellore. These Prisoners charged with Gang Robbery Arson and Wounding were sentenced the 1st. prisoner to be imprisoned for 14 years with hard labor in irons and to be banished to another Zillah. The 4th. 7th. and 8th. to imprisonment for 14 years with hard labor in irons.—

2. The Petitioners submit that their relatives are not guilty and pray the Court of Foujdaree Udalut to cancel the sentence passed upon them, and to order their release.

3. The Court of Foujdaree Udalut having carefully considered the whole of the Record in this case,

see no reason to question the correctness of the sentence passed upon the Prisoners, and resolve therefore to reject these Petitions.—

Ordered, that Extracts from these Proceedings be furnished to the Petitioners on their application.—

Read Miscellaneous Petition presented on the 26th January 1854 by Mr. Yellammah, of the Zillah of Nellore.—

/Here Enter F. M. P. No. 19 of 1854/-

1. The Petitioner prays the Court of Foujdaree Udalut to cancel the sentence passed on her son, who as 1st. Prisoner in Case No. 28 on the file of the Sessions Court of Nellore, was convicted of Housebreaking and Theft, and sentenced to 7 years imprisonment with hard Labor in irons.—

2. The Court of Foujdaree Udalut see no reason to question the correctness of the sentence passed on

6th March, 1854.

on the Petitioner's son by the Sessions Judge of Nellore.—

3. The Prisoner made a full confession of his guilt before the Police Ameen, Principal Sudder Ameen and Sessions Court.—

4. The Court of Foujdaree Udalut resolve therefore to dismiss this petition.—

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

Read Miscellaneous Petition presented on the 9th February 1854 by Seebammal, of the Zillah of Cuddalore

(Here enter F. M. P. No. 31 of 1854.)

Mr. J. D. Strange.

The Petitioner prays the Court of Foujdaree Udalut to annul the sentence passed by the Sessions Judge of Cuddalore, upon her husband the 12th prisoner in Case No. 42 of 1853, on the file of the Sessions Court.

2. The Petitioner submits that the confession made by her husband

F. Ms.

6th March, 1854.

husband cannot be held as any proof of his guilt, as he is of unsound mind. this deranged state of mind she represents was taken advantage of by the guilty parties, to put her husband in profession of a portion of the stolen property produced by him.—

3. The Court of Foujdaree Udalut consider that the 12th prisoner has been convicted upon very sufficient grounds. and the plea now for the first time raised by the Petitioner that her husband is insane, appears to the Court of Foujdaree Udalut to be deserving of no credit.—

4. They therefore resolve to reject this Petition.—

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

Read Miscellaneous Petition presented on the 20th February 1854 by

by G. Lutcheegadoo, of the Zillah of Nellore.—

/Here Enter F. M. P. No. 38 of 1854/—

Mr. W. A. Morehead. The Petitioner prays the Court of Foujdaree Udalut to cancel the sentence of 14 years' imprisonment with hard labor in Irons passed by the Session Judge of Nellore upon the Petitioner's relatives, the 3d and 5th Prisoners in Case No. 3 of 1854 upon the file of the Session Court of Nellore.—

2. The Court of Foujdaree Udalut consider that the charge of robbery with personal injury with which the prisoners in this case were charged, has been fully proved against the 3d and 5th Prisoners. their sentences have already been reduced by the Court of Foujdaree Udalut to two years' imprisonment with hard labor in irons.

3. The Court of Foujdaree Udalut resolve therefore to reject this Petition.—

Ordered

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

Read Calendar of Case No. 1 of 1854 submitted by the Agent to the Governor at Ganjam, under date the 10th ultimo.—

/Here Enter F. M. No. 461 of 1854/—

Read Criminal Reports dated the 15th ultimo submitted by the Session Judge of Guntoor for the month of January 1854.—

/Here Enter F. M. No. 475 of 1854/—

Read Extract from the Proceedings of the Session Court of Madura under date the 16th ultimo, on review of the Petty Calendars of the Magistrate for the 4th Quarter of 1853.—

/Here Enter F. M. No. 480 of 1854/—

Read Calendar of Case No. 3 of 1854 submitted by the Session Judge of Madura under date

the

6th March, 1854.

the 16th ultimo.—

Here enter F.C. No. 481 of 1854.—

Read return dated the 15th February 1854 from the Sessions Judge of Mangalore, to the precept of the Sunjdaree Adalut under date the 16th January 1854, calling for explanation of the delay which occurred in the submission of the Calendar of Petty cases disposed of by the Magistracy of Canara.—

Here enter F.C. No. 482 of 1854.—

Read Criminal Reports dated the 1st ultimo, submitted by the Sessions Judge of Combaconum for the month of January 1854.—

Here enter F.C. No. 488 of 1854.—

Read Calendar of Cases No. 34 of 1854, submitted by the Sessions Judge of Bellary under date the 16th ultimo.—

Here enter F.C. No. 489 of 1854.—

Read Criminal Reports

6th March, 1854.

dated the 31st January 1854, submitted by the Sessions Judge of Coimbatore for the month of January 1854.—

Here enter F.C. No. 493 of 1854.—

Read Calendar of Cases No. 6 of 1854 submitted by the Sessions Judge of Rajahmundry under date the 17th ultimo.—

Here enter F.C. No. 495 of 1854.—

Read Criminal Reports dated the 16th ultimo submitted by the Sessions Judge of Rajahmundry for the month of January 1854.—

Here enter F.C. No. 496 of 1854.—

4 C.

F. C.

Tuesday
7th March 1854.

At a Court of the Foujdaree Adalut

Present

The Hon'ble G. S. Cooper Esquire
W. A. Morehead Esquire
H. L. Strange Esquire
} Puisne Judges

Read Calendar of Case No. 14 of 1854 submitted by the Acting Sessions Judge of Masulipatam under date the 23d February 1854.

(Vide entry F. C. No. 552 of 1854)

1 The Court of Foujdaree Adalut perceive no authorize the mitigated Sentence of 5 years imprisonment with hard labor in irons proposed to be passed upon the 5th Prisoner in this case, and they direct the Acting Sessions Judge to issue his warrant accordingly

2 The Court of Foujdaree Adalut observe that the heading of the charge should have been "riot attended with plunder."-

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

Sent this Date

Read Calendars of petty Cases disposed of by the Magistracy of Salem during the 3d Quarter of 1853.-

(Vide entry F. C. No. 485 of 1854)

Sd

Calendar of persons punished.- Case No 58.

1

In this case one Casy Chellappa Pillay charged with "obstructing justice" in unduly presenting a Petition upon which the petitioner had signed his name was sentenced to be fined Rs or in default to be imprisoned for three days under XXX of 1941.-

2

The Court of Inquiry Udalawe did not consider that the circumstances of this case were such as to justify the application of the section which has since the promulgation of ordinance No 6 of 1946 been amended by the addition of paragraph 3 of section 3 of the Ordinance.

Ordered that extract from these proceedings be sent to the Superintendent of Police for information and for communication to the Magistrate

Sent in Appeal

Read Calendar of Cases No 58 submitted by the Superintendent of Udalawe dated the 15th February 1954.-

Vide entry No 494 of 1954

Perusal of the above Calendar and Court of Inquiry Udalawe observe that the charge framed does not set forth the facts which constituted the crime with which the Prisoner was charged.-

The Court are unaware of the fact that as the Case does not exhibit any circumstances of aggravation, the sentence of imprisonment passed

passed against the 1st Prisoner may with propriety be reduced to 7 years.-

If however, the Superintendent be unable to concur with the Court in the propriety of the mitigated sentence now proposed he will be pleased to submit an English translation of the entire record of the case for their consideration.

Ordered that extract from these Proceedings be sent to the Superintendent of Udalawe by precept returnable in X days from and after its receipt.-

Sent following precept No

Read Criminal Reports B for the months of January 1954 sent on the 14th February 1954 by the Superintendent of Horana.-

Vide entry No 494 of 1954

Case No 47.-

1

The Prisoner was in this case charged with fraud in having appropriated to his own use a jewel entrusted to him for repair.-

The Court of Inquiry Udalawe

2

observe that the charge in this case should have been Theft.-

It is clear that the owner of the

3

jewel never gave up to the Prisoner his right in the said property, but only gave him a temporary possession therein for a particular purpose.-

Theft with personal injury is the

Case No 2. January 4

charge

charge against the prisoner in this case.

The Court of Sawdaree Udalut

that the charge should have been "Robbery".

The parings were taken from nails

of the prosecutrix so violently as to lacerate the

the right paw, thus making the charge of theft

in Circular Order of Sawdaree Udalut 20th Feby

inapplicable to this case.

Ordered that Extract from the

Proceedings be sent to the Sessions Judge of Bellary

his information and guidance.

(Sent in &c.

Read Calendar of Case No 349

of the Sessions Court of Bellary

(Here enter Fl. No 349 of 1854)

The Court of Sawdaree Udalut

1st Soonkadee
2d Chinnaramoodee
3d Yakeeragandee
4th Poddaramoodee
5th Thirmalegandee
6th Kobaladee

of the recommendation made by the Sessions Judge in

this case that the imprisonment which the Prisoners

noted in the margin have been adjudged to suffer

on their conviction of the crime of "Robbery" be

reduced to (6) six months imprisonment with

hard labor, viz rous, and they do authorize the

Judge to issue his Warrant accordingly.

Ordered that Extract from the

Proceedings be forwarded to the Sessions Judge of

Bellary for his information.

(Sent in &c.

Read Jail Returns for the

month of January 1854 sent on the 16th February

by the Sessions Judge of Cuddalore.

(Here enter Fl. No 473 of 1854)

Statement shewing the instances in which the powers of punishment created by Regulation X of 1832 have been exercised.

1

Two prisoners who had escaped from

confinement and proceeded a distance of three

miles upon being recaptured were sentenced

under Clause three Section VI Regulation X of 1832

the one to 6 dozen the other to 5 dozen lashes.

The Court of Sawdaree Udalut

2

observe that as these prisoners had actually effected

their escape they should have been tried under

Clause second Section V Regulation VII of 1832 and

not under Regulation X of 1832.

The Court of Sawdaree Udalut

3

direct that the reward allowed by Circular order

of the Sawdaree Udalut 1854 be paid to the French Villagers

who brought back the escaped Convicts.

Ordered that Extract from these

Proceedings be sent to the Sessions Judge of Cuddalore

for his information and guidance.

(Sent in &c.

Read Criminal Reports B for

the Months of January 1854 submitted by the Sessions

Judge of Nellore on the 1st February 1854.

(Here enter Fl. No 476 of 1854)

The Court of Sawdaree Udalut

observe

observe that in the Report now under notice
are in twenty cases no less than 218 prisoners
incarceration. In six of the cases contained in the
and to which have been disposed of, one hundred
one prisoners were put up all of whom were
finally released.-

2 Adverting to this circumstance
to the great obstruction which must occur to the
business of the Principal Sudr Station should the
practice continue. The Court of Foujdaree Adawlut
deem it advisable to direct the Magistrate to specially call
to the Police officers to be more careful in ascertain-
ing in committable cases that sufficient ground
exist for the commitment of the accused.-

Ordered that an extract from the
proceedings be sent to the Sessions Judge of Nellore
for his information and guidance.-

Read letter number dated the 10th
February 1854 from the Sessions Judge of Nellore
submitting English translations of the proceedings
Case Nos 26 and 33 of 1853 for the final judgment
of the Foujdaree Adawlut.

(Here enter S. R. No 43 of 1854)

Read again also Miscellaneous

Petition presented on the 2nd March 1854 by J.
Salmon Esquire Vakeel on behalf of K Ramasawmy
Reddy a relative of the 1st, 2d, 3d, 4th and 5th prisoners
in Case No 33 of 1853 on the Calendar of the Sessions
Court of Nellore.-

(Here enter S. R. No 43 of 1854)

Mr H. A. Morehead
Mr J. L. Stronge

1 The prisoners in these cases are
charged with having on the night of the 21st September
1853 violently and cruelly assaulted the Prosecutrix's
husband, Sheik Adam, a man of 70 years of age
and his son a lad of about 14 years, so as to occasion
the death of the former after an interval of 10 days
and the loss of several teeth to the latter.-

2 The Sessions Judge in concurrence
with the Mahomedan Law Officer has pronounced
the evidence insufficient for the conviction
of the 4th 5th 6th and 7th Prisoners in Case No 26 and
has ordered the unconditional release of the 7th
Prisoner and that of the 4th 5th and 6th Prisoners
on Security.-

3 The Law Officer has convicted the 1st
2d 3rd 8th and 9th Prisoners in Case No 26 but has
acquitted all the Prisoners in Case No 33 and the
Sessions Judge concurring in the conviction of the
1st 2d 3rd 8th and 9th Prisoners in Case No 26 and
considering

considering the evidence sufficient for the c-
-viction of all the Prisoners in Case No 33 ha-
referred both trials for the final judgment of
Sawdaree Adalut with a recommendation
the 1st 2 and 6th prisoners in Case No 8, who a
Village Servants and who are shewn to have acte
under the orders of the other prisoners be sente
to be kept with hard labor in irons for imprison
one year, and the 3d and 4th prisoners in Case
and all those in No 33 be imprisoned with h
labor in irons for seven years..

4 The Court of Sawdaree Adalut
are unable to come to a decision on these case
owing to the defective state of the record of t
trial No 33 of 1853..

5 The Prisoners in this are held by
the Sepoy Judge to be guilty upon evidence take
in Chief before him upon the trial of No 33 of
To such evidence the Court have to observe, pr
be used against the prisoners until it shall
been read to them in the presence of the depon
and opportunity for their cross questioning the
deponents thereupon allowed..

6 The record of No 33 does not shew

that this step was taken, and the Sepoy Judge
will therefore be pleased to supply the omission..

7 The record of No 33 furthermore
contains no evidence of the death of the deceased,
nor of his having given the statement said to have
been made by him before the Police previous to
his demise.. The necessary witnesses to these particu-
-lars must therefore be introduced..

8 The Court of Sawdaree Adalut
observe that the testimony of the Zillah Surgeon
by whom the deceased was examined, and who it
appears has now left Nellore, should have been
taken in both these cases, his certificate appearing
on the Police record of No 36 not being available
as evidence..

9 Upon taking the whole of the above
evidence the Sepoy Judge will be careful to allow
the accused to offer any thing upon the defence
which they may wish to urge in connexion therewith.

10 In view of the evidence adduced,
the Court of Sawdaree Adalut resolve to direct
that pending the issue of the trial, the 3d and 5th
prisoners in No 33 be admitted to moderate bail..

Ordered that Extract from these

proceedings

proceedings be forwarded to the Sessions judge of Bellary by precept returnable within II days from and after its receipt..

/Sent following precept &c./

Read letter dated the 1st Instant from the Sessions judge of Bellary transmitting the death warrant issued by his Court in case No 1 of the Sessions Calendar for 1854 together with copy of Subordinate Criminal judges letter which accompanied it..

/Here enter F.B. No 502 of 1854/

Read Calendar of case No 3 submitted by the Sessions judge of Bellary under date the 17th February 1854..

/Here enter F.B. No 503 of 1854/

Read letter dated the 14th February from the Acting Agent to the Governor in Council submitting Criminal Returns for 1st and 2nd of this for last months together with Reports from Acting Principal Assistant Agent and Assistant Agent..

/Here enter F.B. No 504 of 1854/

Read Return dated 10th February from the Sessions judge of Rajahmundry to the

precept of the Fouzdaree Adalut under date the 7th February 1854 disallowing the Costs adjudged by the Sessions Court against Solaty Venkatarazoo Petitioner before the Court of Fouzdaree Adalut..

/Here enter F.B. No 505 of 1854/

Read Calendar of case No 5 of 1854 submitted by the Sessions judge of Rajahmundry under date the 10th February 1854..

/Here enter F.B. No 506 of 1854/

Read Return dated the 30th February 1854 from the Sessions judge of Trichinopoly to the precept of the Fouzdaree Adalut under date the 9th February 1854 directing the Sessions judge to restore Rajunnamoro Naick, Ryalo Naick and 3 others to their situations of Jail Peons..

/Here enter F.B. No 508 of 1854/

Read Report dated the 20th February 1854 submitted by the Sessions judge of Madura of the labor of Convicts in the Jail at Pummbum under charge of the Joint Magistrate for the months of January 1854..

/Here enter F.B. No 513 of 1854/

Read Calendar of case No 9 of 1854 submitted by the Sessions judge of Bellore under date the 23rd ult February 1854..

/Here enter F.B. No 518 of 1854./

Read

7th March 1854.-

Read Jail Report dated 22d February 1854 submitted by the Sessions Judge of Combaconum for the months of January 1854.-

(Here enter F.R. No 519 of 1854)

Read letter dated the 22d February 1854 from the Agent to the Governor at Kurnool returning the death warrant issued by the Judges of the Sudder Adalut in Case No 43 of 1853 on his file and forwarding copy of a report from the Acting Assistant Agent regarding its execution.-

(Here enter F.R. No 524 of 1854)

Read Extract dated 23d February 1854 submitted by the Sessions Judge of Guntoor from the proceedings of the Sessions Court held on review of the Police Statements for the 3rd Quarter of 1853.-

(Here enter F.R. No 523 of 1854)

Read Criminal Report submitted by the Acting Sessions Judge of Cuddalore dated 13th January 1853 for the month of January 1853.

(Here enter F.R. No 102 of 1853.)

Read letter dated 11th January 1853 from the Sessions Judge of Tellicherry stating that

7th March 1854. the Death Warrant in Case No 18 of 1852 on the Calendar of the Session Court of Tellicherry.

(Here enter F.R. No 107 of 1853.)

Read Return dated 21st March 1853 from the Session Judge of Coimbatore to the precept of the Sudder Adalut under date the 31st January 1853 directing him to review the Proceedings held in Case No 73 of 1852 on the file of the Joint Magistrate of Dotacamund, and report the result for their information.

(Here enter F.R. No 710 of 1853.)

Read letter dated 1st April 1853 from the Session Judge of Chingleput reporting that there are no Cases pending at the close of last month before the Session Court as required by the Circular Letters dated 16th October 1844 and 21st January 1845.

(Here enter F.R. No 755 of 1853.)

Read letter dated 1st April 1853 from the Acting Session Judge of Cuddalore, re-porting

7th March, 1854.

respecting that one Peter have been punished during March, 1853 for a period exceeding 25 days.

(Here enter F. No. 761 of 1853.)

Read Convict Labor Report submitted by the Sessions Judge of Madura, dated 31st March, 1853 for the months of February, 1853.

(Here enter F. No. 767 of 1853.)

Read Return dated 30th March 1853 from the Sessions Judge of Nellore in the precept of the Zeyjdaree Adalut under date the 25th April, 1853, directing the release of the 1st Prisoner in Calendar No. 37 of 1852.

(Here enter F. No. 1010 of 1853.)

Read Statement of Convict Labor submitted through the Sessions Judge of Salem dated 1st April, 1853, performed during the 1st Quarter of 1853.

(Here enter F. No. 1014 of 1853.)

Read Return dated 20th April 1853 from the Principal Sudr Ameen in charge of

7th March, 1854.

the Sessions Court of Tellicherry, to the precept of the Zeyjdaree Adalut under date the 11th April, 1853, directing that the Petitioner Koottyprathe Ramoothy be re-instated in the situation of a Jail Peon.

(Here enter F. No. 1015 of 1853.)

Read Return dated 27th April, 1853 from the Sessions Judge of Chicacole in the precept of the Zeyjdaree Adalut under date the 19th April, 1853, directing the unconditional release of all the Prisoners in Case No. 16 on the Calendar of his Court for 1852.

(Here enter F. No. 1021 of 1853.)

Read Return dated 2nd May, 1853, from the Session Judge of Chittoor in the precept of the Zeyjdaree Adalut under date the 7th March, 1853, desiring the Session Judge to obtain through the Magistrate the opinion of a Medical Officer upon the capabilities of the Jail at Vellore.

(Here enter F. No. 1041 of 1853.)

Read Convict Labor Report submitted through the Session Judge of Salem dated

7th March 1854.

dated 1st April 1853, for the Months of [illegible]
1853.

(Here enter F.C. No 1848 of 1853.)

Read Report submitted by
the Subordinate Judge in charge of the
Court of Calicut under date the 2d [illegible]
1853, of Cases pending on the 31st March
and Committed for trial during the months
April 1853 before the Sessions Judge of
Calicut.

(Here enter F.C. No 1849 of 1853.)

F.C.

Wednesday
8th March 1854

At a Court of the Foujdaree Adalut.

Present

G. S. Cooper Esquire
W. A. Morehead Esquire
J. L. Strange Esquire

} Presiding Judges

Read again Calendar of Cases
No 21 of 1853 of the Sessions Court of Mangalore
(Here enter F.C. No 2374 of 1853)

Read again Miscellaneous Petition presented on the 5th January 1854 by P—
Peroomalaroo Vakeel on behalf of Vaptaroo Seing
of the Zillah of Mangalore.-
(Here enter F.M.P. No 1 of 1854)

Read also Return dated 27th
February 1854 from the Sessions Judge of Mangalore
to the precept of the Foujdaree Adalut under date
the 23d January 1854 calling for a translation of the
record in Case No 21 of 1853 on the Calendar of the
Sessions Court of Mangalore so far as it relates
to the 8th and 9th Prisoners therein.-
(Here enter F.C. No 579 of 1854.)

In this Case the first Seven
Prisoners

Case No 21 of 1853
Robbery by open violence
and receiving plundered
property knowingly.-

8th March 1854.-

Mr I L Strange

prisoners were charged with having on the night of the 10th July 1853 gone to the prosecutors house at Mularnady Village Berriwala Talook & plundered the prosecutor his Mother Sanggannah and the pet witness and having entered in by an open door and plundered property valued at Rupees 81-0

2 The first seven prisoners were further charged with having received a part of the stolen property of the value below specified knowing the same to have been plundered

Viz 1st Prisoner 3- R 11 As 3, 2d Prisoner Annas 11- 3d Prisoner Annas 11- 4th Prisoner 1- R 11 As 0- 5th Prisoner 2- R 3 As 0 6th Prisoner 1- R 9 As 1- and the 7th Prisoner [illegible]

3 The 8th and 9th prisoners, Police peons were charged with being accessories after the fact inasmuch as when they went to trace out the robbery they received from the 1st Prisoner a pair of gold ear ornaments and a gold nose ring valued at Rupees 16-0- forming part of the stolen property they knowing it to be such and with having appropriated the same to their own use & with having

4 The Mohomedan Law officer convicted the prisoners 1 to 7 of Robbery declaring them liable to a Kissahut..

5 He acquitted the 8th and 9th prisoners

8th March 1854.-

of the crime with which they were charged but declared them liable to slight suspicion

6 The Sessions judge concurred in the conviction of the prisoners from 1 to 7 and sentenced them to 14 years imprisonment with hard labor in irons..

7 In consideration of the circumstance that this was their first conviction, that no great violence was used and that the prisoners from 3 to 7 are Dhers and very ignorant. The Sessions Judge recommended that a mitigated sentence of 8 years imprisonment with hard labor in irons be passed on the 1st and 2d prisoners and of 5 years with hard labor in irons on the 3d 4th 5th 6 and 7th prisoners..

8 considering the evidence insufficient for the full conviction of the 8th and 9th prisoners but being of opinion that strong suspicion attached to them ordered the 8th prisoner to furnish security to the amount of Rupees 200 in two Sureties of 100 Rupees each and the 9th Prisoner security to the amount of 100 Rupees in two Sureties of Rupees 50 each for the period of one year or in default thereof to be imprisoned for that period..

On

9 An perusal of the Calendar and of an explanation submitted with reference thereto by the Sepion judge, the Court of Enquiry doth concurred in the conviction of the first seven prisoners and approved of the mitigated sentence recommended by the Sepion judge, but seeing reason to question the propriety of the requisition of security from the 8th and 9th prisoners directed that such portion of the record as referred to these prisoners should be submitted for their consideration

10 The Court observe that the Sepion judge has disbelieved the evidence of the 4th and 5th witnesses which is the main testimony adduced against the 8th and 9th prisoners, and on perusal of that portion of the record which has been laid before them, the Court fully concur in rejecting the evidence in question. thinking that it bears on the face thereof marks of falsehood. It is not reputable that the deponents in the transitory view they represent themselves to have had of the ornaments worn in the hands of others could have examined them so as to be able to describe them so minutely as they have done, nor could the prisoners have perused these ornaments openly in the presence of two spectators, strangers to them.-

8th March 1854..

11 This evidence the Court therefore conclude to have been concocted, and the fact necessarily throws the utmost suspicion upon the remaining evidence brought against the prisoners which is also in itself of a most questionable nature..

12 No suspicion of complicity in the robbery had attached at the time to the 1st prisoner and it is very improbable that he should without occasion have confessed his guilt. The allegations of the 12th and 13th witnesses the Peishcar and Duffadar that the 8th prisoner confessed to them severally that he had received the ornaments and had them in his possession becomes quite unworthy of credit in the absence of any written confession on the prisoners part or of the production of the ornaments..

13 The Court believe that the accusation against these prisoners is the result of a conspiracy. They therefore acquit them without reservation and cancel the requisition of security under which they have been placed..

Ordered that extract from these Proceedings be sent to the Sepion judge of Mangalore

8th March 1854.-

Mangalore for his information and guidance by precept returnable within 11 days from and after its receipt.-

Sent following precept &c

Read Criminal Report B and other Statements for the months of January 1854 sent on the 8th February 1854 by the Subordinate judge in charge of the Sessions Court of Calicut.-

(Here enter F.C. No. 470 of 1854)

Case No 2.-

1

The prisoners were charged with Fraud and with being in possession of property fraudulently obtained with a guilty knowledge.

2

The Court of Foujdaree Adalut are of opinion that the charge in this case should have been Theft.- The property was given to the prisoner for a temporary and transient purpose no mention whatever being made of transferring to him the real right in it.- The appropriation therefore of the said property by the 1st and 2d prisoners to their own use was clearly a theft.-

Criminal Report B from the Magistrate Case No 2.-

3

The prisoner in this case charged with wounding was sentenced to six months imprisonment with labor in irons. at the expiration of this term of imprisonment to find Sureties for his "good behaviour and appearance" if required.-

8th March 1854.-

The Court of Foujdaree Adalut

4

observe that the Security demanded from the Prisoner in this case could only have been "to keep the peace" and they direct that the sentence be amended accordingly.-

In the abstract of the charge in

5

this case, the detailed description of the wounds inflicted on the Prosecutor is unnecessary.-

In this case the prisoner is charged

6

with Robbery in having opened the complainants door and after entering the house stolen therefrom property valued at 10 Rupees.-

Case No 4.
Criminal Report B from the Magistrate

The Court of Foujdaree Adalut

7

observe that the charge in this case was however bailable.

The Joint Magistrate could not.-

8

therefore, under the provisions of Act VII Section XIV of 1843, deal with this case. which must be committed to the Criminal Court.-

The Court of Foujdaree Adalut are

9

at a loss to understand how so serious a mistake could have been committed by the Joint Magistrate

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

the Magistrate by precept returnable within three days from and after its precept.

Sent following precepts &c

Read again Calendar of Cases No. 1 of 1853 submitted by the Acting Sessions Judge of Masulipatam under date the 7th December 1853.

Here enter F.B. No. 3603 of 1853

Read again also Miscellaneous Petition presented on the 19th December 1853 by Sheppard Vakeel on behalf of the prisoners referred to in the foregoing Calendar.

Here enter F.B. No. 191 of 1853

Read also Return under date the 31st Ultimo from the Acting Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut of the 27th January 1854 directing the submission of an English translation of the Records of the above case.

Here enter F.B. No. 554 of 1854

Mr. Pycroft & Morrhead.

Before finally disposing of this case the Court of Foujdaree Adalut resolve to call upon the Acting Sessions Judge to submit translations of the following papers.

1st Declaration of Kalekuraya, Sheranjee Currumn of Calagarah.

2nd Declaration of the Maatanda Pillaye Servant Venkoo.

3rd Declaration of Veswanadhooney Venkataya

4th Report addressed by the Currumn of Calagarah

The Court of Foujdaree Adalut further direct that the enforcement of the sentence passed upon the Prisoners in this case be suspended pending the final orders of the Court.

Ordered that Extracts from these proceedings be sent to the Acting Sessions Judge of Masulipatam, by precept returnable within III days from and after its precepts.

Sent following Precepts &c

Read Criminal Reports for the Months of January 1854 submitted by the Sessions Judge of Tellicherry under date the 31st February 1854.

Here enter F.B. No. 520 of 1854

Read Criminal Reports for the Months of February 1854 submitted by the Sessions Judge of Cuttack under date the 22d February 1854.

Here enter F.B. No. 529 of 1854

Read Criminal Reports for the Months of January 1854 submitted by the Sessions Judge of Mangalore under date the 22d February 1854.

Here enter F.B. No. 530 of 1854

Read Calendar of Cases No. 5 of 1854, submitted

Submitted by the Sessions Judge of Madura under
date the 22d February 1854.-

/Here enter F.B. No. 532 of 1854/

Read Calendar of Cases No. 3 of 1854
Submitted by the Sessions Judge of Tanjore under
date the 22d February 1854.-

/Here enter F.B. No. 536 of 1854/

Read Calendar of Cases No. 36 of
1854 Submitted by the Sessions Judge of Bellary under
date the 21st February 1854.-

/Here enter F.B. No. 537 of 1854/

Read Calendar of Case No. 37 of
1854 Submitted by the Sessions Judge of Bellary
under date the 23d February 1854.-

/Here enter F.B. No. 539 of 1854/

Read Calendar of Case No. 38 of
1854 Submitted by the Sessions Judge of Masulipatam
under date the 22d February 1854.-

/Here enter F.B. No. 542 of 1854/

Read Return dated 28th February
1854 from the Subordinate Judge in charge of
Calicut to the precept of the Sessions Calendar
under date the 17th Instant expressing there
opinion that the imprisonment which has
been

been already inflicted on the Prisoner in Case
No. 38 of 1853 on the Calendar of the Sessions Court
of Calicut, is a sufficient punishment for the
offence, and directing his release.-

/Here enter F.B. No. 543 of 1854/

Read Calendar of Cases No. 4 of 1854
Submitted by the Sessions Judge of Madura under
date the 24th February 1854.-

/Here enter F.B. No. 546 of 1854/

Read Calendar of Case No. 38 of 1854
Submitted by the Sessions Judge of Bellary under date
the 23d February 1854.-

/Here enter F.B. No. 548 of 1854/

4th Mch

F.M.

Thursday,
9th March, 1854.

At a Court of the Fouzdaree Udalut

Present.

W. A. Morehead, Esquire.
T. L. Strange, Esquire. } Puisne Judges.

Read Miscellaneous Petition presented 22d February 1854 by Ro. Ve. Tenoomala Row Vakeel on behalf of China Pungy Atchen of the Zillah of Calicut.

Here enter F. M. P. No. 24 of 1854.

The Petitioner complains

1.

that he has been unable to obtain from the Magistracy or from the Session Judge of Calicut redress for insults offered to him by the Palghat Tahsildar.

The Court of Fouzdaree

2.

Udalut consider the reasons given by the Magistrate and Session Judge for not interfering in the matter contained

9th March, 1854.

contained in this Petition, satisfactory, and therefore decline disturbing the orders passed by those Officers.—

3. The Court accordingly resolve to reject this Petition.—

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

Read Miscellaneous Petition presented on the 27th February 1854 by Syed Vally Ahmed Vakeel on behalf of Mahomed Sahib of the Zillah of Salem.—

Here Enter F. M. P. No. 41 of 1854.

Mr. W. A. Morehead. This is an application for the reversal of the sentence passed by this Court on petitioner's nephew prisoner in Case No. 35 of 1853 on the file of the Sessions Court of Salem.—

2. The sentence against which this appeal preferred was passed

9th March, 1854.

passed by the Court of Foujdaree Adalut on a full consideration of the record of the Case.—

3. Seeing no reason to question the propriety of their decision, they reject this petition.—

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

E. C. Wall

F. U.

Friday 10th March 1854. At a Court of the Tonjdasee Udalut.

Present

G.L.K. — G. L. Hoopes Esqre. — Puisne Judges.
Vdl. — W. A. Morehead Esqre. — Puisne Judges.
Vdl. — J. L. Strange Esqre. — Puisne Judges.

Read letter under date the 25th January 1854 from the Agent to the Governor of Fort St. George at Kurnool, submitting for the final judgment of the Tonjdasee Udalut the trial of Criminal Case No 29 of 1854 on his file.

(Here enter F. U. No 586 of 1854.)

The Court of Tonjdasee Udalut concurring in the conviction of the Prisoner

Bhojahgaud

of the crime of "Cattle Stealing" laid to his charge, direct that he be imprisoned for (2) Two years with hard labor in irons, under Clause 4th Section V Regulation VI of 1822.

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

(Sent in No)

G.L.K.

Saturday
11th March 1854.

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read calendar of case No 13 of 1854 submitted by the Acting Session Judge of Masulipatam under date the 22nd February 1854.

(Here enter F. U. No $\frac{541}{1854}$)

1 The Court of Foujdaree Udalut resolve to authorize the mitigated sentence of 4 years' imprisonment with hard labour as in mond proposed to be passed upon the Prisoner in this case, and they direct the Acting Session Judge to issue his warrant accordingly.

2 The Court of Foujdaree Udalut observe, with reference to the abstract of the charge, that the heading thereof should have been "Riot attended with assault and plunder.

Ordered

11th March 1854.

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

(Sent in No)

Read Calendar of Case No 29 of 1853 of the Sessions Court of Cuddalore

(Here enter F. C. $\frac{586}{1854}$)

The Court of Foujdaree Udalut but are of opinion that the mitigated sentence of 7 years' imprisonment recommended by the Sessions Judge to be passed upon the Prisoners in this case on their conviction of Sans Robbery may with propriety be still further reduced to a sentence of 5 years imprisonment and they resolve to direct the Sessions Judge to issue his warrant accordingly.

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

(Sent in No)

Read letter under date the

11th March 1854

Ultimo from the Acting Agent to the Governor at Ganjam submitting for the final judgment of the Court of Foujdaree Udalut a Summary of the evidence taken in the case of a Prisoner named Bavvoorie Chendriah who was charged with Robbery by open violence and wounding.

(Here enter F. C. No $\frac{572}{1854}$)

1 The Acting Agent convicts the Prisoner of the crime laid to his charge and recommends that he be Sentenced to imprisonment with hard labour in irons for 5 years and to receive 75 lashes.

2 The Court of Foujdaree Udalut concur in the conviction of the Prisoner and resolve to confirm the Sentence proposed to be passed upon him.

3. Adverting to the Acting Agent's remarks in the concluding part of para: 8 of his letter, that the crime of which the Prisoner has been convicted should be denominated "Theft under aggravating circumstances" rather than "Robbery by open violence

11th March 1854.

violence; the Court of Foujdaree Udalut ob-
serve that with reference to the circumstance
under which the Prisoner assaulted and
plundered the Prosecutor the offence charged
should have been designated as one of
"Robbery by a single unarmed individual,
attended with wounding, the wounding
having followed the commission of the
robbery.

4 The Court of Foujdaree Udalut
have further to remark that the evidence of
the 1st Witness, who, it is stated, was not
put upon oath being ignorant of the na-
ture of an affirmation of that description,
was not legally admissible and that he
should not have been examined.

Ordered that Extract from
these Proceedings be forwarded to the Acting
Agent to the Governor at Ganjam for his
information and future Guidance.

(Sent in No.)

Read letter dated 26th February
1854 from the Agent to the Governor at Russel
submitting for the final judgment of the
Foujdaree

F. C.

11th March 1854. Foujdaree Udalut the Record of Case No. 52 of 1853 on the Calendar of this Court.

(Here enter F. C. No. 548 of 1854)

The Court of Foujdaree Udalut

Mr. W. A. Morehead.
Mr. J. L. Strange.

on a deliberate consideration of all the circum-
stances of the case in evidence before them
being of opinion that the proof against the
Prisoners

1st Byjegadoo
2nd Cittala Sippadoo
3rd Comaty Narrayana
4th Kurra Mudalegadoo
5th Casegadoo
6th Hanmah
8th Wudday Vencatagadoo
9th Chinnegadoo
10th Sunk Kamal
11th Roopah
12th Shookah
13th Rampee
14th Chinna Paupegadoo

and

15th Dasarr Sheshadoo

is sufficient to convict them of the crime
of effecting their escape from custody
by open violence for which according
to

to the Mahomedan Law as declared in
Futwahs of their Law Officers direct
any punishments is awardable, do convict
them thereof and under the provisions of
Clause Seventh, Section II Regulation XI
1803 sentence the Prisoners

1st Pijjigadoo
2nd Cuttala Sippadoo
3rd Comaty Narrayana
and
4th Kuma Mudigadoo

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 in
addition to any former sentences which
may be in force against them, and the
prisoner

5th Cadigadoo
6th Hanah
7th Pudday Venkatagadoo
9th Chinnigadoo
10th Turk Hanah
11th Rospah
12th Thorkah
13th Ramjee
14th Chinna Pandigadoo
and

and
15th Dasaree Sheshadoo

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 in addition to any for-
mer sentences which may be in force
against them

1 The Court of Fouzdaree Uda-
lut have been unable to concur with
the Agent in considering the evidence
in this case sufficient for the conviction
of any of the Prisoners of the murder
laid to their charge. The 8th Witness
alone deposes to any of the prisoners
having assaulted the deceased declaring that
he saw the 4th, 9th and 14th prisoners do
so. His evidence being single and the
same a confused one, the Court do not
think it can safely be depended upon.

2 There is concurrent evidence
to the 1st, 2nd, 3rd and 4th prisoners having
taken part in the assault on their
guards and the Court have therefore
sentenced them each to ten years' Im-
prisonment with hard labor in
irons

11th March 1854.

irons and the other prisoners to five years' Imprisonment with hard labor in irons

3 It appears from the Agent's letter that the Prisoners in the Jail at Kurnool occasionally return late from their work, according to the evidence so late as 5½ or 6 P. M. and that they have sometimes not been shut up till 7 or 7½ P. M. - This is an irregularity which should not be permitted to occur; the rule being that the Prisoners shall be invariably locked up by Sunset. (The Court direct that a copy of the instructions lately issued to the several officers in charge of Jails be communicated to the Agent)

4 The record of this case shows that the trial was closed on the 12th December 1852, having only occupied two days. The Agent's letter of reference is dated the 24th February 1854, upwards of 14 months after the close of the trial, and for this extraordinary delay, no reason has been assigned, though previous to the dispatch of the record, the Agent had been repeatedly called upon for an explanation.

F. C. 5

11th March 1854.

The Court again direct that the Agent will submit a full explanation of the causes which occasioned such delay in the reference of this short and simple case.

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

(Sent following Precept No.)

4 Ors/Ans W

Monday
13th March 1854.-

At a Court of the Tondaree Adalut.

Present

Sd/- G S Cooper Esquire
W A Morehead Esquire
& W. I L Strange Esquire
} Puisne Judges.

Read Review of Petty Cases disposed of by the Magistracy during the 4th Quarter of 1853 and of Statements of complaints disposed of by the Native Police in the months of November and December 1853.-

(Vide entry F 16 at p. 531 of 1854)

Tindevanum.
72.

The Court of Tondaree Adalut do not concur in the opinion expressed by the Superior Judge that the prisoner in this case, who was apparently of tender years, should have been forwarded by the Head of Police to the Magistrate for punishment such a course would have entailed upon the prisoner a journey of 90 miles which under the circumstances it was better to avoid.-

Ordered that Extracts from these Proceedings be sent to the Superior Judge of Cuddalore for his information.-

(Entered)

Read

13th March 1854.

Read Calendars of petty cases disposed of by the Magistracy of Canara within the jurisdiction of the Fillah of Mangalore during the 3rd Quarter of 1853

(Here enter F.B. No. 433 of 1854)

The Court of Sowdaree Adalut in their proceedings of the 23d Ultimo held upon a perusal of the Calendars of petty cases disposed of by the Magistracy of Canara within the Fillah of Honore have intimated that the abstract of evidence prescribed in their proceedings of the 13th July 1853 may be dispensed with, but that the time place and manner of the commission of the offence should invariably be stated in the charge.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Mangalore for communication to the Magistrate of Canara

(Sent in &c.

Read Criminal Reports B for

Acting Sessions Judge of Mangalore for January

(Here enter F.B. No. 852 of 1853)

Cases
Nos. 8. 11. 14. 15. 16. 17.

In all these cases the charge of
and Robbery by open violence should have been
Court of Sowdaree Adalut observe. Before
Ordered that Extract from

13th March 1854.

Proceedings be sent to the Acting Sessions Judge of Mangalore for his information and guidance.

(Sent in &c.

Read Calendar of Cases No. 9 of 1854
of the Sessions Court of Combacconum.

(Here enter F.B. No. 547 of 1854)

The Court of Sowdaree Adalut

1 Comaran
2 Mootteen
3 Arrachellum
4 Pitchan
5 Pannan
6 Verran Son of Mannin

are of opinion that the sentence of imprisonment proposed to be passed upon the prisoners named in the margin on their conviction of the crime of gang robbery may be with propriety be further reduced to 3 years, and they resolve to direct the Sessions Judge to issue his warrant accordingly.

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

(Sent following precept &c.

Read Calendar of Cases No. 12 of 1854
on the file of the Sessions Court of Vaniliatam.

(Here enter F.B. No. 540 of 1854)

The Court of Sowdaree Adalut concur in the recommendation of the Sessions Judge and accordingly resolve to reduce the sentence passed by that Officer on the prisoners in the above

Cases

cases to seven years imprisonment with hard labor in irons..

2 The Court of Sanjolaree Udalut also direct that the lashes awarded if not already inflicted be remitted..

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

/Sent in No /

Read again Calendar of Case No 37 of 1853 on the file of the Sessions Court of Ipuchimpoly

/Vera vuter F.C. No 2654 of 1854/

Read also Miscellaneous Petitions presented on the 2d March 1853 by Chella muthee Padayachy and Krishna Padayachy relatives of the 3d and 4th prisoners in the foregoing case..

/Vera vuter F.C. Nos 48 and 49 of 1854/

Mr. T. La Strange

The remarks recorded by the Sessions Judge upon the Calendar of the foregoing case shew that the prisoners on whose behalf these petitions have been presented have been convicted upon very sufficient evidence and the Court see nothing in the Petitions to lead them to question the justice of the Sentences passed upon them..

The Petitioners Applications are accordingly dismissed..

Ordered that Extract from these proceedings

proceedings be granted to the Petitioners on their applications..

Read Criminal Report 3 of the of the Sessions Court of Chicacole for the months of January 1854..

/Vera vuter F.C. No 517 of 1854/

Cases No 2 and 3..

In both these cases in which the charges have been framed as "Rounds" The Court of Sanjolaree Udalut are of opinion that the charges should have been "Theft".. In neither cases had the right and the property been made over by the owners to the prisoners..

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

/Sent in No /

Read Criminal Reports of the Sessions Court of Chicacole for the months of January 1854

/Vera vuter F.C. No 517 of 1854/

Ct's File No 36 of 1853.

In this case the prisoner charged with House breaking and Theft was sentenced to nine months imprisonment with hard labor in irons under clause fourth Section III Regulation VI of 1822..

3 The Court of Sanjolaree Udalut observe that in this case the sentence passed upon the

the Prisoner should have been described as under
Clause VI Section II Regulation XI of 1822.-
Ordered that Extract from these
Proceedings be sent to the Sessions Judge of Chicacole for
his information and guidance.-
Sent vide &c.

Read Calendar of Cases &c 3 of 1854
on the file of the Sessions Court submitted on the 8th
February 1854 by the Sessions Judge of Rajahmundry.-
(Here enter F.H. &c. 403 of 1854)

The 1st Prisoner in this case was charged
with having Eloped with the Prosecutrix wife of the 2d
Prisoner and with his property value about Rupees &c.
Prisoners and with his property value about Rupees &c.

2 The 2d Prisoner was charged with having
committed adultery with the 1st prisoner and also
with him and also with having stolen the Prosecutrix
property alluded to in the first count.-

3 The Mohamedan Law of Marriage and
the 2d Prisoner, &c wife of Prosecutor, of the duty of a
husband's property and of returning the same to
1st Prisoner of having violated in the theft.-

4 He acquitted the 2nd Prisoner of the

5 The Sessions Judge of Rajahmundry
convictions sentenced the 1st Prisoner to three
years imprisonment with hard labour and
the 2nd Prisoner to 7 years imprisonment
Suitable to her Sex.-

13th March 1853.-

6 The Court of Foujdaree Adalut are
of opinion that under the circumstances of this case
a sentence of one year's imprisonment will be an
adequate punishment for the offence of which the
Prisoners have been convicted and resolve to call
upon the Sessions Judge to reduce the sentence &c
accordingly.-

7 The Court of Foujdaree Adalut direct
the attention of the Sessions Judge to the imperfect manner
in which the charge in this case has been
framed.- If the 2d Prisoner was charged with having
committed adultery with the 1st Prisoner.- The Court
are at a loss to understand why the 1st Prisoner was
not also charged with committing adultery with the
2d Prisoner he (1st Prisoner) knowing her to be prose-
cutors wife.-

8 If unable to concur with the Court in
the propriety of the mitigated sentence now proposed
the Sessions Judge will be pleased to submit an
English translation of the entire record of the case
for their consideration.-

Ordered that Extract from these Pro-
be sent to the Sessions Judge of Rajahmundry by precept
returnable within x days from and after receipt.-
Sent following precept &c

Proceedings Miscellaneous Petition —
presented on the 2d March 1854 by Soodala Mottoo Reddy

13th March 1854.

of Zillah Tinnevelly

(Here enter F.M.P.R. No 47 of 1854)

1 The Petitioner prays the Court of

Mr J. L. Strange. Foujdaree Adalut to order the restoration to him of a Cloth

through which he states has been forcibly removed from

his land. He represents that he has applied for redress

both to the Tahsildar and to the Magistrate but without

success.

3 The Court of Foujdaree Adalut observe

that the Petitioner if aggrieved with the proceedings

of the Tahsildar and the Magistrate on his case should

have recourse to the Sessions Judge.

His application to the Court of Foujdaree

Adalut under the circumstances of the case is irregular

and his Petition is therefore dismissed.

Ordered that Extract from these

Proceedings be granted to the Petitioner on his application.

Read Miscellaneous Petition

dated on the 23rd February 1854 by Venkatachella

Naiaken and others of the Zillah of Chittoor.

(Here enter F.M.P.R. No 39 of 1854)

1 The Petitioners prisoners in Case

Nos 14 and 15 of 1849 before the Sessions Court of

Chittoor and who were acquitted and released by

of the Court of Foujdaree Adalut complain that a

portion of the property seized at the time of their

arrest and given over to the prisoners in the above

13th March 1854

upon his giving Security for it has not been

restored to them.

3 The Court of Foujdaree Adalut

consider that this property, Jewels, should

have been given back to the Prisoners upon

their acquittal and release. and resolve to call

upon the Sessions Judge for explanation upon the

subject of this Petition.

Ordered that Extract from these

proceedings be sent to the Sessions Judge of Chittoor

by precept returnable within V days from and

after its receipt.

(Sent following Precept &c.)

Ordered also that Extract from

these Proceedings be furnished to the Petitioners

on their application. &

E. C. Wm

F. No.

Wednesday,
15th March, 1854.

At a Court of the Foujdaree Adalut

Present.

W. A. Morehead, Esquire
T. L. Strange, Esquire } Puisne Judges

Read Letter dated the 6th Instant, from the Sessions Judge of Trichinopoly, referring for the final Judgement of the Foujdaree Adalut, the Record of Case No. 1 of 1854 of the Calendar of the Session Court.—

Here Enter F. No. 653 of 1854.—

Mr. W. A. Morehead. and Mr. T. L. Strange.

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,

Mottay alias Maury Ayyee.

is sufficient to convict her of the crime of professing property knowing it

it to have been obtained by 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.—

/Sent in No. /—

Read letter under date the 3d. Instant from the Agent to the Governor of Fort St. George at Kurnool submitting for the final judgment of the Foujdaree Adalut the trial of Criminal Case No. 7 of 1854 on his file.—

/Here Enter F. No. No. 606 of 1854/

1. The Court of Foujdaree Adalut concurring in the conviction of the Prisoners,

1st. Sundumah Mutiah.
2d. Talari Chinnavadoo
4th. Muddy Pedda Vencatah
5th. Muddy Chinna Vencatah

of the Crime of "being found in possession of stolen property knowing them to be such" resolve to confirm the sentence proposed to be passed upon them, of (5) Five Years' imprisonment with hard labor in irons under the provisions of Clauses III and IV Section IV Regulation XV of 1803.—

2. But seeing that no sufficient grounds have been shewn to warrant the requisition of security under which the 3d. Prisoner in this case has been placed, the Court of Foujdaree Adalut resolve to cancel the same and to direct his immediate and unconditional release.—

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

/Sent in No. /—

Read

15th March, 1854

Read letter dated the 20th ultimo from the Magistrate of Canara forwarding a further Report received from the Assistant Magistrate Mr Hudleston with reference to his letter of the 18th idem.—

/Here enter F.No. No. 550 of 1854/

Read Convict labor Report dated the 22d ultimo, submitted by the Sessions Judge of Rajahmundry on the Jail at Cocanada under the charge of the Magistracy for the month of January 1854.—

/Here enter F.No. No. 555 of 1854/

Read Calendars of the Magistracy for the 4th Quarter of 1853 submitted by the Sessions Judge of Combaconum under date the 11th ultimo.—

/Here enter F.No. No. 557 of 1854/

Read Calendar of Case No. 50 of 1853 submitted by the Sessions Judge of Cuddalore under date the

F.No.

15th March, 1854

the 28th ultimo.—

/Here enter F.No. No. 558 of 1854/

Read Calendar of Case No. 3 of 1854 submitted by the Sessions Judge of Cuddalore under date the 28th ultimo.—

/Here enter F.No. No. 559 of 1854/

Read letter dated the 27th ultimo, from the Sessions Judge of Nellore, submitting Statement to be appended to the Record in Case No. 33 of 1853.—

/Here enter F.No. No. 562 of 1854/

Read Convict labor Report dated the 1st ultimo, submitted by the Sessions Judge of Salem of the Jail in that station under charge of the Magistracy for the month of January 1854.—

/Here enter F.No. No. 565 of 1854/

Read letter dated the 27th ultimo, from the Sessions Judge of Guntoor, furnishing information regarding the statement called for in

15 15th March, 1854

in the Fouzdaree Adalut letter of the
24th February 1854 —

/Here Enter File. No. 566 of 1854/-

Read Calendar of Case
No. 41 of 1854 submitted by the Ses-
sion Judge of Bellary under date
the 25th ultimo —

/Here Enter File. No. 567 of 1854/-

Read Calendar of Case
No. 4 of 1854 submitted by the Sessions
Judge of Chicacole under date the
22d ultimo —

/Here Enter File. No. 568 of 1854/-

Read Report dated the
1st Instant submitted by the Subordi-
nate Judge in charge of the Sessions
Court of Chittoor of Cases pending
on the 28th February 1854 before him
for a period in excess of 25 days calc-
ulated from the date of commit-
ment —

/Here Enter File. No. 577 of 1854/-

4 Sheets

Read

15th March, 1854

Read letter dated the 8
July 1853 from the Sessions Judge of
Bellary, forwarding copy of the Magis-
trate's return to his Proceedings of the
2d March 1853, held in reviewing the
Petty Calendars &c. for the 4th Quarter
of 1852 —

/Here Enter File. No. 1571 of 1853/-

Read letter dated the 7th
July 1853 from the Sessions Judge of
Chicacole, informing that the State-
ment required by the Fouzdaree Adalut
Court's Circular Order No. 88 has not
been forwarded as no articles were
manufactured by the Prisoners in his
Jail during the 2d Quarter of 1853. —

/Here Enter File. No. 1578 of 1853/-

Read Statement, dated the
12th July 1853 submitted by the Acting
Sessions Judge of Cuddalore, of Bails
fused & Sureties not witnesses who
attended before the Sessions Court
during the 1st half year of 1853. —

/Here Enter File. No. 1580 of 1853/-

Read

15th March, 1854.

Read return dated the 12th July 1853 from the Sessions Judge of Chittoor to the precept of the Sujdaree Udalut under date the 2d July 1853, sanctioning the mitigated punishment recommended by the Sessions Judge in the case of the prisoner convicted of perjury in Calendar No. 11 of 1853 and desiring to be informed under what instructions the prisoner was twice examined on the same point by the District Moonsiff before whom the perjury was committed.

/Here Enter F.R. No. 1581 of 1853/-

Read return dated the 13th August 1853 from the Sessions Judge of Calicut to the precept of the Sujdaree Udalut under date the 5th August 1853, directing the immediate release of the 2 approvers who gave evidence in Sessions Case No. 64 of 1852.-

/Here Enter F.R. No. 1865 of 1853/-

Read Extract from the Proceedings of the Sessions Court of Nellore

F.R.

15th March, 1854.

Nellore under date the 12th August 1853 forwarding Magistrate's Petty Calendars for the 2d Quarter of 1853.-

/Here Enter F.R. No. 1867 of 1853/-

Read Report, dated the 15th August 1853 submitted by the Sessions Judge of Rajahmundry, of the labor of the Convicts in the Jail at Cocanada under charge of the Magistrate for the month of July 1853.-

/Here Enter F.R. No. 2000 of 1853/-

Read Statement, dated the 1st July 1853 submitted by the Sessions Judge of Salem, of Batta paid to the Prosecutors and Witnesses during the 1st half of 1853.-

/Here Enter F.R. No. 2001 of 1853/-

Read Report dated the 1st September 1853 submitted by the Sessions Judge of Calicut, of Cases pending on the 31st July and committed for trial during the month of August 1853.-

/Here Enter F.R. No. 2003 of 1853./-

Read

15th March, 1854.

Read Extract from the Proceedings of the Sessions Court of Bellary under date the 31st August 1853. held in reviewing the Petty Calendars &c for the 2d quarter of 1853.

/Here Enter Fle. No. 2009 of 1853/

Read letter dated the 6th September 1853 from the Magistrate of Chingleput, reporting on a communication from the Officer Commanding St. Thomas's Mount forwarded by Government relative to the Jurisdiction of the Joint Magistrate within a radius of 4 miles from the head Guard.

/Here Enter Fle. No. 2011 of 1853/

Read Report dated the 5th September 1853 submitted by the Acting Sessions Judge of Nellore of Cases pending before him during the month of August 1853.

/Here Enter Fle. No. 2019 of 1853/

Read Report dated the 5th September 1853 submitted by the Sessions Judge of Cuddapah of Cases

15th March, 1854.

on the 31st July and committed for trial during the month of August 1853 which remained on the file of the Sessions Court for more than 25 days.

/Here Enter Fle. No. 2023 of 1853/

F. No.

Thursday,
16th March, 1854.

At a Court of the Foujdaree Udalut

Present.

W. A. Morehead, Esquire
T. L. Strange, Esquire } Puisne Judges

Read Miscellaneous Petition sent by the Sessions Judge of Ballary from Bayacondah and 22 others, Prisoners in Case No. 19 of 1854, and the file of the Sessions Court of Ballary.—

Were Enter'd F. M. P. No. 48 of 1854.—

Mr. W. A. Morehead. The prisoners charged with "Robbery with personal injury" were convicted and sentenced to 14 years' imprisonment with hard labor in Irons.—

2. They pray the Court to order their release, they being, as they submit, innocent of the crime with which they were charged.—

The

16th March, 1854.

3.

The Court of Foujdaree Udalut see no reason to doubt the correctness of the sentence passed by the Sessions Judge upon the Petitioners, and therefore resolve to reject this Petition.—

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Bellary for communication to the Petitioners.

/Sent in No. /—

Read report of Cases pending on the 31st January, 1854, committed for trial during the month of February 1854, before the Sessions Judge of Guntoor.—

/Here enter F.M.C. No. 585 of 1854/

Case No. 17 on the Calendar of the Session Court.

The Court of Foujdaree Udalut observe, that the Vakeel should be directed to adduct the prosecution in the case, and, that the trial should be proceeded with without further delay.—

16th March, 1854.

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

/Sent in No. /—

Read Calendar of Cases No. 11 of 1854, of the Sessions Court of Masulipatam.—

/Here enter F.M.C. No. 607 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer, on their conviction of the crime of Riot and Robbery by open violence, and professing plundered property, be reduced to (8) Eight years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrants accordingly.—

1st Chookah Chinna Amoya and Chala-manah alias Venkatachellum—
2d Tummana Juggadoo alias Juggamah—
3d Seelumsetty Sastrick
4th Chinatavaula Soob-boroydoo—
5th Cumbalah Venkatarammadoo—

Ordered, that Extract from

16th March, 1854

from these Proceedings be forwarded to the Acting Sessions Judge of Masulipatam for his information

/Sent in No. /-

The record of trial in referred Case No. 65 of 1853 on the file of the Sessions Court of Cuddalore not having been yet received,-

Ordered, that the Sessions Judge of Cuddalore be required to submit the record aforesaid without delay.-

/Sent in No. /-

Read return dated the 2d Instant from the Sessions Judge of Cuddalore, to the precept of the Fouzdaree Adalut under date the 22d February 1854, reviewing the sentence passed in Sessions Case No. 45 of 1853 on the file of the Sessions Court of

/Here Enter F.R. No. 582 of 1854/-

Read report dated the 2d Instant submitted by the

6th March, 1854

Judge of Cuddalore, of Cases pending on the 1st March 1854, committed for trial during the month of January 1854 before the Sessions Court.-

/Here Enter F.R. No. 583 of 1854/-

Read letter dated the 3d Instant from the Sessions Judge of Nellore, enclosing a revised statement of Extra Peons for January last.-

/Here Enter F.R. No. 587 of 1854/-

Read return dated the 28th February 1854 from the Acting Sessions Judge of Masulipatam, to the precept of the Fouzdaree Adalut under date the 20th idem, directing that the sentence passed against the Prisoner in Case No. 9 of 1854 Sessions Court's file be mitigated to (6) six months' imprisonment, with hard labor in irons, or if the Acting Sessions Judge be unable to concur with the Higher Court in deeming this amount of punishment sufficient, that an English

Translation

16th March, 1854.

Translation of the case be submitted for their consideration.—

/Here Enter F.No. 589 of 1854/—

Read report dated the 1st Instant submitted by the Sessions Judge of Rajahmundry, of cases pending on the 1st March 1854 having for a longer period than 2 days.—

/Here Enter F.No. 592 of 1854/

Read return dated the 1st Instant from the Acting Sessions Judge of Tinnevelly, to the precept of the Fougidaree Udalut under date the 24th January 1854, calling upon him to state more precisely the facts of the Case No. 101.—

/Here Enter F.No. 594 of 1854/

Read report dated the 1st Instant submitted by the Sessions Judge of Cuddapah, of cases pending on the 31st January and committed for trial during the month of February 1854, before the Sessions

/Here Enter F.No. 597 of 1854/

16th March, 1854.

Read Statement dated the 28th February 1854 submitted by the Magistrate of Rajahmundry, shewing the number of Convicts in the Jail of Cocanada and the manner in which they were employed from 1st January to December 1853.—

/Here Enter F.No. 598 of 1854/—

Read Calendar of Cases No. 5 of 1854, submitted by the Sessions Judge of Mangalore under date the 28th ultimo.—

/Here Enter F.No. 590 of 1854/—

Read Calendar of Case No. 3 of 1854, submitted by the Sessions Judge of Salem under date the 1st Instant.—

/Here Enter F.No. 593 of 1854/—

Read return dated the 2nd Instant from the Sessions Judge of Bellary, to the precept of the Fougidaree Udalut under date the 21st February 1854, directing that the sentence of 3 years' imprisonment with

No 16th March, 1854

with hard labor in irons passed by the Sessions Judge on Matharoo Prisoner in Cases Nos 23 and 24 on the Calendar for 1854, be reduced to six months.—

/Here Enter F.No. No 595 of 1854/—

Read letter dated the 1st Instant from the Agent to the Governor at Kurnool, forwarding the statement as requested in the letter of the 24th February 1854, in Case No 58 of 1853 on the file of the Court.—

/Here enter F.No. No 599 of 1854/

Do 1854

F.No

Friday 17th March 1854

At a Court of the Foujdaree Udalut

Present

W. A. Morehead Esqre
H. T. L. Strange Esqre
} Puisne Judges

Read again Criminal Reports submitted by the Sessions Judge of Chingleput for the Months of January 1854.—

/Here Enter F.No. No 447 of 1854/

Read also return under date the 3d March 1854 from the Sessions Judge of Chingleput to the Proceedings of the Foujdaree Udalut dated the 27th February 1854 conveying their orders on the foregoing Reports.—

/Here Enter F.No. No 581 of 1854/

1. It appears from the foregoing return that the prisoners in the Case No 10 referred to in the Court's proceedings of the 27th February last were in the service of the prosecutor when they committed the burglary of which they have been convicted and the Court of Foujdaree Udalut therefore

17th March 1854

therefore see no reason to interfere with the sentence passed upon them.-

2 The circumstance of the prisoners being in the prosecutors service, should have been specified in the charge.-

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

(Sent in No)

Read Criminal Reports for the Month of January 1854 sent by the Sessions Judge of Bellary.-

(Here Enter F. M. No 510 of 1854)

Case No 250

In this Case the Court of Foujdaree Udalut are of opinion that the Prisoner should have been charged with Child-murder.

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

(Sent in No)

5/7 No 11

F. M.

Saturday 18th March 1854

At a Court of the Foujdaree Udalut

Present

G. L. Cooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Puisne Judges

Read Miscellaneous Petition presented on the 2d Instant by Kanoonum. Narrow late Jail Peon of Zillah Trichinopoly.-

(Here Enter F. M. D. No 24 of 1854)

Mr. T. L. Strange to be returned

The Court of Foujdaree Mds. Aut resolve to direct that the English Translation of this Petition be sent to the Sessions Judge who will be pleased to state whether the facts represented therein are true and whether there is any objection to the Petitioner being once employed.-

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

17th March 1854

therefore see no reason to interfere with the
sentence passed upon them.-

2 The circumstances of the pri-
soners being in the prosecutors service, other
leaves been specified in the charge.-

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

(Sent in No)

Read Criminal Reports
for the Month of January 1854 sent by
the Sessions Judge of Bellary.-

(Here Enter F.M. No 510 of 1854)

Case No 250

In this Case the Court of
Foujdaree Udalut are of opinion that the
Prisoner should have been charged with
Child-murder.

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

(Sent Com. No)

Saturday
18th March 1854

At a Court of the Foujdaree Ud-

Present

G. L. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Miscellaneous Petition
presented on the 2d Instant by Kanoonum-
-ta.row late Jail Peon of Tillah Trichi-
-nopoly.-

(Here Enter F.M.D. No 24 of 1854)

Mr T. L. Strange to be returned

The Court of Foujdaree Ad-
-lut resolve to direct that the English
Translation of this Petition be sent to
the Sessions Judge who will be pleased
to state whether the facts represented
therein are true and whether there is
any objection to the Petitioner being re-
-re employed.-

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

17

Judge of Trichinopoly by Precept re-
turnable within V days from and after
its receipt.

Sent following Precept &c.

Read again letter under
date the 11th February 1854 from the
Judge of N. Arcot submitting Engl.
Translations of the records of Case Nos.
and 33 of 1853 for the final judgment
of the Court of Foujdaree Adalut.

(Here enter F. M. No. 434 of 1854)

Read again also Memo-
rious Petition presented on the 22d Ma
1854 by C. Salmon Esquire Vakeel
behalf of Ka Ramasamy Reddy
latine of the 1st. 2d. 3d. 4th and 5th
ers in Case No. 33 of 1853 on the Co
of the Sessions Court of Nellore.

(Here enter F. M. P. No. 43 of 1854)

Read also return made
the 10th March 1854 from the Sessions
of Nellore to the Precept of the 3d
Adalut dated the 7th March 1854
the exception of further evidence
No. 33 of 1853.

(Here Enter F. M. No. 69 of 1854)

18th March 1854

Mr. J. L. Strange J.

The Court of Foujdaree
Adalut observe on reference to the rec
of Case No. 33 that the evidence of the
Prosecutrix and four first witnesses in
Case No. 26 were read over to the prisoner
in Case No. 33 and that they and their
pleader were asked whether they had
any question to put to any of them, to
which they answered that they had none.
as the witnesses were not however present
in Court when their depositions were
so read, the Court of Foujdaree Adal-
lut consider it desirable that the de-
positions should be read in their presence
and the prisoners allowed to question
them if they are desirous of so doing.
It is also necessary that the evidence
of the witnesses who are able to depose
to the death of the deceased and to the
Statement said to have been made by
him before the Police previous to his
death should be placed on the record
of Case No. 33.

2 The Sessions Judge has satis-
factorily explained the non-examina-
tion of the Zillah Surgeon, that officer
having

15th March 1854

having left the District before the
case was committed.—

Ordered, that Extract from
these Proceedings be sent to the Sessions
Judge of Calicut by Precept returnable
within x days from and after the date
of Sent following Precept No 1.

Ext for W

F. D. U.

Monday
20th March 1854. } At a Court of the Foujdaree Udalut.

Present

W. A. Morehead Esquire .....
T. L. Strange Esquire ..... } Puisne Judges.

Read Miscellaneous Petition presented
on the 6th February 1854, by S. Teroomala Chary Vakeel
on behalf of Kunnamangalatha Coonhem Nair, of the
Zillah of Calicut.—

(Here enter F. M. P. No. 30 of 1854.)

Mr. T. L. Strange. 1. The Petitioner charged with having committed perjury as a witness in an Original Suit, before the District Moonsiff of Chowgat, was convicted and sentenced by the Sessions Judge of Calicut, to four years imprisonment with hard labor in irons.—

2. This is an application, praying the Court of Foujdaree Udalut, to cancel the sentence passed on Petitioner by the Session Court, and to order his release.—

3. The Petitioner grounds this application, chiefly upon the circumstance, that the deposition said

to

to contain the perjury, was given by him before the Distric
Moonsiff, and that as he was not committed by that Of
-ficer, his committal by another tribunal, the Civil Court
was irregular, and in opposition to the provisions of Claus
3, Section III, Regulation VIII of 1829.-

4. The Court of Tondaree Udalut see no
reason to question the legality of the Sentence passed upo
the Petitioner- His deposition came before the Civil Judge
on the trial in appeal of the Suit, in respect of which
it had been given, and the Civil Judge was therefore
competent to have proceedings taken against the Prisoner
for perjury- on it's appearing to him that it had been
committed- Notwithstanding that the Prisoner had given h
deposition before another Officer, namely the Distric
Moonsiff.-

5. The fact charged against the Pris
appears to have been fully made out, and it's constitu
perjury.-

6. The Court of Cuddalore Udalut s
-solve to dismiss this Petition, being of opinion that
grounds thereof are specious and frivolous in the
Ordered that Extract from these

Proceedings, be furnished to the Petitioner's Vakeel, on h
application.-

Read Miscellaneous Petition sent by
the Acting Civil Judge of Masulipatam, from M
Treporantahoodoo of the Zillah of Masulipatam.-

/Here Enter Ft. M.P. No. 40 of 1854/

1. The Petitioner prays the Court of Ton
-daree Udalut, to order the release of his Son, 3d. prisoner in
Case No. 6 of 1854, on the file of the Masulipatam Ses
-sion Court, who, the Petitioner submits, has been unjustly
sentenced to 14 years imprisonment with hard labor in
Irons.-

2. The Court of Toydaree Udalut, seeing
no reason to question the justice of the Sentence passed
upon the 3d. Prisoner in the above Case, resolve to reject
this Petition.-

Ordered, that Extract from these Pro
-ceedings, be sent to the Acting Session Judge of
Masulipatam, for communication to the Petitioner.-

/Sent in No. /

Read Calendar of Case No. 47 of 1853
of the Session Court of Cuddalore.-

/Here Enter Ft. M. No. 662 of 1854/

The

20th March 1854.

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the Crime of "Gang Robbery" be reduced to (8) Eight Years imprisonment with hard Labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.-

2d Poothree Padiachy
3d Vencatayen
4th Coollun, and
5th Sowryen.

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

(Sent in No)

Read Calendar of Case No 50 of the Session Court of Salem.

/Here enter Ft. Vo. No 631 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this that the imprisonment, which the Prisoners noted in the margin, have been adjudged to suffer on their conviction of the Crime of "Highway Robbery", be reduced to 7 years imprisonment with hard Labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.-

1st Yaikyan
2d Kindryan.

20th March 1854.

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

(Sent in No)

Read Calendar of Cases Nos 16, 17 and 24 of 1854, of the Session Court of Masulipatam.-

/Here Enter Ft. Vo. No 608 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge, that the imprisonment, which the Prisoners, noted in the margin, have been adjudged to suffer on their conviction of the Crime of "Riot and Robbery by open violence," be reduced in the Case of the 3d and 4th Prisoners, in No 16, to 3 years, and in that of the 1st and 2d Prisoners in No 17, to 5 years imprisonment with hard Labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Case No 16. { 3d Alloory Verrasawamy Paudoo. / 4th Unkamy Rauma-swamy.

Case No 17. { 1st Muddaly Unkoo-vengaudoo. / 2d Muddaly Nerya-vengaudoo.

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

(Sent in No)

Read Calendar of Case No 22 of 1854, on the file of the Session Court of Masulipatam.-

/Here enter Ft. Vo. No 670 of 1854/

The

20th. March 1854.

The Court of Foujdaree Udalut notwithstanding to direct, that an English translation of the record of the foregoing Case, may be submitted for their consideration.-

Ordered, that Extract from these Proceedings, be sent to the Acting Sessin Judge of Masulipatam, by precpt returnable within X days from and after its receipt

(Sent following precpt No)

Read Calendar of Cases Nos 246 and 247 of 1854, of the Session Court of Bellary.-

(Here enter F. C. No. 621 of 1854.)

The Court of Foujdaree Udalut affirm of the recommendation made by the Sessin Judge in this that the imprisonment, which the Prisoner, noted in the margin, has been adjudged to suffer on his conviction of the Gordon. of "Housebreaking with Theft", be reduced to (2) Two years imprisonment with hard labor in irons, and they do authorize the Sessin Judge to issue his warrant accordingly.-

Ordered, that Extract from these Proceedings, be forwarded to the Sessin Judge of Bellary, 1st 2d for his information.-

(Sent in No)

Read Calendar of Case No 2

20th March 1854.

of the Session Court of Bellary.-

(Here enter F. C. No. 636 of 1854.)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessin Judge in this Case, that the imprisonment, which the Prisoners, noted in the margin, have been adjudged to suffer on 1st Wobegah their conviction of the Crime of "Highway Robbery", be 2d Naugah. reduced to (2) Two years imprisonment with hard labor in irons, and they do authorize the Sessin Judge to issue his warrant accordingly.-

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

(Sent in No)

Read again Calendar of Case No 2 of 1854, on the file of the Session Court of Chicacole.-

(Here enter F. C. No. 265 of 1854.)

Read also return under date the 22d February 1854, from the Sessin Judge of Chicacole, to the precpt dated the 15th February 1854, calling for further information with reference to the foregoing Case.-

(Here enter F. C. No. 561 of 1854.)

Under

20th March 1854

1. Under the circumstances stated by the Assam Judge in his return, the Court of Foujdaree Udalut concur with that Officer in considering, that grounds existed for placing the prisoner under a requisition of security.

2. Adverting however to the nature of the offence proved, which was theft and not robbery by open violence, as stated in the heading of the charge, the Court direct, that the amount of security be reduced to Rs. 200, and the period for which it has been demanded, to one year.

Ordered, that Extract from these Proceedings, be sent to the Assam Judge of Circuit, for prompt return within III days from and after the 16th inst.

/Sent following purport No./

Transmitting Criminal Report A, submitted by the Agent to the Governor of Fort St. George at Vizagapatam, for the month of January 1854.

/Entered Fd. No. 229 of 1854/

Case No. 1

The Court of Foujdaree Udalut observe, that the offence charged in the above case, having been tried by the Joint Magistrate of Chittagong, the entry of the 1st prisoner's name in the 1st paragraph of the 4th page of the 1st volume of the Proceedings of that Court, should be corrected by the 2d prisoner's unbolting the doors of the building which had been fastened. Under the circumstances the 2d prisoner should clearly have been charged as a principal in the commission of the crime.

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

/Sent in No./

Read letter dated the 6th Instant, from the Agent to the Governor of Fort St. George at Vizagapatam, submitting for the final judgment of the Foujdaree Udalut, the trial of Criminal Case No. 1 of 1854, on his file.

/Entered Fd. No. 666 of 1854./

1. The Court of Foujdaree Udalut, concurring in the conviction of the Prisoner of the crime of "Robbery by open violence," laid to his charge; resolve to confirm the sentence proposed to be passed upon him of /6/ Six months' imprisonment with hard labor in irons, under Clause 3d Section IV Regulation XV of 1803.

2. The Court of Foujdaree Udalut observe, that the name of the Prisoner charged, &c should

20th March 1854

should have been mentioned in the Agent's letter—

Ordered, that Extract from these Proceed-

-ings, be sent to the Agent to the Governor of Fort St.

George at Vizagapatam, for his information.—

/ Sent in No. /

Read report of Cases pending upwards of

28 days on the 28th February 1854, before the Sessions Court

of Tellicherry.—

/ Vide order F. C. No. 614 of 1854 /

The Court of Foujdaree Adawlut observe,

that a delay of three months in translating the record of

a trial, should not be permitted, & that if unnecessary

the translator should be employed.—

Ordered, that Extract from these Proceed-

-ings, be sent to the Sessions Judge of Tellicherry for

information.—

/ Sent in No. /

Read letter, dated 4th instant, from

the late Tahsildar of Nadukaveram in the Zillah of

Malabar, and prisoner in Case No. 2 of 1854, on the file of

the Agent's Court, having appealed before the Court

of Foujdaree Adawlut & requested that his

20th March 1854

the present Agent, in the month of October last, forwarded a report to the Board of Revenue, absolving the late Tahsildar of all the charges upon which he was convicted and sentenced, he is informed, that with a view to bringing the matter again, under the consideration of the Judges, he should apply to the Board of Revenue for an attested copy of the Report above alluded to, and produce it before the Court.—

2nd Sheet

F. M.

Tuesday. 21st. March 1854

At a Court of the Foujdaree Adalut

Present.

G. S. Cooper Esquire
W. A. Maitland Esquire } Puisne Judges
T. L. Strange Esquire

Read Calender of Case No 29 of 1854 of the Sessions Court of Masulipatam

(Here Enter F. M. No 672 of 1854)

The Court of Foujdaree Adalut

Sookaula Ramuju

after perusal of the recommendation made by the Sessions Judge in this Case that the imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the Crime of Attempt at Highway Robbery with wounding be reduced to (8) Eight years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

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

Sentence to

4 Years

F.M.C.

Wednesday 22nd March 1854 } At a Court of the Foujdaree Udalut

Present

W.A. Morehead Esquire
T.L. Strange Esquire } Puisne Judges

Read again Criminal Reports submitted by the Sessions Judge of Salem for the Months of January 1854.

(Here Enter F.M.C. No 459 of 1854)

Read also return under date the 10th March 1854 from the Subordinate Judge in charge of the Zillah Court of Salem to the Precept of the Foujdaree Udalut dated the 2nd March 1854 directing the discontinuance of the maximum rate of diet in the Salem Jail.

(Here Enter F.M.C. No 452 of 1854)

The Court of Foujdaree Udalut direct that a copy of the Subordinate Judges return be forwarded to the Magistrate of Salem with instructions to that Officer to state upon what grounds he has recently deemed it necessary to introduce the maximum

scale

22d March 1854

scale of diet into the Jail under his charge.

Ordered that Extract from these Proceedings be sent the Sessions Judge of Salem for communication to the Magistrate by prompt return of the mail within 7 days from the date of its receipt.

(Sent for following Prompt No)

Read letter dated the 21st March from the Acting Agent to the Governor of Fort St George in Guny and enclosing for the final judgment of the Foujdaree Adawlut the Record of Case No 1 of 1854 on the file of this Court.

(Here Enter F.R. No 1 of 1854)

Mr T.L. Strange

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

the prisoner

Considering the Offence [illegible] is sufficient to warrant him of the charged, do warrant him thereof, and him to be transported to such place beyond seas as the Governor-in-Council

22d March 1854

kept to hard labor on the public roads or other public works for and during the period of his natural life.

(Sent in No)

Read letter under date the 11th March 1854 from the Sessions Judge of Calicut forwarding an English Translation of the record of Case No 65 of 1853, on the Calendar of the Sessions Court, for the final Judgment of the Court of Foujdaree Adawlut.

(Here Enter F.R. No 687 of 1854)

Mr W.A. Morehead

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

4th Talanjerry Oomy Koomaren Nair

5th Nanoombatoor Emen Nair

and

11th Koyatroomparambata Chundoo

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

The

1 The Court of Foujdaree Udalut have enquired into the late Sessions Judge in considering the evidence insufficient for the conviction of any of the prisoners this Case, and have directed the release of the 4th 5th and 11th prisoners in regard to whom the trial was referred.

2 The Court of Foujdaree Udalut see strong grounds for suspecting the Bo of Police by whom the Case was commit of having concocted the charge against the prisoners and improperly induced the prisoners to make a false confession and the 1st witness to give false evidence in the Case.

3 The report of the Abkaree dated the 12th September states that with him the prisoners have known the guilty parties and on their opinion his present statements when taken in connexion with the narrative given by the Head Police of his Proceedings, in his Letter by him to the Subordinate Covenanted can only be attributed to the motive

to the Subordinate Judge that the prisoners should be admitted as an appro-

4 The Court direct that the foregoing remarks be communicated to the Magistrate of Malabar.

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

/Sentence/

Read again Calendar of Case No. 66 of 1853 on the file of the Sessions Court of Masulipatam.

/Here enter F.B. No. 2 683 of 1853/

Read again also Miscellaneous Petition presented on the 19th December 1853 by T. Appiah Vakeel on behalf of the prisoners in the foregoing Case.

/Here enter F.B. D. No. 191 of 1853/

Read again also return under date the 25th February 1854 from the Acting Sessions Judge of Masulipatam to the precept of the Foujdaree Udalut dated the 27th January 1854 directing the submission of English translation

of

of the record of the foregoing Case
(Here note F.M.R. No 554 of 1854)

Read also Miscellaneous
Petition presented on the 23rd January last
by Cottagiry Subbanady Regunjee
of Zillah Masulipatam.-
(Here note F.M.R. No 13 of 1854)

Read also return made dated
the 15th March 1854 from the Acting Sessions
Judge of Masulipatam to the precept
of the Foujdaree Adalut dated the 3rd
March 1854 covering the submission of
certain documents connected with the
foregoing Case.-
(Here note F.M.R. No 703 of 1854)

D.N.A. Mudaliar 1 On perusal of the record
of this Case and of the documents
submitted with the Acting Sessions Judge's
return of the 15th Instant the Court of
Foujdaree Adalut consider the evidence
insufficient for the conviction of the
prisoners. The Court are strongly
suspecting that the charge against the
prisoners was got up by the Carnam of
the Village. The first report made by
the Village Monsiff of the [illegible]

no allusion to the charge afterwards made
against the prisoners and the evidence
given by the Village watcher who went
to the spot where the house was on fire
is directly opposed to the statements
made by the prosecutrix and her witness-
es with these facts upon the record, the
Court of Foujdaree Adalut consider
that so much suspicion attaches to the
evidence for the prosecution as to make
it altogether insufficient for the con-
viction of the accused.-

2 The Court of Foujdaree
Adalut resolve to reverse the sentence
passed upon the prisoners and to direct
that they be unconditionally released.-

3 The success which has at-
tended the prosecution in the Sessions
Court appears to the Court of Foujdaree
Adalut to afford a sufficient explana-
tion of the flight of the two other per-
sons, who have been implicated in the
charge and whose continual absence
from the Village is adverted to by the
Acting Session Judge in his return of

the

22d. March 1854

The 18th Instant.

Ordered, that the said Prisoner
these Proceedings be forwarded to the
Acting Superior Judge of Macclesfield
by proper Constable with these
Proceedings and the Recognizance.

(Sent following Precept &c.)

The Record of Trial in
said Cause No. 30 of 1853 on the file
the Supreme Court of Confederation
having been produced.

Ordered that the Supreme
Judge of Confederation be required to
the Record aforesaid without Delay.

(Sent with)

Read return 13th March 1854
the Supreme Judge of Triadinefolly to
precept of the Supreme Court
dated the 4th Instant directing that
security required from the 3rd Defendant
was in No. 8 on the Appeal Book entered
for January 1854 be cancelled and
they be unconditionally released

(Here enter F.M.C. No. 678 of 1854)

F.M.C.
22d. March 1854

Read report dated the
9th. March 1854 submitted by the Supreme
Judge of Chiracole of Cases pending
more than 25 days before that officer

(Here enter F.M.C. No. 678 of 1854)

Ent Mott

F. No.

Thursday
23d. March 1854 } At a Court of the Foujdaree Adalut

Present

H. A. Morehead Esquire
T. L. Strange Esquire } Puisne Judges

Read again a Miscellaneous petition forwarded by the Sessions Judge of Mangalore, from Krishnayya prisoner in case No. 31 of 1853 on the Calendar of the Sessions Court.

(Here enter F. M. P. No. 173 of 1853)

Read again also return under date the 7th January 1854, from the Sessions Judge of Mangalore, to the precept of the Foujdaree Adalut dated the 22d December 1853, calling for further information in regard to the conviction of the prisoner in the foregoing case.

(Here enter F. M. No. 106 of 1854)

Read again also return under date the 27th February 1854, from the Sessions Judge of Mangalore, to the precept of the Foujdaree Adalut dated the 26th January 1854,

directing

directing the Sessions Judge to state whether the fact of the Moonsiff Dufsuffer having received a Tribe of Rupees 100 from Ramalinga Ballaya had been established.

(Here enter F.R. No. 691 of 1853)

Mr. H.A. Morehead } It appears to the Court of
and } Tanjore Adalut that the fact of the
Mr. T.L. Strange. } Moonsiff having received the bribe referred to in the foregoing return cannot be held established against him upon the evidence adduced on the trial of Petitioner to which the Moonsiff was a party, and that with a view to the establishment of this fact the Moonsiff should be placed upon his trial under the provisions of Clause second Section XIII Regulation XII of 1816, for having taken the bribe in question.

2. In the event of the Moonsiff being convicted, it will be necessary for the trial of the Petitioner should be proceeded with in view to the award of damages being made as directed against the Moonsiff.

3. In the mean time the Court of Tanjore Adalut resolve to direct that the Petitioner be released on bail.

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

(Sent following precept &c.

Read Calendars in Cases Nos. 1 and 5 on the file of the Session Court of Tinnevelly.

(Here enter F.R. Nos. 656 and 658 of 1854)

Sessions Case No. 1 of 1854. } In this case of House breaking and Murder, the abstract of the Charge does not contain the manner in which the forcible entry was effected.

Case No. 5 of 1854. } In this case also of House breaking and Theft, the Charge does not specify how the Prosecutrix's house was broken into.

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

(Sent in No.

Read

Read Letter dated 17th March 1854 from the Sessions Judge of Chingleput submitting for the final Judgment of the Sonjdaree Adalut the record of Case No 6 of 1854, of the Calendar of the Session Court

(Vide entry No 700 of 1854.)

No 1 Mullen }
and 2 L. Strange

The Court of Sonjdaree 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 Tobroyandoo
2d Condadoo
3d Ramoodoo
and
4th Narasadoo

is sufficient to convict them of the Crime of Murder do convict them thereof and sentence the prisoners,

1st Tobroyandoo

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

2d Condadoo

3d

3d Ramoodoo

and

4th Narasoodoo

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 the public roads or other public works, for and during the period of their natural lives. —

1. The Court of Sonjdaree Adalut were unable to concur in the recommendation made by the Session Judge in this Case, that the 3d prisoner should be sentenced to suffer death.

2 There was nothing in the opinion of the Court to enhance the guilt of the 3d prisoner over that of the second and 4th — On the contrary, the Court were disposed to agree with the Magistrate that the 4th prisoner was probably at the bottom of the Crime, and therefore the most guilty of the whole, as this however rested upon probability rather than upon tangible evidence, it was not an opinion that could be insisted upon or acted

acted on).

3. The Court of Fojdarce Adalut therefore sentenced the 1st prisoner to death and the 2d 3d and 4th prisoners to transportation for life.

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

/ Sent as Rc /

Read a Miscellaneous Petition presented on the 16th March 1854 by Robt Ritchie Esquire and Alexander Cadell Esquire Vakeels on behalf of Tamadacah, brother of Ramachundra Pillay in Case No 47, on the Cumbaconum file for 1853. —

/ Hon enter Fl. R. Decy /

Mr W A Morehead.

Before passing any order on the above petition, the Court of Fojdarce Adalut resolve to address the Sessions Judge of Cumbaconum and required to enclose the deposition by him

and to submit to this Court the Original record of the trial of the same. —

Ordered that Extracts from these proceedings be sent to the Sessions Judge of Combaconum by precept returnable within V days from and after its receipt. —

/ Sent following precept &c /

Read a Miscellaneous petition presented on the 9th January 1854 by a Mr P. B. Gordon Vakeel on behalf of Dasuppa of Tillak Salem.

/ Here Enter F. No. P. No 6 of 1854 /

Mr W A. Morehead. / The Court of Fojdarce Adalut have already in their proceedings of the 1st December last, refused to interfere with the Order of the Magistrate of Salem, sentencing the petitioner to one months Imprisonment for abuse of that authority, and they see no reason to pass any other order on the subject.

2 The dismissal of the Petitioner from his Office of Curnum, formed no part of the sentence passed upon the Petitioner by the Magistrate, but was subsequently ordered by that Officer in his capacity

of

acted on.

3. The Court of Inquiry
thereupon sentenced the 1st prisoner to
and the 2d & 3d Bnd & 4th prisoners to
for life.

Ordered that Extract
these proceedings be sent to the Sessions
Sessions Judge of Chingleput for
and guidance.

/ Sent as ordd /

Read Miscellaneous Petition
presented on the 16th ult. by Mr
Ritchie Esquire and Mr Standish
Esquire Vakeels on behalf of
Cook, brother of Ramachundra
in case No 47, on the Board's
for 1853.

/ Here enter Petn & Order /

Mr H. A. Morehead.

Before disposing of
orders on the above petition, the
Foujdaree Adawlut resolved to
the Sessions Judge of Cuddapah
required to enclose the

and to submit to this Court the original
record of the trial of the same.

Ordered that Extract
these proceedings be sent to the Sessions Judge
of Combaconum by precept returnable
within X days from and after its receipt.

/ Sent following precept &c /

Read Miscellaneous petition
presented on the 9th January 1854 by Mr
P. B. Gordon Vakeel on behalf of Dasuppa
of Villah Salem.

/ Here Enter F. M. P. No 6 of 1854 /

Mr H. A. Morehead. / The Court of Foujdaree Adawlut
have already in their proceedings of the 1st
December last, refused to interfere with the
Order of the Magistrate of Salem, sentencing
the petitioner to one months Imprisonment
for abuse of that authority, and they see no
reason to pass any other order on the subject.

2 The dismissal of the Petitioner
from his office of Curnum, formed no part
of the sentence passed upon the Petitioner
by the Magistrate, but was subsequently
ordered by that Officer in his capacity

of

23rd March 1854.

of Collector, and the Revenue Board therefore and not the Court is the Appellate authority whom the Petitioner should address —

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

Read Miscellaneous petition presented on the 16th February 1854 by Condy annual of the Zillah of Chittoor. —

(Here enter F. No. P. No. 35 of 1854)

Mr. R. A. Morehead 1. The petitioner's son Krishna, Prisoner in Case No. 8 of 1852, has been convicted of receiving stolen property, knowingly and sentenced to 14 years imprisonment with hard labor in irons. —

The Petitioner prays the Court

2. of Tonjdaree Adalut to cancel this sentence, and to order her son's release, he having she submits, innocent of the offence with which he has been charged.

3. The Court of Tonjdaree Adalut see no reason to question the Justice of the sentence, which has been passed upon the Petitioner's son.

4. Under these circumstances they resolve to dismiss this Petition. —

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

Read Miscellaneous petition presented on 27th February 1854 by Nagarum and another of the Zillah of Masulipatam

(Here enter F. No. P. No. 43 of 1854)

Mr. H. A. Morehead 1 The petitioners pray the Court of Tonjdaree Adalut to order the release of their son Nagiah, 3d prisoner in Case No. 8 on the file of the Sessions Court of Masulipatam. —

2. The 3d prisoner charged in this case with robbery by open violence, and wounding, has been sentenced to 14 years' Imprisonment with hard labor — mitigated at the recommendation of the Sessions Court, to three years' Imprisonment.

3. The Court of Tonjdaree Adalut see no reason to question the justice of the sentence passed in this case, and therefore resolve to dismiss the Petition. —

Ordered

Ordered that Extract of
these proceedings be furnished to the Peti-
=tioners on their application.—

Read letter under date the
1st Instant from the Sessions Judge of Chica-
cole submitting the petty Calendars of the Magistra-
of Ganjam and Vizagapatam.—

(Here Enter F. M. No 623 of 1854)

Vizagapatam Calendar
Case No 4.—

The prisoner in this
case was charged with Contu-
-macy to legal process in having con-
to the orders of the Assistant Magistrate
interfered in the sale of articles in the
market at Vizagapatam, and on Conviction
has been sentenced to pay a fine of 5
Rupees or in default to be imprisoned
for 15 days.—

The Court of Sudder have
see reason to question the legality
above sentence and resolve to direct
a detailed explanation of the circum-
of the case may be submitted for
consideration.—

Ordered that Extract

these proceedings be forwarded to the Sessions
Judge of Chicacole by precept returnable
within Ten days from and after its receipt.

(Sent following precept &c)

Read Miscellaneous Petition
presented on the 30th January 1854 by I. H.
Wilkins Esquire Vakeel on behalf of Bukah
and 20 others, prisoners sentenced in Cases
Nos 35 and 36 on the Calender of the Sessions
Court of Trichinopoly.—

(Here Enter F. M. P. No 220 of 1854)

Read also return under date
the 5th March 1854 from the Sessions Judge
of Trichinopoly to the precept of the Foujdaree
Adawlut dated the 13th February 1854 directing
the submission of an English Translation
of the record of Case No 35 of 1853 on the Calender
of the Sessions Court and the suspension
of the sentences passed upon the prisoners
sentenced therein.

(Here Enter F. M. No 684 of 1854)

Mr Strange

The prisoners in this Case
were charged with having at 9 o'Clock on the
morning of the 14th October 1853 in company
with

with a large body of Mahomedans riotously assembled in the Fort of Trichinopoly whereby the peace of the Town was seriously disturbed.

2. The evidence was to the effect that a report having been made to the Head Assistant Magistrate on the morning in question of a serious riot going on in the Fort he proceeded to the spot followed by an officer of H. M. 48th Regiment and a party of the men on duty at the main guard, and on arriving at the Begums Mosque saw on the top of a terraced building connected with the same 40 or 50 persons throwing stones at the people in the street. It appears that on the arrival of the Head Assistant Magistrate and his escort the rioters on the terrace jumped down inside the Mosque and the greater number of them escaped, it is supposed, through an open gate which leads to the houses of the priests in the rear of the Mosque. The principal door of the Mosque was immediately found open and the prisoners were apprehended inside and conducted to the Jail.

3 The 1st 2d 3d 4th 5th 6th 7th 8th 9th 11th 12th and 13th prisoners pleaded in their defence that

that they had not been taken in the mosque but some of them in the street and even in their own house and the 10th 14th 15th and 16th that they were engaged in their usual occupations such as reading prayers and cleaning lamps when they were apprehended.

4 The Sessions Judge considered the falsity of the pleas advanced by the 1st 2d 3d 4th 5th 6th 7th 8th 9th 11th 12th and 13th prisoners to be clearly established by the evidence of the Head Assistant Magistrate and that of the other witnesses for the prosecution and that the fact of these prisoners having advanced such pleas affected strong corroborations of their guilt, and in concurrence with the assessors associated with him on the trial, convicted these prisoners and sentenced the 1st 2d 3d 4th 5th 6th 8th 11th 12th and 13th prisoners to one years imprisonment with hard labor in irons under clause seventh Section II Regulation XV of 1803 and the 7th and 9th prisoners who are boys of about 12 and 13 years of age to two months imprisonment without irons.

5 He placed the 10th 14th and 16th prisoners under requisition of security and released

24th March 1854

released the 13th prisoner a boy of 9 or 10 years with a warning -

6. On perusal of the record the Court of Tongaroo Udalut conceive the evidence insufficient for the conviction of the prisoners of the witnesses could identify them as the rioters on the loss of the Mosque nor was any overt act of violence alleged against them nor any weapons found with them - A considerable number of those were and the loss of the Mosque must it is clear have occasioned the Mosques before the principal door was and there is nothing to negative the presumption that all may have done so and those apprehended were not concerned in the riot -

7 The Court of Tongaroo therefore accordingly resolve to reverse the sentences passed upon the 1st 2d 3d 4th 5th 6th 7th 8th 9th 11th 12th and 13th prisoners, and to direct that the records of them so may be still in jail therefore and they further cancel the requisitions of security under which the 10th 15th and 16th prisoners have been placed -

Ordered that Extract from

23d January 1854

these proceedings be sent to the Sessions Judge of Trichinopoly by precept returnable within 11 days from and after its receipt (Sent following precept &c)

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

4th Mch

Read return dated 4th March 1854 from the Sessions Judge of Mangalore to the precept of the Tongaroo Udalut under date the 8th March 1854 cancelling the requisition of security under which the 8th and 9th Prisoners in Case No 21 on the Calendar of 1853 were placed -

(Here enter L. R. No 693 of 1854)

F. U.

Friday
24th March 1854. } At a Court of the Foujdaree Udalut.

Present.

W. A. Morehead Esquire
T. L. Strange Esquire } Puisne Judges.

Read letter dated the 15th March 1854 from the Session Judge of Mangalore submitting for the final judgement of the Foujdaree Udalut the Record of Case No. 4 of 1854 on the Calendar of the Session Court.—

/Here enter F.U. No. 724 of 1854./

Mr. T. L. Strange. 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

Ambady

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. /

Read

Read letter dated the 15th March 1854
from the Acting Sessions Judge of Tennerilly submitting for
the final judgement of the Foujdaree Udalut the Record
of Case No. 4 of 1854 on the Calendar of the Session Court

/Here enter F. G. No. 725 of 1854/

Mr. T. L. Strange.

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

Veeruppahnaiken

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. /

Read again Calendar of Case No. 4 of 1854
on the file of the Sessions Court of Coimbatore

/Here Enter F. G. No. 37 of 1854/

Read also letter under date the 6th
Instant from the Sessions Judge of Coimbatore

/Here Enter F. G. No. 640 of 1854/

Under the circumstances stated in the
foregoing letter the Court of Foujdaree Udalut do

to question the sufficiency of the grounds upon which the
requisition of security from the 4th and 5th prisoners in the
above case is based and they direct that an English
Translation of so much of the record as relates to these
prisoners may be submitted for their consideration.—

Ordered that Extract from these pro-
=ceedings be sent to the Session Judge of Coimbatore by
precept returnable within X days from and after its
receipt.—

/Sent following precept No. /

Read Return dated 15th March 1854 on
from the Session Judge of Calicut to the precept of the
Foujdaree Udalut under date the 8th March 1854 on a
review of Criminal Reports B and other Statements for Ja-
=nuary last.—

/Here Enter F. G. No. 707 of 1854/

Read Return dated 18th March 1854
from the Acting Session Judge of Combaconum to
the precept of the Foujdaree Udalut under date the 13th March
1854 observing that the sentence proposed to be passed upon
the Prisoners 1 to 6 in Session Case No. 8 of 1854 may be reduced
to 3 years and directing to issue warrant accordingly.—

/Here enter F. G. No. 709 of 1854/

Read

Read letter dated the 15th March 1854

from the Acting Sessions Judge of Tinnevelly submitting for

the final judgment of the Foujdaree Udalut the Record

of Case No. 1 of 1854 on the Calendar of the Session Court

/Here enter F. Ab. No. 725 of 1854/

Mr. T. L. Strange.

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

Veruppahnaiken

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. /

Read again Calendar of Case No. 1 of 1854

on the file of the Sessions Court of Coimbatore.

/Here enter F. Ab. No. 727 of 1854/

Read also Letter under date the 9th

instant from the Sessions Judge of Coimbatore

/Here enter F. Ab. No. 640 of 1854/

Under the circumstances stated in the

foregoing letter the Court of Foujdaree Udalut are

to question the sufficiency of the grounds upon which the

requisition of security from the 4th and 5th prisoners in the

above case is based and they direct that an English

Translation of so much of the record as relates to these

prisoners may be submitted for their consideration.—

Ordered that Extract from these pro-

-ceedings be sent to the Session Judge of Coimbatore by

precept returnable within X days from and after its

receipt.—

/Sent following precept No. /

Read Return dated 15th March 1854 on

from the Session Judge of Calicut to the precept of the

Foujdaree Udalut under date the 8th March 1854 on a

review of Criminal Reports B and other Statements for Ja-

-nuary last.—

/Here Enter F. Ab. No. 707 of 1854/

Read Return dated 18th March 1854

from the Acting Session Judge of Combaconum to

the precept of the Foujdaree Udalut under date the 13th March

1854 observing that the sentence proposed to be passed upon

the Prisoners 1 to 6 in Session Case No. 8 of 1854 may be reduced

to 3 years and directing to issue warrant accordingly.—

/Here enter F. Ab. No. 709 of 1854/

Read

24th. March 1854.

Read Return dated 18th. March 1854 from the Session Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 18th. March 1854 calling upon the Session Judge to reduce the sentence passed against the two Prisoners in Case No. 3 of 1854 on the Calendar to one years imprisonment, and not concurring in the mitigation to submit an English Translation of the Record.—

/Here Enter F. U. No. 731 of 1854/

Read letter dated 15th. March 1854 from the Agent to the Governor of Fort St. George at Vizagapatam. Informing that the Monthly Criminal Reports for February last are blank.—

/Here enter F. U. No. 732 of 1854/

Read Criminal Reports dated 16th. March 1854 submitted by the Session Judge of Guntoor for the Month of February 1854.—

/Here Enter F. U. No. 702 of 1854/

Read Report B dated 18th. March 1854 submitted by the Session Judge of Cuddalore for the Month of February 1854.—

/Here enter F. U. No. 717 of 1854/

Et Vacat

F. U.

Saturday 25th. March 1854 } At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read letter under date the 20th. Instant from the Session Judge of Trichinopoly.—

/Here Enter F. U. No. 740 of 1854/

*To be returned

The Court of Foujdaree Udalut direct that English Translation of the Petition referred to in the foregoing letter be forwarded to the Session Judge.—

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

/Sent in No. /

Read letter under date the 9th. March 1854 from the Session Judge Nellore.—

/Here Enter F. U. No. 630 of 1854/

Under the provisions of Section XXIII Regulation IX of 1816 the Court of Foujdaree Udalut resolve to authorize the Magistrate of Nellore to disburse the sum of Rupees 300 among the persons who are shown to

to have taken an active part in resisting the robbers who attacked certain houses in the village of Gopalagunta on the night of the 6th January last.-

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Nellore for his information and for communication to the Magistrate

/ Sent in No. /

Read Calendar of Cases Nos. 6 and 21 of 1854 of the Sessions Court of Masulipatam.-

/ Here enter F. W. Nos. 437 & 611 of 1854 /

The Court of Foujdaree Adawlut approve of the recommendation made by the Acting Sessions Judge that the imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crimes charged in the calendars of the above cases be reduced to 8/ Eight years imprisonment with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.-

2d Extract Appro-

Ordered, that Extract from these Proceedings be forwarded

to the Sessions Judge of Masulipatam for his information.-

/ Sent in No. /

Read Calendar of case No. 1 of 1854 on the file of the Sessions Court of Honore.-

/ Here enter F. W. No. 642 of 1854 /

1. The prisoner in this case was charged with theft of property valued at one Anna and four Pice was committed for trial before the Sessions Court in consequence of his having on a previous occasion been punished for theft and on another for receiving stolen property, and on conviction has been sentenced by the Sessions Judge to seven years imprisonment with hard labor in irons under Section XXI Regulation VII of 1802 which sentence the Sessions Judge recommends may be mitigated to one year's imprisonment.-

2. The Court of Foujdaree Adawlut observe that it was competent to the Principal Sudr Ameen to propose the mitigated sentence proposed by the Sessions Judge and

and that the case should have been remand-
-ed to that Officer for disposal under Clause
first Section III Regulation VII of 1822.—

The Court sanction the mi-
tigation of sentence recommended by the
Session Judge.—

Ordered, that Extract from
these Proceedings be sent to the Session
Judge of Honore for communication to the
Acting Principal Sudr Ameen for his
information and future guidance.—

/ Sent in Pc. /

Read Calendar of case No. 28
of 1854 on the file of the Sessions Court of Masu-
-lipatam.—

/ Here Enter F. Pc. No. 671 of 1854 /

The prisoners in this case charged
with culpable Homicide have been convicted by
the Sessions Court and sentenced to ten years
imprisonment with hard labor in irons.—

The Court of Foujdaree Adalut
observe that the prisoners should have been
indicted for murder in which case it would
have been equally competent to the Acting Sessions
Judge

Judge upon arriving at the conclusion in con-
-currence with his assessors that the offence
proved against them amounted only to man-
-slaughter to pass the sentence which he has
passed upon them, recording in his remarks
upon the Calendar his reasons for convicting
them of the lesser offence.—

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

/ Sent in Pc. /

Read letter dated the 13th. March
1854 from the Acting Agent to the Governor
at Ganjam submitting for the final
judgment of the Foujdaree Adalut a re-
-port of the trial of Criminal case No. 5
of 1854 on his file.—

/ Here Enter F. Pc. No. 710 of 1854 /

The Court of Foujdaree Adalut
concurring in the conviction of the Prisoners,

1st. Vishnoo Naick

2d. Kaysa Naick and

3d. Dookka Naick

of the crime of Culpable Homicide laid to
their charge, resolve to confirm the sentence
proposed

proposed to be passed upon the 1st and 2d Prisoners, of 3 years imprisonment with hard labor in irons; and being of opinion that the sentence passed upon the 3d Prisoner may with propriety be reduced to one of 6 Months imprisonment, resolve to direct the Acting Agent to reduce the said sentence accordingly.

2. The Court of Foujdaree Udalut observe that the Prisoners in this case ought should have been indicted for Murder, and that upon the conclusion of the trial, it was competent to the Acting Agent to record a finding of the minor offence established against them by the evidence.-

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

(Sent in Ps.)

4 Th

F. U.

Monday 27th March 1854. } At a Court of the Foujdaree Udalut.

Present.

W. A. Morhead Esqre } Puisne Judges.
T. L. Strange Esqre }

Read Miscellaneous Petition presented on the 13th March 1854 by Canaren of the Zillah of Tellicherry.-

(Here enter F. M. P. No. 50 of 1854.)

Mr. T. L. Strange. 1. The Petitioner who was a Police peon in the Talook of Cartenaad submits that he has been unjustly dismissed by the Magistrate from his situation, and prays the Court of Foujdaree Udalut to order him to be restored to his office.-

2. The Petitioner should address the Board of Revenue on the subject of his petition. The Court of Foujdaree Udalut have no authority to interfere in the matter.-

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

Read

Read Miscellaneous Petition presented on the 18th March 1854 by Asha Bubee of the Zillah of Chingleput.—

/Here enter F. M. P. No. 51 of 1854/

Mr. J. L. Strange. 1. The Petitioner complains of a notice having fixed to her house at Palavaram, and of being insulted by the parties who affixed the notice and who were accompanied by a Peon from the Monsiffs Court.—

2. The matter of this Petition should be brought by petitioner to the notice of the local authorities. Petitioner has been irregular in addressing the Court with her representations. Her petition is consequently rejected.—

× × ×

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

Read Miscellaneous Petition presented on the 20th March 1854 by Pachajammal of the Zillah of Cuddalore.—

/Here enter F. M. P. No. 53 of 1854/

Mr. W. A. Morehead. This is an application made on behalf of the 1st and 3rd prisoners in Case No. 47 of 1853 before the Session

Session Court of Cuddalore. These Prisoners were convicted of being concerned in a Gang Robbery.—

2. The Court of Foujdaree Udalut see no reason to question the justice of the sentence passed on the 1st and 3rd prisoners in behalf of whom the Petition has been presented, and resolve accordingly to dismiss it.—

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

Read Miscellaneous Petition presented on the 20th March 1854 by Arthur Ritchie and Alexander Ritchie Esqrs., Vakeels on behalf of Cuntylingum of the Zillah of Rajahmundry.—

/Here enter F. M. P. No. 54 of 1854/

Mr. W. A. Morehead. 1. The Petitioner who was prosecutor in Case No. 23 of 1853 on the Calendar of the Sessions Court of Rajahmundry in which the prisoners charged with having plundered prosecutors granaries, have been acquitted and released by the Sessions Court and certain grain found in their possession ordered to be restored to them, prays the Court to call for the record and to overrule the acquittal of the said prisoners and direct the restoration to the Petitioner of the grain found in their possession which he alleges

alleges is his property.-

2. The Court of Foujdaree Udalut cannot comply with the prayer of this Petition.-

3. The prisoners in the Case in question having been acquitted of the crime laid to their charge by a Court having jurisdiction to dispose of the said charge it is not competent to the Court of Foujdaree Udalut to interfere.-

4. The order of the Session Judge directing that the grain found in the prisoners possession and seized on the representation of the Prosecutor should be restored to the prisoners was perfectly correct- The prisoners have been acquitted of the robbery and the prosecutor having failed to establish his right to the grain.-

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

Read Calendar of Petty Cases disposed of by the Magistracy of Coimbatore during the 4th quarter of 1853.-

(Here enter Fo. Vo. No. 516 of 1854.)

of persons punished.

No. 133.

The Defendant in this Case a Village Monsiff was charged with abuse of authority in having negotiated a compromize of a theft reported to him and on

conviction

conviction was sentenced by the Assistant Magistrate to Pochin to pay a fine of 10 Rupees or in default to be imprisoned for one Month under Clause second Section III Regulation III of 1853.

2. The Court of Foujdaree Udalut are of opinion that the offence charged against the Defendant did not constitute an abuse of authority punishable under the Law quoted, but was rather a breach of duty- The Court accordingly direct that the fine which it appears has been levied be remitted to the Defendant.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Coimbatore for his information and for communication to the Magistrate by precept returnable within III days from and after its receipt.-

(Sent following precept No.)

Read Calendar of Case No. 8 of 1854 on the file of the Session Court of Madura.-

(Here enter Fo. Vo. No. 643 of 1854.)

1. The prisoner in this Case was charged with having given two contradictory depositions the one before the District Monsiff of Tiroopoor a goondum and the other before the District Monsiff of Dindigul and has been acquitted before the Session Court on the ground that

that the depositions upon which the indictment was founded are wanting in that positively contradictory character which the Law contemplates and that the prisoner was not afforded an opportunity of explaining the first of the two statements made by him.—

2. The Court of Foujdaree Udalut fully concur in the propriety of the acquittal and consider that under the circumstances of the case the District Monsiff of Dindigul was much to blame in framing such a charge against the prisoner and that the Acting Subordinate Judge seriously erred in judgment in committing the case to the Session Court.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Madura for communication to the Acting Subordinate Judge and to the late District Monsiff of Dindigul—

(Sent in No.)

Read Calendar of Case No. 669 of 1854 of the Session Court of Bellary.—

(Here enter F. D. No. 660 of 1854.)

1. The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case

1st Yeraculagah.

×2d B. Soongooree.

case that the imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of "House breaking with theft" be reduced to (4) four years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly, and being of opinion that the sentence recorded against the 2d Prisoner may with propriety be reduced to (2) two years imprisonment they resolve to direct the Session Judge to reduce the sentence accordingly.—

2. If unable to concur with the Court in the propriety of the mitigated sentence above proposed, the Session Judge will be pleased to submit for their consideration an English translation of such portions of the Record of the case as relate to the 2d Prisoner.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Bellary by Precept returnable in X days from and after its receipt.—

/ Sent following precept No. /

Read Calendar of Case No. 2 of 1854 of the Session Court of Cuddalore.—

(Here enter F. D. No. 664 of 1854.)

The Court of Foujdaree Udalut are of opinion that the mitigated sentence of 10 years imprisonment recommended

recommended by the Session Judge to be passed upon the Prisoner in this Case on his conviction of Highway Robbery may with propriety be still further reduced to a Sentence of 7 years imprisonment and they resolve to direct the Session Judge to issue his warrant accordingly.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore by precept returnable within III days from and after its receipt.-

/ Sent following precept No. /

Read Letter under date the 6th March 1854 from the Session Judge of Honore.-

(Here enter F.R. No. 611 of 1854.)

1 With the foregoing Letter the Session Judge has submitted for the opinion of the Foujdaree Udalut copies of a correspondence which has passed between himself and the Magistrate of Canara regarding the proper course to be adopted in a case of homicide committed by a European British subject in the neighbourhood of Honore there being no European Magistrate resident in the immediate neighbourhood the Session Judge being the nearest Justice of the Peace.-

2. The Court of Foujdaree Udalut are of opinion that the Session Judge was justified in

declining to take cognizance of the case in question the act calling for investigation having occurred beyond the limits of the station of the Zillah Court within which only is the Criminal Judge authorized to act in his capacity of a justice of the Peace. See Justices Rules issued by the Foujdaree Udalut page 2.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Honore for communication to the Magistrate of Canara.-

/ Sent in No. /

4th that.

Tuesday

28th March 1854.

F. U.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre.
W. A. Morehead Esqre. } Puisne Judges.
J. L. Strange Esqre.

Read Calendar of Case No. 13 of 1853 of the Session Court of Chicacole.

/Here enter F.U. No. 661 of 1854/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the Crime of "Gang Robbery and Assault" be reduced in the Case of the 1st, 2d, 3d 4th. and 6th Prisoners to (7) Seven years and in that of the 7th and 8th Prisoners to (4) four years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly: and being of opinion that the Sentence recorded against the 5th Prisoner may

1st Killadah Utchannah
2d Joommapala Venkeedee
3d Puppalah Sonnah
4th Chuppah Pedda Venkeedee
6th Joommapalah Chendriah
7th Killadah Uppoyah, and
8th Chuppa Chinnah Venkeedee.

× Joommapala Unkaiyer, mitigate

28th March 1854. may with propriety be still further reduced to
4 Years imprisonment they resolve to direct the
Sessions Judge to reduce the said Sentence accor-

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

Sentin. Sr.

Read Calendar in Case No.
1854 submitted by the Sessions Judge of Bellary
date the 20th March 1854.

/Here enter F. D. No. 751 of 1854/

Read Calendar in Case No. 6 of 18
submitted by the Sessions Judge of Calicut under date
the 20th March 1854.

/Here enter F. D. No. 752 of 1854/

Read Calendar in Case No. 5 of 1854
submitted by the Sessions Judge of Chittoor under
date the 28th January 1854.

/Here enter F. D. No. 756 of 1854/

Read Letter dated 15th March 1854 from
the Acting Agent to the Governor of Fort Saint George
at Ganjam forwarding Statement called for by the Court's
letter of the 10th Instant

Here enter F. D. No. 759 of 1854.

28th March 1854.

Read Convict Labor Report dated
1st March 1854 Submitted by the Sessions Judge
of Salem under charge of the Magistracy for the
Month of February 1854.

/Here enter F. D. No. 764 of 1854/

Read Return dated 23 March 1854
from the Sessions Judge of Trichinopoly to the Precept
of the Foujdaree Adalut under date the 20th February
1854 directing the Sessions Judge to restore Nara-
yanasamy and Ungappen to their situations of
Jail Peons.

/Here enter F. D. No. 766 of 1854/

Sd/ Holt

Thursday
30th March 1854

At a Court of the Sessions Calicut.

Present

G S Hooper Esquire
H A Morehead Esquire
} Puisne Judges.
I L Strange Esquire

Read letter under date the 11th instant from the Sessions Judge of Calicut /Here enter J 16 No 679 of 1854/

In the foregoing letter the Sessions Judge requests that he may be informed whether there is any limit that should be fixed to the period within which appeals from the sentence passed by the Magistracy should be preferred.

Circular.-

2 The Court of Sessions Calicut are of opinion that as one month has been laid down by Section LV Act VIII of 1843 as the period within which all appeals from sentences passed by the Magistracy when acting under the extended powers vested in them by Section LVI of that enactment should be preferred, the period of appeal in all other cases should be similarly limited as a general rule.-

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

and to the several Superior Judges for their
guidance and guidance.-

/Sgd/ Sir Spr.

Read Criminal Reports for
the month of February 1954 from the Superior
of Trincomalee.-

/Vide order D.C. No. 78 of 1954/

1 The Court of Sessions Batticaloa
observe that the maximum scale of allowance
at 70 Rupees weight and 4 pice each has been
to the Prisoners in the Jail at Trincomalee.

2 The Court see no reason why the
maximum scale of allowance at 70 Rupees
should be allowed at Trincomalee since not being
the practice in the other Jails. The ordinary
is in the opinion of the Court sufficient for the
proper nourishment of the prisoners.

3 They therefore resolve to direct the
Superior Judge to discontinue the allowance of
munn weight.-

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

/Sgd/ Sir Spr.

Read Miscellaneous Petition

on the 30th March 1954 by D B Gordon Esqr. Proctor
on behalf of S Sorbaroyadoo of Vzillah Rajakumary

/Vide order D.C. Batticaloa No. 55 of 1954/

Mr. J L Strange. The Court of Requests Batticaloa
have already given the matter of this Petition due
consideration and see no grounds for departing from
the order they have passed thereon.-

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

E. T. Watt

Friday
31st March 1854 } At a Court of the Superiores Holden at

Present

G S Hooper Esquire ——
W A Morehead Esquire —— } Puisne Judges.
J L Strange Esquire ——

Read Criminal Report B from the Superior Court of Honore for the months of February 1854..

(Here enter I.C. No 727 of 1854)

In both these cases the Prisoners

Cases No 5 & 7.
Before the Mostly
Under Arrest..

charged with and convicted of House breaking and theft were sentenced to two months imprisonment and labor without irons

2 The sentences passed in these cases were predicated upon the grounds for such leniency should in each case have been stated..

3 The Court resolve to direct the Superior Judge to report upon these cases..

Ordered that Extract from these Proceedings be sent to the Superior Judge of Honore by precept returnable within VI days from and after its receipt..

(Sent following precept &c.)

Read

31st March 1854

Read Criminal Report for the months of February 1854 submitted by the Sessions Judge of Madura.

Hereunder F/6 Apr 7/1854

1 The Court of Sessions Malabar observe that the Subordinate Judge in charge the Sub at Madura be called upon for an explanation why the maximum allowance of grain has been granted to so large a number of Prisoners as eighty four.

3 The Court of Sessions Malabar are of opinion that the ordinary allowance of grain is amply sufficient and that the maximum weight should not be allowed save in special cases.

Ordered that Extract from Proceedings be sent to the Sessions Judge of Madura for communication to the Subordinate Judge in charge of the Sub.

(Sd) W. Dav[illegible] Sec[illegible]

Case No 10
By Mostly Subr Annew.

Read Criminal Report for the months of February 1854 submitted by the Acting Sessions Judge of Tinnevelly.

Hereunder F/6. Apr 7/1854

The Prisoners in this case charged with cattle stealing and being

31st March 1854.-

in possession of stolen cattle knowingly.-

2 The 1st Prisoner was convicted and being an old offender was sentenced to 2 years imprisonment with hard labor in irons and to receive 30 lashes.-

3 The Court of Sessions Malabar observe that the Prisoners previous offences should have been entered as counts against him. and that the nature of these offences should have been specified.-

Case No 12
By Mostly Subr Annew.

4 The charge in this case is entitled Found.-

5 No right in the property so hitherto appropriated by the Prisoner having been made over to him by the Prosecutor the charge should have been theft.-

6 In this case the Court of Sessions Malabar observe was forwarded by the Assistant Magistrate who was competent to have disposed of it himself.-

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

(Sd) W. Dav[illegible] Sec[illegible]

Magistrate who was competent to have disposed of it himself.-

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

(Sd) W. Dav[illegible] Sec[illegible]

31st March 1854.

month of February 1854.

/Here enter F.W.T. 721 of 1854/

Case No 17 of 1854
By the Acting Sessions Judge

1 In this Case the Prisoner charged with assaulting and wounding the Prosecutrix was released.

2 In a note the Sessions Judge remarks that had the Acting Sessions Judge awarded some punishment in this case, the sentence would have been confirmed.

3 The Court of Foujdaree Adalut desire that the proceedings of the Sessions Judge of March 1854 may be submitted for their information

4 They do not understand why the Sessions Judge did not exercise the discretion that he possesses in this case, if it appeared to him that justice required that some punishment should be inflicted.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Nellore for information by first receipt returnable in 15 days from and after its receipt.

/Sent following receipt &c/

4th March

Saturday
1st April 1854

F.W.

At a Court of the Foujdaree Adalut

Present

W. R. Morehead Esquire
T. L. Strange Esquire
} Puisne Judges

Read Calendar of Case No 13 of 1854 of the Sessions Court of Nellore.

/Here Enter F.W. No 730 of 1854/

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this Case, that the imprisonment which the Prisoners noted in the Margin, have been adjudged to suffer on their conviction of the Crime of robbery by open violence, be reduced to (3) three years imprisonment with hard labour in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

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

/Sent in No/

Read Criminal Reports B

for

2 Pellati Chenmaya
3 Raja Venkatasamy
4 Misala Kolaya and
5 Piru.

1st April 1854

for the Month of February 1854 sub-
-ted by the Acting Sessions Judge of
Combaconum.-

/Here Enter T.U. No 73-7 of 1854/

Cases No. 8 1

The Court of Foujdaree Udalut
consider that the charge in this Case should
have been "Theft" not "Fraud and embezzle-
-ment."

Cases Nos 24 & 25 2

The 1st Prisoner in Case No 24 and
sole prisoner in Case No 25, charged with
snatching and with House-breaking with
Theft, has been sentenced to a cumulative
punishment of 2 years imprisonment with
hard labor in irons.-

3

The Court of Foujdaree Udalut
observe, that in these Cases the Prisoners
conviction of assault, has been entered
as an additional count against him

4

There being no charge of
the offence of assault and those of Theft
and House-breaking; the Court observe that
these counts should not have appeared
in enhancement of the Prisoners offence

5

The Court of Foujdaree Udalut
consider that a sentence of one years imprison-
-ment with hard labour in irons and

1st April 1854.

be a sufficient punishment. the property
stolen being of small value.-

6

They resolve therefore to request
the Sessions Judge to review the proceedings
in these Cases, with a view to reducing the
sentence passed upon the prisoner.-

Cases No. 34-36 & 37- 7

In all these Cases the prisoners
are charged with Fraud - whereas the
Court of Foujdaree Udalut are of opinion
that the charge should clearly have
been "Theft" in none of the Cases title to
the properties appropriated having appa-
-rently been given to the Prisoners by the
owners thereof.-

Ordered that Extract from
these Proceedings be sent to the Acting
Sessions Judge of Combaconum for
his information and for communication
to the Subordinate Courts.-

/Sent in No. /

Read Calendar of Cases
No. 20 of 1854 submitted by the Sessions
Judge of Trichinopoly under date the
23d March 1854.-

/Here Enter T. U. No. 768 of 1854/

Read Calendar of Cases
No.

No 7 of 1854 submitted by the Acting Sessions Judge of Tinnevelly, under date the 17th March 1854.

(Here Enter F. C. No 770 of 1854)

Read Calendar of Case No 10 of 1854 submitted by the Sessions Judge of Madura, under date 24th March

(Here Enter F. C. No 778 of 1854)

Read Criminal Reports dated the 22d Ultimo submitted by the Sessions Judge of Madura for the month of February 1854.

(Here Enter F. C. No 782 of 1854)

Read Extract from the Proceedings of the Sessions Court of Tellicherry under date the 24th March 1854, held on review by the Magistracy for the 3d and 4th Quarters of 1854.

(Here Enter F. C. No 787 of 1854)

Read letter dated the 29th Ultimo from the Acting Sessions Judge of Chingleput, reporting the execution of the Prisoner Vobogadoo in Case No 6 of 1854 of the Calendar of that Zillah.

(Here Enter F. C. No 791 of 1854)

Read

Read Calendar of Case No 5 of 1854 submitted by the Sessions Judge of Cuddapah under date the 28th Ultimo

(Here Enter F. C. No 792 of 1854)

Read Calendar of Case No 3 of 1854 submitted by the Sessions Judge of Cuddapah, under date the 28th Ultimo

(Here Enter F. C. No 793 of 1854)

Read Calendar of Case No 35 of 1854, submitted by the Acting Sessions Judge of Masulipatam under date the 25th Ultimo.

(Here Enter F. C. No 794 of 1854)

Read Calendar of Case No 32 of 1854, submitted by the Acting Sessions Judge of Masulipatam under date the 25th Ultimo.

(Here Enter F. C. No 795 of 1854)

Read Jail Report dated the 28th Ultimo, submitted by the Acting Sessions Judge of Combaconum for the Month of February 1854.

(Here Enter F. C. No 798 of 1854)

Ed. R. W.

No 7 of 1854 submitted by the Acting Sessions Judge of Tinnevelly, under date the 17th March 1854.

(Here Enter F.M. No 770 of 1854)

Read Calendar of Case No 10 of 1854 submitted by the Sessions Judge of Madura, under date 24th March

(Here Enter F.M. No 778 of 1854)

Read Criminal Reports dated the 22d Ultimo submitted by the Sessions Judge of Madura for the month of February 1854.

(Here Enter F.M. No 782 of 1854)

Read Extract from the Proceedings of the Sessions Court of Tellicherry under date the 24th March 1854, held on review by the Magistracy for the 3d and 4th Quarters of 1854.

(Here Enter F.M. No 787 of 1854)

Read letter dated the 29th Ultimo from the Acting Sessions Judge of Chingleput, reporting the Encaution of the Prisoner Veloyudoo in Case No 6 of 1854 of the Calendar of that Zillah.

(Here Enter F.M. No 791 of 1854)

Read

Read Calendar of Case No of 1854 submitted by the Sessions Judge of Cuddapah under date the 28th Ultimo

(Here Enter F.M. No 792 of 1854)

Read Calendar of Case No of 1854 submitted by the Sessions Judge of Cuddapah, under date the 28th Ultimo

(Here Enter F.M. No 793 of 1854)

Read Calendar of Case No 35 of 1854, submitted by the Acting Sessions Judge of Masulipatam under date the 25th Ultimo.-

(Here Enter F.M. No 794 of 1854)

Read Calendar of Case No 32 of 1854, submitted by the Acting Sessions Judge of Masulipatam under date the 25th Ultimo.-

(Here Enter F.M. No 795 of 1854)

Read Jail Report date the 28th Ultimo, submitted by the Acting Sessions Judge of Combaconum for the Month of February 1854.-

(Here Enter F.M. No 798 of 1854)

Ed 1st

Monday
3d April 1854

F. U.

Act a Court of the Fouzdary Udaulut

Present

W. A. Morehead Esquire
S. L. Strange Esquire } Puisne Judges

Read Miscellaneous Petition sent by the Sefsion Judge of Mangalore from Veasaroya and others of the Zillah of Mangalore Prisoners in Case No. XXVI of 1853 before the Sefsion Court.

(Here enter F. M. P. No. 42 of 1854)

Pers W. A. Morehead and S. L. Strange

1. The Petitioners pray the Court of Fouzdary Udaulut for the reasons set forth in their Petition, to cancel the sentence passed upon them, and to order their release.

2. The Court of Fouzdary Udaulut upon a full consideration of the reasons contained in this Petition, and of the record of the sentence passed by the Sefsion Judge, are satisfied that the decision arrived at by that officer in the above Case, is correct.

3. Under these circumstances the Court of Fouzdary Udaulut refuse to disturb the sentence appealed against, and resolve to

dismiss

3d April 1854

dismiss this Petition.

Ordered that Cu
Proceedings be sent to the Sessions
galore, for communication to the

/Sent in Ms

Read Report Bk
for February 1854, submitted by the
of Cuddalore.

/Here enter Fo. No. 7 of 1854

Case No. 7 of 1854
on the file of the additional
Joint Magistrate

1. The Prisoner charged
under aggravating circum
sentenced to 3 months imprison
with labour in irons.

2. The Court of Foujdary
observe with reference to this Case, that
of the above, should have been charged

Ordered that Cuthbert
Proceedings be sent to the Sessions Judge
galore for communication to the Joint

/Sent in Ms

Read Calendar in Case
of 1854 submitted by the Sessions Judge

1. /Here enter Fo. No. 7 of 1854

The Prisoners in this Case

il 1854

number, were charged with Highway Robbery and wounding.

2. On a 2d Count the Prisoners were further charged with being in possession of the property robbed, knowing it to have been robbed.

3. The Mahomedan Law Officer considered that there was strong presumptive proof against the Prisoners and convicting them of Kuttawittaihy, considered them liable to Dokoobut.

4. The Sessions Judge concurred with the Mahomedan Law Officer in this conviction, and sentenced the Prisoners severally to 14 years imprisonment with hard labour in irons. Considering however that the robbery was to obtain food, and that this is their first offence, the Sessions Judge recommended that this sentence should be mitigated - in the Case of the 1st Prisoner who planned the robbery and in the Case of the 5th Prisoner who used violence to 3 years, in the Case of the other Prisoners to two years imprisonment with hard labour in irons.

5. The Court of Foujdary Adawlut under the circumstances stated by the Sessions Judge

3d April 1854.

Judge concur in his recommendation, and to mitigate the sentences passed on the Prisoners in this Case accordingly.

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

/Sent in No /

Read Miscellaneous Petition sent by the Acting Sessions Judge of Masulipatam from Tsimannah Sooborayadoo of the Zillah of Masulipatam.

/Here enter S.C. P. No 9 of 1854/

The Petitioner who is brother of the

2. Prisoner in Case No 11 of 1854 on the file of the Sessions Court of Masulipatam, prays the Court of Foujdary Udaulut to delay passing any order upon the Calendar of the said Case, until the Petitioner shall have had time to present an appeal against the sentence passed in the above Case

2.

The Petitioner is informed that the Court of Foujdary Udaulut will take the Petition of Appeal into consideration, when it is presented.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Masulipatam for communication to the Petitioner

/Sent in No /

M^r S.L. Strange 1.

8th April 1854.

The record of trial in referred Case No 17 of 1853 on the file of the Sessions Court of Nellicherry, not having been yet received,

Ordered that the Sessions Judge of Nellicherry be required to submit the record aforesaid without delay.

/Sent in No 8 /

8th 1854.

F. 26.

Tuesday 4th April 1854

At a Court of the Foujdary Adalut.

Present.

W.H. W.A. Morehead Esquire
T.L. T.L. Strange Esquire } Puisne Judges.

Read Criminal Report B for the month of February 1854 submitted by the Sessions Judge of Nellore

/Here enter F. 26. No. 733 of 1854/

Cases Nos. 1-3-6-11-12-15-21-32-33-34-35-36-43-49-50-51-52-54.

In all these cases of Robbery by open violence the Court of Foujdary Adalut observe that the charges have been framed most negligently - statement of the manner in which the offences were committed has been omitted in every one of these charges.

2- The Court of Foujdary Adalut have before had to remark upon the careless manner in which the abstracts of charges in Reports B, forwarded by the Sessions Courts of Nellore, are prepared.

Case No. 14. 3 The Prisoner in this case charged with house breaking and Theft has been sentenced to six months and four days imprisonment with hard labour in irons.

The

4th April 1854

4.

The Court of Foujdary Ad
desire that the Sessions Judge will ex
meaning of the ten days period of gaol
sentence.

Case No. 24.

5.

The charge in this Case i
the manner in which the offence was co
is unintelligible, in consequence of som
of some words being omitted. It is stated
Prisoner "made a hole into the centi
secutor's coarse paddy."-

Case No. 29.

6.

The Prisoner in this Ca
with cattle stealing, has been sentenced
year's imprisonment with hard labour

7.

The Court of Foujdary Ad
being of opinion that a sentence of six
imprisonment with hard labour in irons
a sufficient punishment, resolved to
Judge to review this Case for the purpose
the sentence passed therein

Case No. 30.

8.

The 1st Prisoner charged
way Robbery, has been ordered to find
of 15 Rs. each, for his good behaviour and
when required during two months, or in
to be imprisoned for that period

9.

If conviction, with
serious a charge as Highway Robbery

4th April 1854

for a requisition of sureties was established against
the Prisoner, the measure taken - namely requiring
sureties for so small an amount as 15 Rs. and for
so short a period as two months, was in the opinion
of the Court of Foujdaree Adalut most inadequate.

Case No. 53.

10.

The charge in this Case should
have been "Theft," not Fraud, it does not appear
that any title to the property (Rs. 300) was given by
the Prosecutors to the Prisoners.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge of
Nellore by precept returnable in III days from
and after its receipt.

(Sent following Precept No.

Read Calendar of Case No. 2 of
1854 of the Session Court of Calicut.

(Here enter F. Ge. No. 726 of 1854.)

The Court of Foujdary Adalut
approve of the recommendation made by the Session
Judge in this Case, that the imprisonment, which
Coolly Kandara Nair the Prisoners noted in the margin, have been ad-
Capaat Sanjoo Nair judged to suffer on their conviction of the crimes
laid to their charge, be reduced to (4) four years
imprisonment with hard labour in irons, and
they do authorize the Session Judge to issue his
warrant accordingly.

Ordered

4th April 1854.

Ordered that Extract fro
Proceedings be forwarded to the Sessions
Calicut for his information.

Sent in Mr

Wednesday
5th April 1854.

F. H.

At a Court of the Foujdary Udalut

Present

W. A. Morehead Esquire
T. L. Strange Esquire } Puisne Judges

Read again Miscellaneous Petition presented on the 16th March 1854 by Arthur Ritchie and Alexander Ritchie Esqrs Vakeels on behalf of T. Vencata Soobbiah, brother of the 1st Prisoner in Case No. 47 of 1853 on the Calendar of the Sessions Court of Combaconum.—

/Here enter F. M. P. No. 52 of 1854/

Read also return under date the 31st March 1854 from the Acting Session Judge of Combaconum to the Precept of the Foujdary Udalut dated the 23d March 1854 directing the Acting Session Judge to suspend the sentence passed on the Prisoners in the foregoing Case, and to submit the Original record of the trial.

/Here enter F. H. No. 810 of 1854/

W. A. Morehead. 1- On perusal of the record of the foregoing Case, the Court of Foujdary Udalut concur with the Session Judge in considering the evidence sufficient for the conviction of the Prisoners of the Forgery laid to their charge, but,

under

5th April 1854.

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

/Sent in No 1615

Wednesday 5th April 1854.

F. H.

At a Court of the Foujdary Udalut

Present

W. A. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges

Read again Miscellaneous Petition presented on the 16th March 1854 by Arthur Ritchie and Alexander Ritchie Esqrs Vakeels on behalf of J. Vencata Soobbiah, brother of the 1st Prisoner in Case No. 47 of 1853 on the Calendar of the Session Court of Combaconum.—

/Here enter F. M. P. No. 52 of 1854/

Read also return under date the 31st March 1854 from the Acting Session Judge of Combaconum to the Precept of the Foujdary Udalut dated the 23d March 1854 directing the Acting Session Judge to suspend the sentence passed on the Prisoners in the foregoing Case, and to submit the Original record of the trial.

/Here enter F. H. No. 810 of 1854/

Mr. W. A. Morehead. 1- On perusal of the record of the foregoing Case, the Court of Foujdary Udalut concur with the Session Judge in considering the evidence sufficient for the conviction of the Prisoners of the Forgery laid to their charge, but, under

under all the circumstances of the Case, they are of opinion that the punishment the Prisoners have already undergone is sufficient for the amount of criminality involved in the offence committed by them.

2.

The Court of Foujdary Udalut accordingly resolve to direct under the provisions of Section XXV Regulation X of 1816 and Section XXXIII Act VII of 1843 that the said Prisoners be now unconditionally released.

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

/Sent following Precept No /

Ordered also that Extract from these Proceedings be granted to the Petitioners Vakeels on their application.

Read Calendar of Case No 5 of 1854 of the Sessions Court of Tanjore

/Here enter F. C. No 777 of 1854/

The Court of Foujdary Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the Prisoners noted in the margin have been adjudged

1st Cyroomen Pagamaly's son Helen
2d Cheroomen Ayagen's son Cheria Chemutty &
3d Cheroomen Chatten's son Pauyen

5th April 1854

judged to suffer on their conviction of the crime of Gang Robbery with violence and possessing stolen property knowing them to be such, be reduced to /7/ seven years imprisonment with hard labour in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

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

/Sent in No /

Read Calendar of Case No 17 of 1854 of the Sessions Court of Nellore.

/Here enter F. C. No 779 of 1854/

The Court of Foujdary Udalut approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of House breaking with Theft be reduced to /5/ five years imprisonment with hard labour in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

1st Dhanniyasi Gura=
=vadoo.
2d Mahimalure Subbadu
3d Candipatu Lutchigadu

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

/Sent in No /

Read

Read Calendar of Case No 53 of 18
of the Session Court of Bellary

/Here enter F. Dc. No 752 of 1854/

The Court of Foujdary Udalut
approve of the recommendation made by the Session
Judge in this Case that the imprisonment which
Ramasawmy. the Prisoner noted in the margin has been adjudg
to suffer on his conviction of the crime of House breaki
with Theft be reduced to /4/ four years imprisonme
with hard labour in irons and they do authorize the
Session Judge to issue his warrant accordingly.

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

/Sent in No /

Read Calendar of Case No 12
of 1854 submitted by the Session Judge of
Chittoor under date the 24th March 1854.

/Here enter F. Dc. No 540 of 1854/

Read Calendar of Case No 11
of 1854 submitted by the Session Judge of
Calicut under date the 29th March 1854.

/Here enter F. Dc. No 808 of 1854/

Read Calendar of Case
No 19 of 1854 submitted by the Session
Judge

Judge of Nellore under date the 31st March
1854.

/Here enter F. Dc. No 813 of 1854/

Read Calendar of Case N
6 of 1854 submitted by the Session Judg
of Cuddapah under date the 1st April 18

/Here enter F. Dc. No 820 of 1854/ &

Sd J. R. Deacon

Friday
7th April 1854.

F. Ud.

At a Court of the Foujdary Eddalut

Present

W. A. Marshead Esquire —— } Puisne Judges
L. L. Strange Esquire ——

Read again Calendar of Case No. 51 of 1853 on the file of the Sefion Court of Cuddapah.

/Here enter F. Ud. No. 211 of 1854/

Read also return under date the 25th March 1854 from the Sefion Judge of Cuddapah to the Precept of the Foujdary Eddalut dated the 30th January 1854 directing the submission of an English Translation of the record of the foregoing Case.

/Here enter F. Ud. No. 783 of 1854/

1. The Prisoners in this Case were charged with Robbery by open violence, and have been placed by the Sefion Judge under requisitions of security.

2. On perusal of the record, the Court of Foujdary Eddalut are of opinion that the evidence, if credit could have been accorded to it, would have sufficed for the conviction

of

of the Prisoners, especially of the 1st and 2d
Sessions Judge it appears was unable to a
on the evidence & accordingly acquitted the
but considering that suspicion attached
placed them under requisitions of securit
Court of Foujdary Adawlut are of opinio
the Prisoners were entitled to unconditio
release on the evidence adduced against
being discredited. This evidence, the Court
Foujdary Adawlut consider to be of an un
factory nature. The information which
to have led to the arrest of the 1st Prisoner
whose crimination the others were arrested
of a probable nature, and the statements o
1st witness on this head are not recorded
Duffadars report of the 9th December and
cing the arrest of the 1st Prisoner. Property
extent of Rs 1250 is said to have been
but effects to the value of but Rs 37 and
of a common description easily procured
to eke out evidence, are all that are forthco
There are discrepancies also in the evidence
nature to raise a doubt as to the reality
statements made.

3.

The Court of Foujdary Adaw

accordingly resolve to cancel the requisitions of
security under which the Prisoners have been
placed, and to direct their unconditional release

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

Sent following Precept No

Sd/- J R Ogilvie

Saturday
8th April 1854.

F. P.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Puisne Judges

Read Criminal Reports submit-
-ted by the Session Judge of Cuddapah for the month
of February 1854.

(Here Enter F. P. No. 691 of 1854)

Cases Nos. 28, 33, 39, 41, 42 & 59

The Court of Foujdaree Udalut
resolve to direct that the reports of these cases in
the Form A may be submitted for their consider-
-ation.

Ordered that Extract from these
Proceedings be sent to the Session Judge of Cudda-
-pah by precept returnable within IV days from
and after its receipt.

Sent following precept No. /

Read Criminal Reports submit-
-ted by the Acting Session Judge of Masulipatam
for the months of February 1854.

(Here Enter F. P. No. 760 of 1854)

/ In this case, referred by the
Acting

A — 10

Acting Sessions Judge to the Moofty stating the prisoners charged with assault unacquitted the evidence being in the opinion of the Mooftys Sudr Ameen insufficient for their conviction

2 The Acting Sessions Judge in his Proceedings of the Sessions Court dated 8th April 1854 remarked in severe terms upon the conduct of the Mooftys Sudr Ameen in this case.

3 The Acting Sessions Judge considered that the evidence was amply sufficient to convict the Prisoners and that the Mooftys Ameen had gone out of his way to discover discrepancies in the evidence.

4 The Court of Foujdaree Udalut observe that the Acting Sessions Judge of Nellore was dissatisfied with the decision of the Mooftys Sudr Ameen and might have overruled it and awarded punishment to the Prisoners.

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

(Sent in No)

Read Calender in Case No 55 of 1854 on the file of the Sessions Court of Bellary

(Here Enter F. C. No. 774 of 1854)

1 In this case the Prisoner was

convicted by the Sessions Judge in concurrence with the Futwah of the Mahomedan Law Officer of Highway Robbery and sentenced to two years imprisonment with hard labor in irons

2 The Court of Foujdaree Udalut consider that this sentence was too lenient. The offence committed by the Prisoner was not in the opinion of the Court, attended with any extenuating circumstances.

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

(Sent in No)

Read Calender in Case No 55 on the file of the Sessions Court of Bellary for 1854.

(Here Enter F. C. No. 775 of 1854.)

The prisoners in this case one Naigue and two Peons were charged with conniving at the escape of certain prisoners from the Jail at Bellary.

2 The Mahomedan Law Officer acquitted the 1st and 3d prisoners on the ground that there was no evidence whatever against them but convicted the 2d prisoner on presumptive proof

prog declaring him liable to discretionary punish-
ment.

3 The Sessions Judge concurred in the Fulwah of the Mahmedan Law Officer and accordingly sentenced the 3d prisoner to two years imprisonment with hard labor in irons.

4 The Sessions Judge ordered the 1st and 3d prisoners to be released and remarked, that under the circumstances attending the escape of the convicts which would appear to have been completed when the 3d Prisoner came on guard. he (3d Prisoner) has been hardly dealt with in being dismissed from his situation.

5 The Court of Foujdarree Adalut in consideration of the opinion expressed by the Sessions Judge regarding the 3d prisoner in this case resolve to order him to be restored to his situation as said peon.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Bellary for his information and guidance by Precept returnable in III days.

(Sent following Precept &c)

Read Miscellaneous Petition presented on the 30th March 1854. by Moutton Reinachy of the

8th April 1854.

Mr. Morehead and Mr. Strange

The Zillah of Cuddalore.

(Hereinafter F. M. P. No. 56 of 1854)

The Petitioner complains that having applied to the Sessions Judge of Cuddalore to be furnished with a copy of the Record in Case No. 7 of 1853. in which he was convicted of Murder by the Sessions Judge of Cuddalore and sentenced to imprisonment for 14 years with hard labor in irons. The Sessions Judge refused to grant him the copy applied for.

2. The Petitioner being desirous of preferring an appeal against the sentence passed in the above case. prays the Court of Foujdarree Adalut to order the Sessions Judge according to the usual practice to furnish him with the copy required.

3 The Court of Foujdarree Adalut resolve to forward this Petition to the Sessions Judge of Cuddalore and to call upon him to explain why a Copy of the Record in case No. 7 of 1853 was refused to the Petitioner.

Ordered that extract from these proceedings be sent to the Sessions Judge of with the copy required.

3 The Court of Foujdarree Adalut resolve to forward this Petition to the Sessions Judge of Cuddalore and to call upon him

8th. April 1854.

Read Criminal Report dated 1st. April 1854 submitted by the Sessions Judge of Coimbatore for the month of March 1854.

(Here enter P. No. to 233 of 1854)

Read Calendar dated 3rd. April 1854 submitted by the Sessions Judge of Cuddapah forwarding the Petty Calendars presented to the Magistrate of Cuddapah for the 1st. Quarter

(Here enter P. No. to 830 of 1854)

Read return dated 31st. March 1854 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 27th. March 1854 renewing the Calendar in Sessions Case No. 1834, and directing the recognizance of the two sureties bound the Prisoner for 7 years

(Here enter P. No. to 834 of 1854)

Read Criminal Report dated 3rd. April 1854 submitted by the Sessions Judge of Chittoor for the month of March 1854

(Here enter P. No. to 835 of 1854)

Read Statement submitted by the Sessions Judge of Cuddapah under date the 3rd. April 1854 of Bail to be required from the persons who attended before the Court during the Half year of 1853.

(Here enter P. No. to [illegible])

8th. April 1854.

Read return dated 1st. April 1854 from the Sessions Judge of Coimbatore to the precept of the Foujdaree Adalut under date the 27th. March 1854 directing that the fine levied from the Defendant in Case No. 133 of 1853, on the file of the Magistrate of Coimbatore, be remitted to him.

(Here enter P. No. to 838 of 1854)

Read return dated 14th. April 1854 from the Sessions Judge of Canara to the precept of the Foujdaree Adalut under date the 31st. March 1854 directing the Sessions Judge to report upon the cases No. 587 of 1854 disposed of by the Moofty Sudr. Ameen in the months of February last.

(Here enter P. No. to 993 of 1854)

4th. Thursday

Monday
10th April 1854.

F. C.

At a Court of the Foujdary Adaulut

Present

W. A. Morrhead Esquire
T. L. Strange Esquire } Puisne Judges

Read Calendar of Case No. 7 of 1854

of the Session Court of Chittoor

/Here enter F. C. No. 79 of 1854/

The Court of Foujdary Adaulut

approve of the recommendation made by the Session Judge in this case that the imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of House breaking by night and Theft be reduced to /3/ Three years imprisonment with hard labour in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Vooneyen alias Para Vistanum

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

/Sent in No. /

Read Calendar of Case No. 19 of 1854 of the Session Court of Calicut

Here

/Here enter F. Dc. No. 822 of 1854/

The Court of Foujdary Adaulut

approve of the recommendation made by the Sessions Judge in this Case that the imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of House breaking and theft and possessing stolen property be reduced to the term of four years imprisonment with hard labour in irons, and do authorize the Sessions Judge to issue his warrant accordingly.

1st Adayoor Chatra Nair.
2nd Joothen Vittil Kanavady and
3rd Shoopen

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

/Sent in No/

Read Miscellaneous Petition presented on the 10th March 1854 by Soondaram of the Zillah of Coimbatoor.

/Here enter F. all. D. No. 57 of 1854/

Mr. W. J. Morehead 1-

The Petitioner complains of the Sessions Judge referring him to a Civil Court to recover his share of family property - that property the Petitioner as Prosecutor in Case on file of the Sessions Court, had charged certain of his relatives with having stolen, the Petitioner accompanied with burglary.

Saki Lingadu

2- The Petitioner prays the Court of Foujdary Adaulut to reverse this order and to direct the Sessions Judge to proceed with the trial.

3. The Court of Foujdary Adaulut can find nothing urged in this Petition which induces them to doubt the propriety of the order passed by the Sessions Judge of which the Petitioner complains.

Under these circumstances the Court of Foujdary Adaulut resolve to dismiss this Petition

Ordered that Extract from these Proceedings be furnished to the Petitioner upon this application.

Read Calendar of Case No. 14 of 1854 of the Sessions Court of Salem.

/Here enter F. Dc. No. 811 of 1854/

The Court of Foujdary Adaulut being of opinion that the mitigated sentence of one years imprisonment proposed to be passed upon the Prisoner in this is inadequate for the offence of which he has been convicted, resolve to direct that a sentence of 4 years imprisonment with hard labor in irons be passed upon

10th April 1854.

/Here enter F.O.C. No. 202 of 1854/

The Court of Foujdary Adawlut

approve of the recommendation, made by the Sessions
Judge in this Case that the imprisonment, which
1st Adayoor Chatra Pillai. Prisoners noted in the margin have been adjudged
2nd Poothen Vittil Kunnavady and to suffer on their conviction of the crime of House-
3rd Shooper breaking and theft and possessing stolen property knowing
them to be such be reduced to 14 years rigorous
imprisonment with hard labour in irons, and they
authorize the Sessions Judge to issue his warrant
accordingly.

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

/Sent in No/

Read Miscellaneous Petition
presented on the 10th March 1854 by Soondaram
of the Zillah of Coimbatore.

/Here enter F. all. P. No. 57 of 1854/

W. H. Morehead J. The Petitioner complains of an order
of the Sessions Judge referring him to a Civil Court
to recover his share of family property - which
property the Petitioner as Prosecutor in Case on
file of the Sessions Court, had charged certain of
his relatives with having stolen, the theft
accompanied with burglary.

Vaki Lingadu

2- The Petitioner prays the Court of
Foujdary Adawlut to reverse this order and to
direct the Sessions Judge to proceed with the trial.

3. The Court of Foujdary Adawlut
can find nothing urged in this Petition which
induces them to doubt the propriety of the order
passed by the Sessions Judge of which the Petitioner
complains.

Under these circumstances
the Court of Foujdary Adawlut resolve to dis-
miss this Petition.

Ordered that Extract from these
Proceedings be furnished to the Petitioner upon this
application.

Read Calendar of Case No. 14
of 1854 of the Sessions Court of Arcot.

/Here enter F. Dc. No. 811 of 1854/

The Court of Foujdary Adawlut
being of opinion that the mitigated sentence of
one years imprisonment proposed to be passed
upon the Prisoner × in this is inadequate for the
offence of which he has been convicted, resolve
to direct that a sentence of 4 years imprison-
ment with hard labor in irons be passed

upon

upon him - and the Session Judge is authorized to issue his warrant accordingly.

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

/Sent in Nº/

Read Calendar of Case Nº 12 of 1854 on the file of the Session Court of Tellore

/Here enter F. Dc. Nº 762 of 1854/

1- In this Case this Prisoner was charged with Culpable homicide-

2- The Mahomedan Law Officer considered the evidence insufficient for a conviction, but that strong suspicion attached to the Prisoner.

3- The Session Judge concurred with the Mahomedan Law officer that the evidence was insufficient to bring home the charge to the Prisoner but that there was much suspicion against him.

4- Under these circumstances the Session Judge required the Prisoner to find two sureties for his good conduct for the period of two years to the amount of 30 Pc each surety, in default to be imprisoned for

period.

5- The Court are unable to concur with the Session Judge in the necessity for requiring security from the Prisoner in this Case.

6- The evidence adduced to establish the Prisoner's guilt should either have been accepted and sentence passed or rejected and the Petitioner unconditionally released.

7- The Court therefore resolve to direct that the security Bonds if taken be cancelled or if the Prisoner is in confinement that he be released.

Ordered that Extract from these Proceedings be sent to the Civil Judge of Tellore for his information and guidance by Precept returnable within 3 days from and after its receipt.

/Sent following Precept Nº /

Read Criminal Reports for the month of February 1854 submitted by the Session Judge of Coimbatore.

/Here enter F. Dc. Nº 748 of 1854/

B. Case Nº 6. 1- In this Case the Prisoners were charged with altering base and counterfeit coin

2- The Principal Sudder Ameen being

being of opinion that there was strong suspicion against the Prisoners, required them to find two Sureties in the Sum of 15 Rupees each for good behaviour and appearance when required for a term of 6 months- or in default to be imprisoned for the above period.

3. The Court of Sessions then consider that this was a Case in which by the guilt or otherwise of the Prisoners might have been established by evidence.

4. They therefore direct the Sessions to call for the Proceedings and remand the

Cases Nos 16-17-18-5 and 19

The Court of Sessions then observe that in these Cases also the Prisoners whom the Charges have not been proved required by the Principal Sudder Ameen securities for their good behaviour and ap

6. The Court of Sessions then have before had occasion to remand on frequency of requisitions by the Princip Ameen of security from Prisoners against charges have not been proved. And in the opinion of the Court very objectionable

7. They desire to be informed in the Cases now under notice whether

were examined before security was demanded.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Coimbatore by precept returnable in V days from and after its receipt.

Sent following Precept No

being of opinion that there was strong suspicion against the Prisoners, required them to find each two Sureties in the sum of 15 Rupees each for their good behaviour and appearance when required for a term of 6 months - or in default to be imprisoned for the above period.

3. The Court of Foujdaree Adalut consider that this was a case in which by its nature the guilt or otherwise of the Prisoners might have been established by evidence.

4. They therefore direct the Sessions Judge to call for the Proceedings and review the case.

Cases Nos 16-17-18-5 and 19

5. The Court of Foujdaree Adalut observe that in these Cases also the Prisoners against whom the charges have not been proved were required by the Principal Sudder Ameen to furnish securities for their good behaviour and appearance.

6. The Court of Foujdaree Adalut have before had occasion to remark upon the frequency of requisitions by the Principal Sudder Ameen of security from Prisoners against whom charges have not been proved. Such a course is in the opinion of the Court very objectionable.

7. They desire to be informed whether in the Cases now under notice witnesses for the pros

10th April 1854.

were examined before security was demanded.

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

Sent following Precept No

Z 8/1

Tuesday
11th April 1854.

F. C.

At a Court of the Fojdary Adalut

Present

W. A. Morehead Esquire — Puisne Judges
J. L. Strange Esquire —

Read Calendar in Case No. 6 of 1854 on the file of the Session Court of Mangalore

/Here enter F. C. No. 682 of 1854/

1. The Court of Fojdary Adalut observe that the sentence in this Case, is defective, in not setting forth the grounds upon which the Session Judge has come to the conclusion of the Prisoner's guilt.

2. The Court of Fojdary Adalut point out, that the facts established in evidence should always be recited in support of the sentence passed.

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

/Sent in No/

Read Calendar of Case No. 15 of 1854 of the Session Court of Bellore.

Here

/Here enter Fo Cir. No 812 of 1854/

The Court of Foujdary Adalut approve of the recommendation made by the Sessions Judge in this Case, that the imprisonment which the Prisoners noted in the Margin have been adjudged to suffer on their conviction of the crime of House breaking and Theft, be reduced, in the Case of the 1st Prisoner to /2/ four years, and in that of the 2d and 3d Prisoners to /2/ two years simple imprisonment with hard labour in irons, and they do authorize the Sessions Judge to issue the warrants accordingly.

1st Cottum Chenchiah
2d do Nagadu
3d Vangolu Kannadu

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

/Sent in Ps/

Read Calendar in Case of Ps 778 of 1854 on the file of the Sessions Court of Chingleput

/Here enter Fo Cir. No 777 of 1854/

1. The Prisoner in this Case, convicted on a charge of Theft attended with severe wounding, was sentenced by the Acting Sessions Judge of 1st Prisoner to be imprisoned with hard labour in irons for 3 years, and to receive 50 lashes, the 2d Prisoner to be imprisoned with hard

labour in irons for one year, and to receive 50 lashes.

2. The Court of Foujdary Adalut do not find it to have been established in evidence against the 2d Prisoner, that he was concerned in the wounding, or that he was guilty of more than a petty Theft, aggravated by his being a Cavilgar.

3. Under these circumstances, the Court would suggest that the lashes, if not already inflicted, be remitted in the Case of the 2d Prisoner, and that the sentence of imprisonment passed upon him be reduced to two months.

4. In case the lashes have already been inflicted, the Court are of opinion that the 2d Prisoner may be discharged, as he has already been in confinement since the 15th February last.

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

/Sent in Ps/

Ex. for Register

F.M.C.

Saturday
13th April 1854

At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire — Puisne Judges
T. L. Strange Esquire

Read letter from the Sessions Judge of Nellore dated 11th February 1854 submitting translations of the records in Cases Nos. 26 and 33 of 1853 for the final orders of the Foujdaree Adalut.

(Here Enter F.M.C. No. 434 of 1854)

Mr. W. A. Morehead and Mr. T. L. Strange

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 Bellamconda Papadu
2d Bellamconda Ramadu
3d Davarapalli Ramadu
8th Digumarti Cotaya
and
9th Gummadesudi Ramaya

is

is sufficient to convict them of the crime of Culpable Homicide do convict them thereof and sentence the prisoners,

8th Dejumarti Cotaya

and

9th Gummadipudi Ramaya

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 the public roads or other public works for and during the period of their natural lives and considering that the imprisonment which the 1st, 2d and 3d Prisoners have already undergone is sufficient punishment for the offence of which they have been convicted do direct their immediate release

The Court of Foujdaree Udalut being moreover of opinion that the prisoners

4th Ketireddi Ramasawmi

5th Pattela Venatanarsa

and

6th Calaki Sitaramareddi

are not convicted on presumptive proof or on the evidence of credible witnesses

or

or on their own confession of the Crime charged do acquit them thereof, and direct that they be unconditionally released.—

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 Katamreddi Yerikelareddi

2d Ketireddi Varadareddi

and

4th Mayilapudi Ramireddi

is sufficient to convict them of the Crime of Culpable Homicide do convict them thereof and 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 (2) two years, But being of opinion that the prisoner,

3d Ketireddi Venkatanarasareddi

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

13th April 1854

Case No. 26 /

he be set at liberty.

The Court of Tondiarpet Adalut are of opinion that the requisition of security made by the Sessions Judge of from the 4th 5th and 6th prisoners in this Case was without sufficient warrant.

2 There is no evidence to connect these Prisoners directly with the outrage which has formed the matter of the charge but it merely appears that they were present when the party upon whom it was committed and his son the 1st witness were placed in durance two days previously.

3 As this court did not form a part of the charge the evidence thereto cannot be made use of against the Prisoners the Court of Tondiarpet Adalut resolve to cancel the said requisition and to direct their unconditional release - The Court of Tondiarpet Adalut at the same time observe that all the circumstances connected with the ill-usage to which the deceased and the 1st witness were subjected should have been specified as grounds of charge against the accused and

No. 116.

13th April 1854.

and that the 1st witness should have appeared as one of the Prosecutor against them.

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

(Sent in Mo /

Read again Miscellaneous Petition presented on the 2d March 1854 by Venkata Row late Jail Peon at Trichinopoly.

(Here enter Land F. M. P. No. 23 of 1854)

Read also return under date the 27th March 1854 from the Sessions Judge of Trichinopoly to the precept of the Tondiarpet Adalut dated the 20th March 1854 calling for explanation with reference to the allegations set forth in the foregoing Petition.

(Here enter F. M. No. 786 of 1854)

Mr W. A. Morehead

On perusal of the Sessions Judge's return the Court of Tondiarpet Adalut are of opinion that the Petition has been dismissed on insufficient grounds.

2 The Petitioners conduct in annoying the Judge in the manner described in the Officers return was evidently caused by the unauthorized act of the Judge in depriving him of his Cattle instead of bringing him before the Judge in order that the irregularity he was charged with might be dealt with into. The Court direct that the Petitioner be restored to his situation as Jail Peon.

3 The Court of Foujdaree Adalut desire the Sessions to submit a Copy of any proceedings held by the Head Assistant Magistrate in the case of the charge preferred against the Petitioner.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Trichinopoly by first returnable ex X days from and after the receipt to-

(Sent following Prompt. &c

Ordered also, that Extract from these Proceedings be granted to

to the Petitioner on his application

Read Miscellaneous Petition forwarded by the Sessions Judge of Chittoor from Sheik Hyder.-

(Here Enter P. M. P. No. 61 of 1854)

Mr. W. A. Morehead } The Petitioner appeals from
Mr. T. L. Strange } an order passed by the Head Assistant Magistrate of North Arcot directing him to produce security for his good behaviour or in default to be imprisoned for one year.-

2 The Court of Foujdaree Adalut cannot interfere on the Petitioners behalf in the present stage of the proceedings. If the Petitioner is dissatisfied with the order passed by the Acting Head Assistant Magistrate his proper course is to appeal therefrom to the Magistrate or Sessions Judge.-

3 The Sessions Judge should have intimated this to the Petitioner before forwarding his Petition to the Foujdaree Adalut.-

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

13th April 1854

Sessions Judge of Chittoor for communication to Petitioners.

/Sent in No/

Read Miscellaneous Petition presented on the 3d April 1854 by T. Cornelius and another of the Zillah of Cuddapah.

Mr T. La Strange (Here Enter T. M. P. No 68 of 1854)

1 The Petitioners state that hearing that warrants had been issued for their apprehension on a charge of Robbery they have fled from their Cutcherry from a fear they entertain of being subjected by the Native Police authorities to tortures such as have been endured by their relatives when examined by the said Police authorities.-

2. Petitioners pray the Court of Foujdaree Adalut to issue such orders as will ensure their being examined by the Magistrate of Malabar or by some of his European subordinates.-

3 The Court of Foujdaree Adalut do not consider that there is any necessity for them to issue any such

No 116.
13th April 1854

such orders as are prayed for in this Petition.-

4 The Petitioners if their tale be true should present themselves to the Magistrate and make their representations to him.-

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

Ordered also that a copy of the above Petition and Extract from these Proceedings be sent to the Magistrate of Malabar for his information and guidance.-

/Sent in No/

Read Miscellaneous Petition from C. Anundaroydoo and others forwarded by the Sessions Judge of Rajahmundry.-

/Here Enter T. M. P. No 70 of 1854/

Mr T. L. Strange

The Court of Foujdaree Adalut see no grounds for their interference in the matter to which this Petition refers. Petitioners would seem to have been convicted of assault

on

on the evidence of eye witnesses whose
testimony the Magistrate and the Sp
Judge have concurred in accepting.
2
This petition is dismissed
Ordered, that Cutcherry
these Proceedings be forwarded to the
Session Judge of Rajahmundry for com
-munication to Petitioners.
(Sent in &c.

Read Miscellaneous Petition
presented on the 27th March 1854 by Chin
-tumby Mudaly of Zillah Chittoor.
(Mr. T. L. Strange.) (Here enter F. M. P. No 59 of 1854)

The Court of Foujdaree Ud
but see no ground for departing from
their order of the 7th December 1853.
2
Petitioner has been guilty of
offensive remarks in this petition. The
the Court of Foujdaree Udalut are
willing to ascribe to his ignorance but
he is warned that a repetition of such
offence will entail punishment upon
him.

Ordered, that Cutcherry
these Proceedings be granted to the Pe-
titioner on his application.

& that

F. U.

Friday
14th April 1854 } At a Court of the Foujdaree Udalut

Present.

W. A. Morehead Esquire
T. L. Strange Esquire } Puisne Judges.

Read letter dated 3d Instant
from the Acting Session Judge of Masulipatam
submitting for the final judgment
of the Foujdaree Udalut the record of
Case No. 31 of 1854, of the Calendar of the
Session Court.

Here enter F. U. No. 872 of 1854

Mr. W. A. Morehead
and
Mr. T. L. Strange

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 Chennoo Sahib
2nd Manderranze Ramiah
and
3d Vanseegalah Cammayah

are

must convicted on presumptive pro
or on the evidence of Credible witne
on their own Confession of the Crime Cha
do acquit them thereof; and direct th
they be set at Liberty.

(Session No.)

Read Calendar of Ca
of 1854, submitted by the Sessions
of Nellore under date the 3d Instant

(Here enter F. Ol. No. 830 of 1854)

Read Criminal (Repo
dated 1st Ultimo, submitted by the Acti
Judge of Salem, for the Month of Febr
1854.

(Here enter F. Ol. No. 832 of 1854.)

Read Statement dated 1st
January 1854, submitted by the Sessions
Judge of Salem of Butter paid to Prose
and witnesses attending before his Court
during the 2nd half of 1853.

(Here enter F. Ol. No. 833 of 1854)

Read Report dated 5th Instant
submitted by the Sessions Judge of Cuddapah
of Cases pending on the 28th February and
committed for trial during the Month
of March 1854, which remained on the
file of his Court for more than 25 days.

(Here Enter F. Ol. No. 829 of 1854)

Read letter dated 1st Instant
submitted by the Acting Sessions Judge
reporting
of Tinnevelly that the sentence of death
passed on the prisoner in Sessions Case
No 4 of 1854 was carried into execution
on the 1st April 1854.

(Here enter F. Ol. No 831 of 1854.)

Read Calendar of Case
No 59 of 1854, submitted by the Sessions
Judge of Bellary, under date the 4th
Instant.

(Here Enter F. Ol. No. 831 of 1854.)

Read Convict Labor report
dated 5th Instant, submitted by the
Sessions

11th April 1854

Sessions Judge of Mahara for the M
of February 1854.

(Here enter F. No. N° 337 of 1854

Read Extract from
Proceedings of the Sessions Court of
under date the 7th Instant, receiving
Cases Nos 24 and 25 of 1854 on the file
Court.

(Here enter F. No. N° 361 of 1854)

Rs 18/2.

F. No.

Tuesday,
18th April, 1854.

At a Court of the Foujdaree Adalut

Present—

G. S. Cooper, Esquire—
W. A. Morehead, Esquire. } Puisne Judges
T. L. Strange, Esquire—

Read again Miscellaneous
Petition forwarded by the Sessions
Judge of Mangalore from Thristnaya
prisoner in Case No. 31 of 1853 on
the Calendar of the Session Court.

(Here Enter F. No. P. No. 173 of 1853)—

Read again also return
under date the 7th January 1854 from
the Session Judge of Mangalore, to
the precept of the Foujdaree Adalut
dated the 22d December 1853, calling
for further information in regard
to the conviction of the prisoner
in the foregoing case.—

(Here Enter F. No. No. 106 of 1854)—

Read

Read again also the letter
under date the 27th February 1854
the Sessions Judge of Mangalore
the precept of the Foujdaree Ad
dated the 26th January 1854, direc
ing the Sessions Judge to state
then the fact of the Manage
Defendants having received a bri
of Rupees 100 from Ranga Bal
had been so published. —

//Here Enter F. No. 591 of 1854//

Read also return and
date the 31st March 1854 from the
Sessions Judge of Mangalore, to
precept of the Foujdaree Adalut
dated the 23d March 1854, directing
the release on bail of Krishna
prisoner in Case No. 31 of 1853, on
Calendar of the Sessions Court.

//Here Enter F. No. 831 of 1854//

The Court of Foujd
Adalut resolve to direct that a
English Translation of the recor
of Case No. 31 of 1853 be submitted

for their consideration, and that the
sentence be suspended until the re-
=ceipt of the final orders of the
Foujdaree Adalut. —

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

Sent following Precept No. 1 —

Read letter dated the
31st December 1853 from the Sessions
Judge of Calicut, referring for
the final Judgment of the Foujdaree
Adalut, the Record of Case No. 66
of 1853 of the Calendar of the
Sessions Court. —

//Here Enter F. No. 884 of 1854//

Mr. W. A. Morehead.
and
Mr. J. L. Strange.

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,

18th April, 1854.

2nd Colly Kaul Iyarambil Mamu

and

1st Colly Kaul Iyarambil Koyden

is sufficient to convict them of the crime of Harbouring Murderers, to convict them thereof, and sentence them to be imprisoned and kept to hard Labor in irons on the public roads or other public works and during the period of (2) two years.

/Sent in Sc. /-

Read Criminal Reports submitted by the Agent to the Govt of Fort St George at Tellicherry for the month of January 1854.

/Here Enter F No. 669 of 1854/-

The Court of Tanjore

Udalut desire to be informed Upon what grounds so large a number of the prisoners in the Jail are granted the maximum allowance of Grain

Ordered, that Extract from these Proceedings be sent to the

F No.

18th April, 1854.

the Agent to the Governor of Fort St. George at Tellicherry for his information, by Precept returnable in III days from and after its receipt.

/Sent following Precept No. /-

Read Calendar of Case No. 56 of 1854 on the file of the Sessions Court of Bellary.-

/Here Enter F No. No. 807 of 1854/-

The Court of Tanjore

1.

Udalut see reason to question the sufficiency of the grounds upon which the Sessions Judge has pronounced the commitment of this case unwarranted by the evidence, and they direct that a translation of the Police proceedings be submitted for their consideration.-

It is not stated in the

2.

Calendar under what circumstances the prisoner was apprehended by the Police.-

Ordered, that Extract from these Proceedings be sent to the

the Sessions Judge of Bellary by
precept returnable within X days
from and after its receipt.—
/Sent following Precept No /—

Read letter under date
the 27th March 1854 from the Sessions
Judge of Nellore.—
/Here Enter Fdc. No. 785 of 1854/—

1.

In the foregoing letter
the Sessions Judge has submitted for
the opinion of the Court of Foujdaree
Udalut the question whether cases
of bribery punishable under Clause
Second Section XVII Regulation IX of
1822, are adjudicable by the Magis-
tracy under the extended powers
vested in them, by Section LIV Act
VII of 1843.

2.

The Court of Foujdaree
Udalut observe that Section LIV Act
VII of 1843, merely extends the powers
vested in the Magistracy by Regu-
lation IX of 1816, and does not in-
vest them with any new powers.

The

3.

The Court of Foujdaree
Udalut are therefore of opinion that
the Magistracy are not competent
to deal with cases punishable under
Section XVII Regulation IX of 1822.—

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

/Sent in No /—

Read letter under date
the 4th April 1854 from the Agent
to the Governor of Fort St. George
at Vizagapatam, submitting for the
final judgment of the Foujdaree
Udalut a report of the trial of
Criminal Case No. 4 of 1854 and
his file.—

/Here Enter Fdc. No. 867 of 1854/—

The Court of Foujdaree
Udalut concurring in the conviction
of the Prisoner,

Coonjunghy Appayah.

of the crime of Arson laid to
his

18th April, 1854.

his charge, requiring to confirm the sentence proposed to be passed upon him, of (5) five years' imprisonment with hard labor in irons, under Clause Seventh Section II Regulation XV of 1803.—

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

Sent in No. /—

Read Miscellaneous Petition presented on the 5th January 1854 by Dewaunee Pillay of Tellah Tinnevelly

Mr. W. A. Maclean

Mr. T. Le. Strange and

Vide Entry F. M. P. No. 4 of 1854/.

The Petitioner appeals from an order passed by the Sessions Judge of Tinnevelly under date the 13th September 1853, imposing upon him under the provisions of Section VII. Regulation XIII of 1832, a fine of Rupees 50, commutable to Imprisonment for one month for having in a Petition presented by him to

to the Sessions Court, cast grossly aspersions upon the Principal Sudder Ameen, with reference to the proceedings of that Officer in Criminal Case No. 61 of 1853, in which the Petitioner was 1st prosecutor.—

2. The prisoners in the case in question were charged with having obstructed the prosecutors and others, in destraining the property of a defaulting tenant, and with having severely assaulted them.—

3. The Principal Sudder Ameen having acquitted and released the prisoners, the Petitioner presented to the Sessions Court the Petition which led to his being fined, and in which he charged the Principal Sudder Ameen, with having omitted to examine the Police proceedings in the case, or to inspect the wounds received by him the Petitioner, in the assault charged by him, and the marks of which he avers were still visible

on

on his person; further that the Principal Sudder Ameen on the trial showed him and his witnesses, caused them to be punished about by Peons, menaced them with a rattan, and threatened to commit them to Jail, that he fined one of the witnesses 10 Rupees and corrected and intimidated the depositions recorded on the trial with the view of making them appear contradictory.—

4. The Principal Sudder Ameen having been called upon by the Sessions Judge for explanation, admitted the Petitioner's allegations, excepting as regards the alleged fine which he stated had been imposed for Sessions preservation, and the Sessions Judge observing that the sentence showed that the Police proceedings were examined, that the depositions contained no intimation of any importance whatever, and that the Principal Sudder Ameen had shown substantial

substantial grounds for acquitting the prisoners, imposed upon the Petitioner the fine which he now seeks to have remitted.—

The Petitioner in his
5. Petition to the Court reiterates the assertions made by him in that addressed by him to the Sessions Judge.—

On perusal of this
6. Petition and of the orders presented therewith, the Court of Foujdaree Udalut are of opinion that the Petitioner's appeal to the Sessions Judge has not been satisfactorily disposed of, and that the sentence passed by the Principal Sudder Ameen in the case referred to acquitting the prisoners therein charged is not based upon conclusive grounds.—

The Court accordingly
7. resolve to direct the Acting Sessions Judge to look carefully into the proceedings

proceedings held on the said charge
so as to satisfy himself whether or
not the accused should have been
committed to the Sessions Court for
trial, or punished in the Criminal
Court, keeping in view the broad
facts whether such a riot took place
involving personal injury to the per-
sons, whether the accused were
immediately denounced. whether
grounds exist for considering that
innocent parties were accused of the
offence through any printing malice
and what the salient statements
of the accused may have been, it
being obvious that discrepancies such
as are noticed by the Principal
Sudder Ameen in his sentence might
occur in reference to a case of this
nature, where accurate observation
of details would be difficult, and
the evidence be nevertheless substan-
tially true.

8. The Court of Foujdaree
Adalut

Adalut further direct that the
Acting Sessions Judge will hold such
enquiry as may be practicable into
the truth of the charges preferred
by Petitioner against the Principal
Sudder Ameen as to the treatment
he and his witnesses met with
before him, and also ascertain,
after hearing what Petitioner has to
say on the subject, whether the
Principal Sudder Ameen has been
justified in the statement he has
made as to the Petitioner's character.

The Acting Sessions Judge

9. will give the Principal Sudder
Ameen the opportunity of meeting
the said charges when under
inquiry, and will report his
opinion upon the whole matter
to the Court of Foujdaree Adalut.

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

guidance by precept returnable within
XV days from and after its receipt.
Sent following Precept No. /-

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

Read Calendar of Cases
No. 6 of 1854, submitted by the Sessions
Judge of Salem under date the 6th
Instant.-

/Here Enter Fl/c. No. 866 of 1854/-

Read return dated the
8th April 1854 from the Acting Sessions
Judge of Combaconum, to the precept
of the Foujdaree Adalut under date
the 5th idem, directing that the Pri-
soners in Case No. 47 of 1853 on the
Calendar of the Sessions Court, be
unconditionally released, as the punish-
ment they have already undergone, is
sufficient for the amount of Criminal-
lity involved in the offence committed
by them.-

/Here Enter Fl/c. No. 873 of 1854/-

Read

Read letter dated the 5th
Instant from the Sessions Judge of
Mangalore, forwarding the warrant
issued for the execution of Ambady
Prisoner in Case No. 4 of 1854, on the
Calendar, and copy of the Report
made by the Subordinate Judge cer-
tifying due execution of the sentence.
/Here Enter Fl/c. No. 874 of 1854/-

Read Calendar of Case
No. 9 of 1854, submitted by the Acting
Sessions Judge of Tinnevelly under
date the 5th Instant.-
/Here Enter Fl/c. No. 875 of 1854/-

Read Calendar dated the
3rd Instant submitted by the Acting
Agent to the Governor of Fort St.
George at Ganjam, of a Prisoner
committed for trial before him.-
/Here Enter Fl/c. No. 877 of 1854/-

Read Calendar of Case
No. 4 of 1854, submitted by the
Sessions Judge of Cuddapah under
date

date the 8th Instant.

/Here enter F.R.C. No. 881 of 1854/-

Read Statement dated the 7th Instant submitted by the Sessions Judge of Mangalore, of Convict labor for the 1st Quarter of 1854.-

/Here enter F.R.C. No. 885 of 1854/-

Read Calendar of Case No. 30 of 1854 submitted by the Acting Sessions Judge of Masulipatam under date the 8th Instant.-

/Here enter F.R.C. No. 889 of 1854/-

Read Letter dated the 10th Instant from the Sessions Judge of Madura, forwarding copy of a letter from the Acting Subordinate Judge of Palamcottah, stating that 3 Prisoners only - not 84, received the maximum allowance - with reference to the Proceedings of the Tongadarce Adalut dated the 31st March 1854.-

/Here enter F.R.C. No. 891 of 1854/-

Read Letter dated the 8th Instant

Instant from the Sessions Judge of Chicacole informing that as no articles were manufactured by the Prisoners in the Jail under his charge during the 1st Quarter of 1854, the statement to that effect is not sent.-

/Here enter F.R.C. No. 893 of 1854/-

Read return dated the 12th Instant from the Sessions Judge of Cuddapah, to the precept of the Tongadarce Adalut under date the 7th idem, cancelling the requisitions of security under which the Prisoners in Case No. 51 of the Calendar for 1853 have been placed, and directing their unconditional release.-

/Here enter F.R.C. No. 896 of 1854/-

Read Calendar of Case No. 5 of 1854 submitted by the Sessions Judge of Cuddapah under date the 12th Instant.-

/Here enter F.R.C. No. 898 of 1854/-

Ex. 18th

F. 16.

Wednesday 19th April 1854. } At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Report of Cases pending on the 1st April 1854 committed for trial during the months of February 1854 before the Session Court of Cuddalore

(Here enter F. 16. N.8 to 6 of 1854)

Cases Nos 7-8-9-10.-

The Court of Foujdaree Udalut consider the delay that has taken place in passing sentence in these cases very objectionable.

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

(Sent in No)

Read

19th April 1854

Read Criminal Repo
for the Months of February 1854 submi
by the Sessions Judge of Chingleput

Here enter F. Co. No 755 of 1854

Case to be by the Moofty Under Ameen.

In this Case the prison
charged with escaping while in Cust
of the Police on a charge of selling
to certain persons, has been submitted
the Moofty under Ameen to sixteen
imprisonment with hard labour

2 The Court of Foujdar
Adalut being of opinion that the
passed on this prisoner is unne
severe resolve to direct the Se
Judge to remand the case with a
to his reducing the sentence pa
thereon.

Ordered that Co
from these Proceedings be sent
the Sessions Judge of Chingleput
his information

(Sent on No)

19th April 1854

Read Return from the
Session Judge of Salem to the Precept
of the Foujdaree Adalut directing the
Session Judge to call upon the Magistrate
of Salem to submit the grounds on
which he deemed it necessary to
introduce the maximum rate of diet
into the Jail under his charge.

(Here enter F. Co. No 859 of 1854)

The Court of Foujdaree
Adalut after duly considering the ex-
planation of the Magistrate of Salem
which accompanied the above return,
resolve to inform that officer, that
this Court consider the ordinary rate
of rice allowed to the prisoners su
sufficient, and that it has been
found to be so in all the other Jails.

2. Under these circumstances
the Court of Foujdaree Adalut direct the
Magistrate to discontinue the maximum
rate.

The

19th April 1834

3. The Court of Fouj[dar]ee
Udalut further direct that the Sub
-ordinate Judge will also discontinue
[illegible] practice, which he appears
have allowed the prisoners under
charge, in consequence of the said
having been allowed by the Mag
of Salem to the prisoners in his

Ordered that Extract
these proceedings be sent to the
Judge of Salem for communica
to the Subordinate Judge and
Magistrate, for their information
guidance.

(Sent in Ms)

Read again Mirza
Petition presented on the 13th Febr
by Cazee Mahomed, late [illegible]

(Here enter Sr. K. No. P. Vol [illegible]

Read also Return
the 10th April 1834, from the Subord
Criminal Judge of Cuddapah, to the

19th April 1834

of the Fouj[dar]ee Udalut dated the 3d April
1834, forwarding the above petition and
calling for a report on the truth of the
allegation contained therein.

(Here enter F. Cl. No 8970 of 1834)

Mr. W. A. Morehead and Mr. T. L. Strange 1. In the above return the Subordinate Judge confirms the statement made by the Petitioner that he was dis-missed from his situation as Jail [illegible] at Cuddapah in consequence of neglect of duty on the part of his substitute, he himself being at the time away on leave. The Subordinate Judge further explains that it is customary to make the principals responsible for the faults committed by their substitutes especially if the substitute is the principal's nomine

2 The Court of Sudr and Fouj[dar]ee Udalut consider this rule would be most unjust and unreasonable in as much as it makes one man answer-able for another's conduct, which a variety

of

of Circumstances not to be foreseen or
may influence. Under no Circumstance
substitute be considered the prisoner
be law nothing more than permanent
person should be allowed to put for
3.
The Constant of the bill
rely is entirely the act of the officer in
of the Jail, whose duty it is to satisfy
of the respectability and fitness of the
he appoints.
4.
The Court therefore direct
that the Petitioner who has been guilty
no fault, be restored to his situation
Ordered that Extract
these Proceedings be sent to the Judge
Judge of Chingleput for his information
guidance.
(Sent in Sr)
Ordered also that Extract
these Proceedings be furnished to the
on his application.
Read Criminal Reports
15th Instant submitted by the Acting

Judge of Chingleput for the Months of
March 1834.
(Here enter Ft. No. No 908 of 1834)
Read Calendar of Case No 9 of 1834
submitted by the Sessions Judge of Salem under
date the 12th April 1834.
(Here enter Ft. No. No 915 of 1834)
Read Calendar of Cases No 16 & 21 of 1834
Submitted by the Sessions Judge of Nellore
under dates the 13th & 15th April 1834.
(Here enter Ft. No. No 916 & 917 of 1834)
Read Calendar of Case No 2 of
1834 submitted by the Sessions Judge of
Guntoor under date the 13th April 1834.
Here enter Ft. No. No 918 of 1834.

Ex
1809

Friday
21st April 1854.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read again Calendar of Causes Nos. 13 and 14 of 1854 on the file of the Acting Sessions Judge of Masulipatam.

(Here enter Ft. 116. No. 541 of 1854.)

Read again also Criminal Reports submitted by the Acting Sessions Judge of Masulipatam for the month of January 1854.

(Here enter Ft. 116. No. 553 of 1854.)

Read also return under date the 18th March 1854 from the Acting Sessions Judge of Masulipatam to the proceedings of the Foujdaree Udalut dated the 7th 11th and 13th March 1854 conveying the observations of the Court on the headings affixed to the statement

21st April 1854

statement of charges in certain cases tak
in the above reports and Calendars
(Here enter F. No. N.743 of 1854)

Circular 1 The Court of Tinjdaree
Udalut resolve to direct that in the
annual Criminal statements for the
present year a note be appended to
statement of Crimes showing how m
the Cases entered under the head of
by open violence, were Cases of pla
plunder of granaries caused by the
which has lately prevailed.

2 In statement No. 13 of the
that general statements shew Cases
be entered under the head of "Plunder
violence".

Ordered that Extracts
these Proceedings be sent to the
Sessions Judges for communication
the Magistrates.

(Sentence Nil)

21st April 1854

Read Calendar of Case No. 1
of 1854 on the file of the Sessions Court
of Chittoor.

(Here enter F. No. N. 828 of 1854)

In this case the Prisoner
charged with murder was convicted by
the Mahomedan Law Officer of manslaughter
on strong presumptive proof, and declared
liable to Tazeer or discretionary punishment
on account of the prisoner being insane.

The Case has been referred.

2 to the Court of Tinjdaree Udalut by
the Sessions Judge under Section VI Regu-
lation XV of 1803.

3 The Court of Tinjdaree
Udalut resolve to call upon the Sessions
Judge under what circumstances
he considered this Case referrible under
the Regulation above quoted.

Ordered that Extracts from
these Proceedings be sent to the Sessions
Judge of Chittoor by Precept returnable
within

21th April 1854.

within 5 days from and after its receipt.

(Sent following Transfer No)

Read Criminal Report

for the Months of February 1854 submitted

by the Government Agent at Rurnool.

(Here enter Fl. No. 850 of 1854)

Case No 24 of 1853. 1 The Prisoners in this Case

with murder were apprehended, and

to the Agency for trial, the 1st prisoner

the 1st from the 2d on the 6th October 1853.

2 The Court of Foujdaree

observe, that these prisoners are detained

being still under examination but that

explanation is given as to the cause of

a delay in the passing of this Case

3 Under these circumstances

of Foujdaree Adalut resolve to call upon the

to submit without further delay the Proc

in this Case.

Ordered that Extract from

Proceedings be sent to the Government of Fort

by Transport returnable within 5 days from

its receipt.

(Sent following Proceedings

Read Calendar of Cases

of the Sessions Court of Bellary

21th April 1854.

The Court of Foujdaree Adalut

approve of the recommendation made by the

Sessions Judge in this Case that the impr

sonment; which the Prisoners noted in the

margin have been adjudged to suffer on

their conviction of the Crime of Highway Robbery

be reduced to (5) five years imprisonment

with hard labor in irons, and they do authoriz

the Sessions Judge to issue his warrant

accordingly.

1st Colagalu
2d Bungee Kobah
3d Thadoogoodae Hunmah
4th Potla Bheemah
5th Gidd Nulladdee Bheemah and

Ordered that Extract from

these Proceedings be forwarded to the Sessions

Judge of Bellary for his information.

(Sent in No)

Read Letter under date the 6th

Instant from the Sessions Judge of Madura,

pointing out certain errors in the wording

of the Extract from the Proceedings of the

Court of Foujdaree Adalut dated the 27th

March 1854, in the matter of the charge

which formed the subject of trial in

Case No 8 of 1854 on the Calendar of the Sessions

Court.

(Here enter Fl. No. 1863 of 1854)

The

The Court of Enquiry Book
direct that the Contract from their Proceed
referred to be executed in the manner in
-cted by the Sessions Judge.

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

(Sent in No)

Read Calendar of Cases
of 1854, of the Sessions Court of Bellary

(Here enter Fdc. No 797 of 1854)

The Court of Enquiry
being of opinion that the mitigated
sentence of 18 months imprisonment
passed to be passed upon the Prisoner
this Case is inadequate for the offence
of which he has been convicted, resolved
to direct that a sentence of 2 years
imprisonment with hard labor in irons
be passed upon him; and the Sessions Judge
will if pass this warrant according to

Ordered that Extract from
these Proceedings be sent to the Sessions

of Bellary for his information.

(Sent in No)

The record of trial in
referred Case No 30 of 1853, on the file
of the Sessions Court of Cuddapah not
having been yet received, though it was
called for on the 22nd March last

Ordered that the Sessions
Judge of Cuddapah be required to submit
the record aforesaid without further delay.

(Sent in No)

Ed & Hon

Saturday 22nd April 1854 } At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

No final return having been received from the Session Judge of Chittoor to the precept of the Foujdaree Udalut under date the 13th February last, directing the submission of an English translation of the Record of Case No 3 of 1853, on the Calendar of the Sessions Court.

Ordered, that the Sessions Judge of Chittoor be required to make a final return to the precept aforesaid without delay.

(Seal in Mr)

Read Miscellaneous Petition presented on the 30th March 1854, by Mannapa Nayaker, zillah Cuddalore.

(Hereunto F. M. P. No 63 of 1854.)

Petitioner

22nd April 1854

W. S. Hooper

Petitioner who was formerly a Sergeant in the Zillah Gaol of Cuddalore states, that he about a year ago had allowed one of a party of Convicts under his charge to go to a little distance from the charge of a Peon, for the purpose of drinking water, a complaint was on the following day made to the Magistrate by the villagers, that the prisoner in question had been allowed to go to the house of a relation to take some food that the Magistrate having so written to the Sessions Judge; Petitioner was unjustly deprived of his situation.

2. He produces a copy of Proceedings of the Sessions Court of under date the 2nd March 1854 whereby the Sessions Judge saw no reason to alter the order for Petitioner's dismissal prays that the Court of Sunjdaree will be pleased to restore him to his situation. —

22nd April 1854.

The Court of Sunjdaree Udalut see no reason to interfere in the matter of this petition.

Ordered that the Petition be rejected.

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

Read Miscellaneous Petition of Mookeya Pravan Bhut, received on 3rd April 1854 from the Sessions Judge of Zillah Mangalore.

(Here enter Fitto. P. No. 71 of 1854.)

W. S. Hooper 1. Petitioner the 1st Prisoner in Case No. 27 of 1853 on the Calendar of the Sessions Court of Mangalore, was on Conviction of Robbery by open violence, sentenced to 14 years imprisonment with labor and irons, and in his Petition he prays the Court of Sunjdaree Udalut in consideration of the Circumstances therein stated, to remit the sentence that has been passed against him.

The

22nd April 1854

9 The Court of Poujdaree
Udalut see no reason to question the j
of the sentence passed by the Se
Judge on the Petitioners in the case
question, and accordingly reject the
this petition be rejected.

Ordered that Extract
these Proceedings be forwarded to the
Judge of Mangalore for communi
to the Petitioner.

(Sent in No)

Dr 186

F. U.

Monday
24th April 1854. } At a Court of the Poujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read Calendar of Case
No 48 of 1853 of the Lepsion Court of
Cuddalore.

/Here Enter F. U. No 689 of 1854/

The Court of Poujdaree
Udalut direct that the Prisoner in this
case be confined in the Gaol at Chingleput
for the period for which he has been sentenced
by the Lepsion Judge.

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

/Sent in No /

Ordered also, that Extract from
these Proceedings be forwarded to the Lepsion
Judge of Chingleput for his information.

/Sent in No /

Read

24th April 1854.

Read Report of cases
pending on the 31st March 1854 before the
Session Court of Chittoor for a period
in excess of 25 days from the date of
commitment.

/Here enter F.R. No. 827 of 1854/

The Court of Foujdaree
Adalut resolve to direct that the Sessi
Judge will dispose of the cases contain
in the above Report with as little delay
as possible.

Ordered that Extract from
these proceedings be sent to the Sessi
Judge of Chittoor for his information
guidance.

/Sent in No./

Read Calendar of Cas
No. 58 of 1854 of the Session Court of Ch

/Here Enter F.R. No. 853 of 1854/

1. The Court of Foujdaree
Adalut approve of the recommendation
made by the Session Judge in the case
that the punishment which the Prisoner

24th April 1854.

1st Boomadoo
2d Bheemadoo
3d Cavalagah
4th Boollah
5th Hoonoonah
6th Theyeyah
7th Chimdoogah
8th Chimniah
9th Meeya Mara
10th Pullagah
11th Errapah
12th Goodatti Chimnapah
14th Palayah
17th Thoomtee Penna, and
18th Bheemah.

noted in the margin have been adjudged
to suffer on their conviction of the crime
of House breaking with theft, be reduced
to (6) Six months imprisonment with
hard labor in irons; and they do autho-
-rize the Session Judge to issue
his Warrant accordingly.

2. The Court of Foujdaree
Adalut observe that the commitment of
this Case to the Session Court was
unnecessary, the value of the property
stolen being within the amount specified
in Clause 2d Section II Regulation VI of
1822, and the case therefore being fully
cognizable by the Subordinate Judge.

Ordered, that Extract from
these Proceedings be forwarded to the
Session Judge of Bellary for his infor-
-mation.

/Sent in No./

Read Calendar of Case
No. 13 of 1854 of the Session Court of
Chittoor.

/Here Enter F.R. No. 911 of 1854/

The

24th April 1854.

The Court of Tonjadaree Adalut

approve of the recommendation made by the

Tondah Jamal

Session Judge in this case, that the imprison-
ment, which the prisoner noted in the marg-
has been adjudged to suffer on his conviction
of the Crime of Housebreaking by night
and theft, be reduced to (2) Two years
imprisonment with hard labor in irons, and
do therefore the Session Judge to issue his
warrant accordingly-

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

/ Sent in No /

Read Calendar of Case No 9
of 1854 of the Session Court of Chittoor.

(Here enter D.R. No 912)

The Court of Tonjadaree Adal
approve of the recommendation made by the
Session Judge in this case that
the imprisonment which the
Prisoners noted in the margin
have been adjudged to suffer
on their conviction of the Crime
of House breaking by night
and theft, be reduced to Two years
imprisonment

1st Comatee Veeravawmy
2d Maula Vuaataramyadoo
3d Maula Goorovadoo, &
4th Comettee Vuaataroyadoo
alias Vengeretty

24th April 1854.

imprisonment with hard labor in irons, and
they do authorize the Session Judge to
issue his warrant accordingly.

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

/ Sent in No /

Read Calendar of Case No 63
of 1854 of the Session Court of Bellary.

/ Here Enter D.R. No 922 of 1854 /

The Court of Tonjadaree

1st Erozgandoo.
2d Nagappah
and 3d Suthree-
gadoo-

Adalut approve of the recommendation
made by the Session Judge in this case,
that the imprisonment which the Prisoners
noted in the margin have been adjudged to
suffer on their conviction of the Crime of
Robbery, be reduced to (1) one years
imprisonment with hard labor in irons,
and they do authorize the Session Judge
to issue his warrant accordingly-

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

/ Sent in No /

Read Miscellaneous Petition
presented on the 27th March 1854 by

Lutchmee

24th April 1854

Lutchmee Ammaul of the village of Tuckmo-
-poly.

/Here Enter F. M. P. No. 58 of 1854/

Read also Calendar of Case
No. XVI of 1853 on the file of the Sessions
Court of Tuckmopoly.

/Here Enter F. M. No. 203 of 1853/

Wm A. Morehead With reference to the
above petition the Court of Foujdaree
Udalut resolve to call for English so
translation of so much of the record in
cases Nos. 16 and 17 of 1853 on the file of
the Sessions Court of Tuckmopoly, as
affects the Prisoner Lingasetty.

Ordered, that Extract from
these proceedings be sent to the Sessions
Court of Tuckmopoly by precept returnable
in X days from and after its receipt.

/Sent following Precept No /

Jr
R.D.

Tuesday
25th April 1854

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read Calendar of Case No. 5 of 1854 on
the file of the Sessions Court of Chittoor.

(Here enter F. U. No. 220/1854)

The Court of Foujdaree Udalut are of
opinion that sufficient grounds have not been
shewn for the requisition of security under which
the Prisoner in this case has been placed and
they direct that it be cancelled accordingly.

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

/Sent in No /

Read Report of cases pending
on the 31st March for upwards of 25 days
before the Sessions Court of Tellicherry.

/Here enter F. U. No. 245/1854/

Case No. 17 of 1853. The Court of Foujdaree Uda-
-lut regret to observe that a delay of upwards
of

24th April 1854

Lutchmee Ammaul of the zillah of Tinnevelly.

/Here Enter F. M. P. No 58 of 1854/

Read also Calendar of Case No. XVI of 1853 on the file of the Sessions Court of Tinnevelly.

/Here Enter F. M. No 203 of 1853/

Mr W. A. Morehead

With reference to the above petition the Court of Foujdaree Udalut resolve to call for English translation of so much of the records in cases Nos 16 and 17 of 1853 on the file of the Sessions Court of Tinnevelly, as affects the Prisoner Lingasetty.

Ordered, that Extract from these proceedings be sent to the Sessions Court of Tinnevelly by precept returnable in X days from and after its receipt.

/Sent following Precept No/

Dr 1854

Tuesday
25th April 1854

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read Calendar of Case No 5 of 1854 on the file of the Sessions Court of Chittoor.

(Here enter F. U. No 820/1854)

The Court of Foujdaree Udalut are of opinion that sufficient grounds have not been shewn for the requisition of security under which the Prisoner in this case has been placed; and they direct that it be cancelled accordingly.

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

/Sent in No /

Read Report of cases pending on the 31st March for upwards of 25 days before the Sessions Court of Tellicherry.

/Here enter F. U. No 846/1854/

Case No 17 of 1853.

The Court of Foujdaree Udalut regret to observe that a delay of upwards of

25th April 1854.

of three months has occurred in the prepa-
-tion of the record of this case, the trial h-
-ing been closed on the 20th December la
and the record not yet forwarded to the
Court.

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

/Sent in No /

Read Calendar of Cases
of 1854 of the Sessions Court of Salem

/Here enter F. C. No. 912/1854/

The Court of Foujdaree Ada
approve of the recommendation made by
the Sessions Judge in this case that the
imprisonment which the x Prisoners noted
the margin have been adjudged to suffer
their conviction of the crime of Highway
Robbery be reduced to 5/ five years' im
-prisonment with hard labor in irons
and they do authorize the Sessions Judge
to issue his warrant accordingly.

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

/Sent in No /

x
1st Cora Gonjum,
2nd Cora Daisem, and
3rd Cora Rammen

25th April 1854.

Read return from the Sessions
Judge of Rajahmundry to the Precept of
the Foujdaree Adalut under date the 31st
March 1854 directing the Sessions Judge to
submit his proceedings of 3rd March 1854
connected with case No. 14 of 1854 on the
file of the Moofty Sudr Ameen.

/Here enter F. C. No. 864 of 1854./

1 Upon a consideration of
these Proceedings the Court of Foujdaree
Adalut are of opinion that the acquittal
of the Prisoner in the above case by the
Moofty Sudr Ameen was correct.

2 No witnesses deposed to
having seen the Prisoner inflict the wounds
on the Prosecutrix, the wounds themselves
were very slight, and such as would na-
-turally result from a scuffle such as
that by the Prisoner to have taken place

Ordered that Extract from
these Proceedings be sent to the Sessions
Judge of Rajahmundry for his informa-
-tion and guidance.

/Sent in No /

Read again Calendar of Cases
No.

25th April 1854.

No. 22 of 1854 on the file of the Sessions Court of Masulipatam

(Here enter F. Uc. No. 670/1854)

Reads Return from the Sessions Judge of Masulipatam to the Precipt of the Foujdaree Udalut directing the submission of an English Translation of the record in Case No. 22 of 1854 on the file of the Sessions Court.

(Henter Fle L. 902 of 1854)

1 The Prisoners in this case were charged with robbery by open violence and the 2nd Prisoner was further charged with having been found in possession of a cloth valued at 12 Annas knowing the same to have been stolen.

2 The Assessors acquitted both Prisoners of the crime of Robbery and convicted the 2nd Prisoner of being in possession of a stolen cloth identified as belonging to the 2nd Prosecutor knowing the same to have been stolen.

3 The Acting Sessions Judge concurred in this acquittal of the Prisoner but forwarded him to the Magistrate in order that he might be held to security for his good behaviour after due enquiry as to his ostensible means of livelihood.

4 The Acting Sessions Judge, concurring also in the conviction of the 2nd Prisoner, sentenced him to three years' imprisonment with hard labor in irons.

5 Upon a perusal of the record in this case, the Court of Foujdaree Udalut concur with the Sessions Judge in the conviction of the 2nd Prisoner, but they consider that a sentence of 2 years' imprisonment with hard labor in irons will be a sufficient punishment, and therefore resolve to direct the Sessions Judge to amend his warrant accordingly.

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

(Sent in No.)

Read letter dated 17th April 1854

25th April 1854.

1854 from the Sessions Judge of Ello
submitting for the final judgment of
the Foujdaree Adalut the records of
No 11 of 1854 of the Calendar of
Sessions Court.

(We are under No 941 of 1854)

W. G. S. Hooper

The Court of Foujdaree
but on a deliberate consideration
the circumstances of the case as
before them being of opinion that
proof against the Prisoners
1st Alla Chenchu
and
4th Pottella Gopala
is sufficient to convict them of the
charged, do convict them therefo
-tence the prisoner
1st Alla Chenchu
to be imprisoned and kept to
in irons on the public roads or
-lic works for and during the
(10) ten years and the Pris
4th Pottella Gopala
to be imprisoned and kept
-bor in irons on the public

25th April 1854.

of (8) eight years.

But being of opinion that
the Prisoner
3rd Canala Chedaluri Vobudu
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 unconditionally released.

The Court of Foujdaree Adalut
consider that there are no sufficient reasons
for exempting the 4th Prisoner from hard labor
in irons during the period of his imprison-
-ment on account of his age which in the
depositions given before the Police and Crim-
-inal Courts is stated to be 40 years and
before the Sessions Court 50 years.

2 Should it appear to the Medical
Officer that the 4th Prisoner's health is such
as to render it expedient that he should
be relieved from hard labor in irons the
recommendation of that officer to this effect
will be sufficient to exempt him from la-
-bour unsuitable to his condition.

Ordered that Extracts from
these

12 April 1854.

These Proceedings be sent to the Sessions Judge of Tellare for his information and guidance

Sent in 4.

Wednesday. 26th. April 1864. } At a Court of the Foujdaree Udalut.

Present

G. L. Hooper Esquire
W. A. Morhead Esquire } Puisne Judges.
T. L. Strange Esquire

Read letter dated 12th. April 1854 from the Sessions Judge of Chicacole submitting for the final judgment of the Foujdaree Udalut the Record of Case on No. 3 of 1854 of the Calendar of the Session Court.—

(Here enter No. 949 of 1854.)

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

Mr. W. A. Morhead.

1st. Yerna Bassaudoo

3d. Curry Cunnegaudoo

4th. Moottaka Chena

Paupegaudoo

5th. Bommana Bommadoo

and

6th. Gooroo Cunnegaudoo

10

is sufficient to convict them of the crime of Assault, for
according to the Mahommedan Law as declared in future
their Law Officers, discretionary punishment is awardable
convict them thereof, and with reference to the provisions of
third Section VI Regulation XV of 1803, sentence them to be impri
and kept to hard labor in irons on the public roads or other
public works for and during the period of six months.

1.

In this case the prisoners 1st to 6th were
charged with assault. And the 1st 4th and 5th Prisoners were further
charged with having robbed the Prosecutor of property valued
at Rupees 90-8-

2.

The Mahommedan Law Officer convicts
the 1st 4th and 5th Prisoners of the robbery, and the 3d and 6th
Prisoners of having assisted them to commit it. But the Ses-
sion Judge for reasons stated in the above letter, being unable
to concur in their conviction has referred the matter for the
decision of this Court.—

3.

The Court of Foujdaree Udalut being of
opinion that the evidence to the charge of Robbery cannot
be relied on, resolve to acquit the 1st 4th and 5th Prisoners
(who alone are charged with robbery) of that part of the
charge.—

4.

There does not however appear to this Court
to be any reasonable grounds for rejecting the evidence against
the 1st 3d 4th 5th and 6th Prisoners of being concerned in the
assault on the Prosecutor and they accordingly convict them of
the same, and in consideration of their having already been in
confinement for some time past, do sentence them to six
months imprisonment with hard labor and irons.—

Ordered that Extract from these Proceed-
-ings be sent to the Session Judge of Chicacole for his
information.—

/ Sent in No. /

Read letter under date the 15th March
1854 from the Session Judge of Rajahmundry forwarding
English Translation of the record of Case No. 4 of 1854,
on the Calendar of the Session Court, for the final
judgment of the Court of Foujdaree Udalut.—

/ Here Enter F. C. No. 980 of 1854 /

Mr. T. L. Strange.

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 Vanama Lutchmoodoo

Vanama

2d Vanama Mootayalee

3d Chola Ka Raumoodee

and

5th Conta Corauze

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

1. The 1st and 2d prisoners in this case were charged with having at nine o'clock in the morning of the 12th November 1853 assaulted the 1st and 2d Prosecutors on the high road within the Tank of Iyagary Pottapilly and robbed them of property valued at Rupees 5-9-6. the 3d 4th 5th 6th 7th 8th 9th and 10th prisoners were charged with having been present aiding and abetting in the commission of the above offence.-

2 The 1st 2d 3d and 5th prisoners were further charged with having been found in possession of a portion of the plundered property with a guilty knowledge of the manner in which it had been obtained.-

3. The evidence was to the effect that the 1st and 2d prisoners were identified by the 1st prosecutor, and the 1st 2d and 9th prisoners by the 2d prosecutor at

at the time of the robbery, that the prisoners all confessed before the Police, that certain cloths belonging to the prosecutor were found in the possession of the 1st 2d 3d and 5th prisoners and that shortly before the robbery the 2d prisoner had borrowed a sword and Spear from the 2d witness.-

4. The Mahomedan Law Officer pronounced the evidence insufficient for the conviction of the 4th 6th 8th and 10th prisoners but convicted the 1st 2d 3d and 5th prisoners

5. The Session Judge considering the evidence untrustworthy directed the release of the 4th 6th 8th and 10th prisoners and has referred the trial as regards the 1st 2d 3d and 5th the 9th prisoner died before the close of the trial.-

6. In consideration of the record the Court of Foujdaree Udalut have concurred with the Session Judge in distrusting the evidence adduced.-

7. The prisoners were not arrested before any specific information and there is therefore nothing of a direct nature to corroborate the allegation of the prosecutor that they both identified two of them viz: the 1st and 2d and that the 2d prosecutor identified the 9th prisoner.-

8. The confessions before the Police are

open

open to much suspicion seeing that they were arre
on the 27th November and 1st December and not
amined till the 18th and 19th December; whilst the evide
es depose that they confessed when arrested. Had they
so confessed when arrested it is not to be believed th
so long a time would have been allowed to elapse
their statements were taken down in writing, and t
long interval that occurred before this was done gi
much support to the assertion of the prisoners that
they were subjected to ill usage to force them to co

9.

The articles found with the pris
are of a common description and are claimed b
them, and they do not correspond with the list of the
losses given by the 1st prosecutor when examine
before the arrest of the prisoners.

10.

The Court of Foujdaree Udalut
have therefore concurred in the acquittal of all the
prisoners in regard to whom the trial has been
referred, and have directed their unconditional rele

11.

The proceedings of the Sub. Office of
Police by whom the investigation of this case was
commenced were most dilatory. The 2d prosecu
was not examined by him until the 18th December
and the witnesses from 1 to 4 were the 18th 24th and 25th

J.

of the same month. The 5th witness tho' a mater
one was left by him unexamined.

12.

The Court of Foujdaree Udalut
direct that the circumstances of the case be brough
to the notice of the Magistrate in order that he m
hold an enquiry into the conduct of the Sub Office
of Police, the result of which he will be pleased
report to the Session Judge for the information
of the Foujdaree Udalut.

Ordered that Extract from these
Proceedings be forwarded to the Session Judge
of Rajahmundry for communication to the Ma
-gistrate by precept returnable within 15 days
from and after its receipt.

(Sent following precept No. 5

E. O'Neill

Thursday
27th April 1854

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read letter under date the 21st April 1854 from the Session Judge of Madura

/Here enter F. U. No. 995 of 1854./

Before sanctioning the admission as an approver of the prisoner referred to in the foregoing letter the Court of Foujdaree Udalut resolve to direct that the Session Judge will submit for their consideration an epitome of the evidence already forthcoming in the case and a translation of the statements made by the prisoner referred to.

Ordered that Extract from these Proceedings be sent to the Session Judge of Madura by precept returnable within II from and after its receipt.

/ Sent following precept No /

The

27th April 1854.

Circular

The Court of Sanjdarra Wakalat resolve to direct, that when prisoners under examination before the Subordinate Criminal Courts in cases committable to the Courts of Sessn plead guilty before the former tribunal, a detailed Statement of the circumstances under which the crime charged against them was committed, should be invariably taken from them and recorded as is done by the Magistracy and this a Statement of this nature being necessary to enable the higher Court to judge of the value of the confession in the event of its being retracted upon the trial before the Sessions Court.

(Sent in No)

Read Calendar of Case No 63 of 1854 of the Sessions Court of Bellary.

(Here Enter F. P. No 921 of 1854)

The Court of Sanjdarra Wakalat being of opinion, that the mitigated sentence of 2 years imprisonment proposed to be passed upon the Prisoner* in this case, is inadequate for the offence of which he has been convicted, direct that a sentence of (3) Three years imprisonment with hard labor in irons be passed upon him, and the Sessions Judge will issue his Warrant accordingly.

* Masood

Ordered

27th April 1854.

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

(Sent in No)

Read Extract dated 6th March 1854 from the Sessions Judge of Guntoor forwarding Calendars of the Magistracy for the 4th Quarter of 1853.

(Here Enter F. P. No. 626 of 1854.)

Read Letter dated 17th April 1854 from the Sessions Judge of Canara forwarding Criminal Reports of the Sessions Court for the of March last and stating that those of the Sub Assistants Courts at Sirsy have not yet been received and that that Officer has been called upon to forward the same.

(Here Enter P. P. No 668 of 1854)

Read Magistrates Report submitted by the Acting Sessions Judge of Chingleput under date the 19th April 1854 for the Months of March 1854

(Here Enter P. P. No 991 of 1854)

Read Extract dated 20th April 1854 from the Sessions Judge of Canara reviewing the Calendars of Petty Cases disposed of by

27th April 1854.

by the Magistracy of Canara during the 1st
Quarter of 1853

4th Thr M

(Hereunder F. No. 998 of 1854)

F. No.

Friday
28th April 1854 } At a Court of the Foujdary Adaulut

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read Criminal Report dated 14th April 1854 submitted by the Session Judge of Madura for the month of March 1854.

/Here enter F. No. 923 of 1854/

1. It appears from the convict labour Report submitted by the officer in charge of the Jail at Paumbum, that during the month under review, 48 Extra Peons were employed, the number of convicts confined in the Jail having been 149, of whom only 119 were worked outside the Jail.

2. The number of persons thus employed would seem to be considerably in excess of the prescribed number and requires explanation.

Ordered that Extract from these Proceedings be sent to the Session Judge of Madura for communication to the officer in charge of the Jail at Paumbum, by Precept returnable

within

within X days from and after its receipt.

/Sent following Extract/

Read Criminal Reports submitted by the Sessions Judge of Mangalore under date the 12th April 1854, for the month of March 1854.

/Here enter G.O. No. 924 of 1854/

Report B. Case No. 11.

1. The Prisoner in this Case was charged with having in company with a Prisoner in another Case and another individual not apprehended, assaulted the Prosecutor and the 1st witness with clubs, and thereby fractured the Collar bone and the large bone of the right leg of the Prosecutor, and caused a wound on the scalp of the 1st witness.

2. The Prisoner on conviction has been sentenced by the Subordinate Criminal Judge to three months' imprisonment with hard labor, and to pay a fine of Rs 15, commutable if not paid to a further period of the like Imprisonment for three months, under section VII Regulation X of 1816.

3. Considering the nature of the assault, the sentence passed appears extremely inadequate

Case No. 15. 4. The Prisoner in this Case should have been charged with murder, in which case it would have been equally competent to the Sessions Court to convict and sentence for the minor offence

according to the nature of the evidence adduced.

Magistrates Report B. Case No. 1. 5. The Court of Foujdary Udaulut presume from the leniency of the sentence awarded in this Case, that the wound inflicted on the Prosecutor was a slight one. As a general rule and especially on the western coast where the use of the knife is so common and frequently leads to such a lamentable results, cases of wounding should be punished with severity.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Mangalore for communication to the Subordinate Judge and Magistrate.

/Sent in No/

Read letter under date the 19th April 1854 from the Sessions Judge of Madura.

/Here enter G.O. No. 892 of 1854/

1. The intention of the rule laid down in the Circular Order of the Foujdary Udaulut No. 203 is that no separate punishment should be adjudged for escape committed by persons in custody on warrant in petty Cases.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Madura for communication to the Magistrate

/Sent in No/

No 2nd

Read again Calendar of Case No. 66 of 1853 on the file of the Sessions Court of Masulipatam.

/Here enter F. Dc. No. 2683 of 1853/

Read again also Miscellaneous Petition presented on the 19th December 1853 by S. Appiah Vakeel on behalf of the Prisoners in the foregoing Case.

/Here enter F. Mc. P. No. 191 of 1853/

Read again also return under date the 23d February 1854 from the Acting Sessions Judge of Masulipatam, to the Precept of the Foujdaree Adalut dated the 27th January 1854 directing the submission of English Translation of the record of the foregoing Case.

/Here enter F. Dc. No. 554 of 1854/

Read also Miscellaneous Petition presented on the 28th January 1854 by Cotagerry Sobhanadry Rayaningaroo of Zillah Masulipatam.

/Here enter F. Mc. P. No. 13 of 1854/

Read also return under date the 15th March 1854 from the Acting Sessions Judge of Masulipatam, to the Precept of the Foujdaree Adalut dated the 8th March 1854, directing the submission of certain documents connected with the foregoing Case.

Here

/Here enter F. Dc. No. 703 of 1854/

Read also return under date the 30th March 1854 from the Acting Sessions Judge of Masulipatam, to the Precept of the Foujdaree Adalut dated the 22d March 1854, directing the unconditional release of the Prisoners in Case No. 66 of 1853 on the file of the Sessions Court.

/Here enter F. Dc. No. 818 of 1854/

1. The Court of Foujdaree Adalut see nothing in this return that would lead them to question the propriety of the orders passed by them in the Case in which it refers.

2. The depositions given by the Village Moonsiff before the Police authorities to which the Acting Sessions Judge adverts in support of the sentences passed by him, were not sent up with the record; nor if they had been, could they have been used as evidence against the Prisoners, the Moonsiff not having been examined as a witness on the trial.

3. It is clear from the reference made to these depositions by the Acting Sessions Judge that his judgment in the Case has in a great measure based upon documents which he ought to have known were inadmissible

in

28th April 1854

in evidence, and the Court are surprised that
a judicial officer of Mr Cotton's standing shou
have committed so gross an error.

4. The grounds assigned by the Acti
Sessions Judge for his omission to examine the
village Moonsiff, are altogether untenable. T
village Moonsiff was the proper person to e
mit the report of the Gra. The report made by
him not having been credited, it was clearly the
of the Acting Sessions Judge to call upon him
an explanation with reference to its cont
instead of acting upon a report submitted
another person who was not bound to make

5. The evidence of the 5 witnesses
the prosecution was replete with the most e
ordinary improbabilities, and clearly
to credit.

6. The Court see no reason
the truth of the reports made regarding the
of the two persons referred to in the 3rd
return, and it may fairly be inferred tha
result of the prosecution has prevented
returning to their houses.

7. The Court of Sessions
Consider that

and deem it necessary to direct that the Acting
Sessions Judge will in future abstain from
commenting on the orders of the Higher Court,
which are only intended for his information
and guidance.

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

/Sent in No /

F. 16

Saturday 29th April 1854 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read again Miscellaneous Petition presented on the 20th March 1854 by Mootoo Padi-achy of Tillah Cuddalore.

(Here enter F. M. P. No. 56 of 1854)

Read also return under date the 17th April 1854 from the Sessions Judge of Cud-dalore to the Precept of the Foujdaree Udalut dated the 8th April 1854, requiring the Sessions Judge to explain why the Petitioner's application for a Copy of the Record of Case No. 47 of 1853 on the Calendar of the Sessions Court was not com-plied with.

(Here enter F. 16. No. 937 of 1854)

Mr. W. A. Morehead-1- It appears from this Return that the Petitioner is in error in stating that the Sessions Judge refused to grant him copies of the Record to which he refers.

2- He will be permitted to take the copies

copies required by him on applying to the Sessions Court, and a copy of the Calendar of the Case to be furnished to him in this Court on his application.

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

Read Miscellaneous Petition of Veeranah received from the Sessions Judge of Rajahmundry on 27th March 1854.

/Here enter F. No. M. P. No 62 of 1854/

Mr. W. A. Morehead 1. Petitioner who was a Prisoner in Case No 32 of 1852 on the file of the Sessions Court of Rajahmundry, was sentenced on conviction of Housebreaking and theft to 7 years imprisonment with hard labour and irons prays the Court of Foujdaree Udalut to call for the record of the case and to order his release.

2. The Court of Foujdaree Udalut observe that in their Proceedings of 4th June 1853 on Petitioners former Appeal to them Extract from which Proceedings was forwarded to the Sessions Judge of Rajahmundry for communication to Petitioner they declined for reasons therein stated to take the Petitioner's case into their consideration.

3. The Court of Foujdaree Udalut accordingly resolve to reject the present Petition and that Petitioner be referred to their former orders above mentioned.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Rajahmundry for communication to the Petitioner.

/Sent in No/

Read Miscellaneous Petition presented on the 3d April 1854 by Kistniah of Zillah Chittoor

/Here enter F. No. M. P. No 65 of 1854/

Mr. W. A. Morehead 1. The Petitioner is referred to the former orders passed by the Court of Foujdaree Udalut on the matter to which this Petition relates.

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

Read Miscellaneous Petition presented on the 3d April 1854 by Caulappa Goudoo and another of Zillah Chittoor.

/Here enter F. No. M. P. No 67 of 1854/

Mr. W. A. Morehead 1. The Court of Foujdaree Udalut see no reason to question the propriety of the orders passed by the Sessions Judge of Chittoor under date the

F.C.

Monday
1st May 1854 } At a Court of the Foujdaree Adalut

Present.

G. S. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read letter under date the 18th April 1854 from the Agent to the Governor of Fort St. George at Vizagapatam submitting for the final Judgment of the Foujdaree Adalut a report of the trial of Criminal Case No. 5 of 1854. on his file.

(Here enter F.C. No. 997 of 1854)

The Court of Foujdaree Adalut concurring in the conviction of the Prisoner Daurapooreddy Aryonaidoo of the Crime of Culpable Homicide laid to his charge, resolve to confirm the sentence proposed to be passed upon him by the Agent of (7) seven years imprisonment with hard labor in irons under the provisions of clause Second Section XV Regulation VII of 1802.

Ordered that Extract from these Proceedings be forwarded to the Agent

to

29th April 1854

the 13th February 1854 declining to remit the fine which the Petitioner complains and they accordingly resolve to dismiss this Petition.

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

/Sent in No /

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

Read Miscellaneous Petition forwarded by the Acting Sessions Judge of Masulipatam from Pasupoolaty Appayya alias Arava Appayya Prisoner in Cases Nos 6 and 21 of 1854 on the Calendar of the Sessions Court.

/Here enter F. Ch. Mis. P. No 72 of 1854/

Wm H. A. Morehead. 1- The Court of Sunjdaree Udalut see no reason to question the propriety of the sentence from which the Petitioner appeals and they accordingly resolve to dismiss this Petition.

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

/Sent in No /

R. I.

9th April 1854

Read letter under date the 22d instant from the Sessions Judge of Cuddapah.

(Here enter F. Ch. No 983 of 1854)

1 The Court of Sunjdaree Udalut observe that the case referred to in the foregoing letter was set down for reference so far back as the 21st January last and the Court cannot but view the delay which has occurred in the preparation of the record as most inexcusable.

2 The Record of the trial being required to enable the Court to dispose of the case of the Sheristadar of the Sub Court who is still under suspension, the Court direct that the English Translation be submitted with as little delay as possible.

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

/Sent following Precept No 5/

Ed & Hon W

1st May 1854.

Read return dated 11th April 1854 from the Session Judge of Nellore to the precept of the Fouzdaree Adalut under date the 4th April 1854 Conveying their observations on the Criminal Reports for the Months of February last.

(Here enter F. No. No. 886 of 1854)

Read return dated 30th March 1854 from the Session Judge of Trichinopoly to the precept of the Fouzdaree Adalut under date the 23rd March 1854 reversing the sentence passed upon the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 12th & 13th Prisoners and directing the Sessions Judge to release such of them as may still be in the Jail and cancel the requisitions of Security under which the 10th, 14 and 16th Prisoners were placed.

(Here enter F. No. No. 806 of 1854)

Read Extract dated 15th February 1854 from the Sessions Judge of Nellore Submitting Original Petty Calendars for the 4th Quarter 1853

(Here enter F. No. No. 477 of 1854)

1st May 1854.

to the Commr. of Fort St. George at Vizagapatam for his information

Sent in Mr.

Read Extract of Proc. No. 49 of the Sessions Court of Cuddalore.

(Here enter F. No. No. 836 of 1854)

The Court of Fouzdaree Adalut approve of the recommendation made by the Sessions Judge in this Case that the punishment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the Crime of Gang Robbery be reduced to 8 years imprisonment with hard labor in irons and being of opinion that a similar punishment will suffice in the Case of the Prisoner they direct that his sentence be mitigated accordingly.

2d Kristnen
4th Rungen son of Krishnadasaru.
5th Cadambur Annamadasaru.
6th Veerbon
7th Bodeyan alias Rungen
8th Bodeyan alias Chinnaluhmumu.
× Ettheerajoolu

Ordered that Extract from the Proceedings be sent to the Civil Judge of Cuddalore for his information.

4th Thott

Sent in Mr.

Read Return dated 15th April from the Sessions Judge of Nellore to the precept of the Fouzdaree Adalut under date the 10th April No. 12 of 1854, if taken, or released the Prisoner if in confinement.

(Here enter F. No. No. 903 of 1854)

F. Ol.

Tuesday
2d. May 1854

At a Court of the Fouydaree Adalu

Present

G. S. Hooper Esquire
W. P. Morehead Esquire
T. La. Strange Esquire

Puisne Jud

Read Calendar of Case N
of 1854 of the Sessions Court of Guntoo

/Here Enter F. Ol. No. 9 19 of 1854/

1. The Court of Fouydaree Ad
but are of opinion, that a sentence of 5 seve
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 they resolve to call
upon the Sessions Judge to reduce his sen
tence accordingly.—

2. If unable to concur with the
Court in the propriety of the mitigated
sentence now proposed, the Sessions Judge
will be pleased to submit an English
translation of the entire Record of the ca
for their consideration.—

Ordered, that Extract from
these

these Proceedings, be sent to the Session Judge of Gunloor, for his information.

(Sent in No.)

Read Calendar of Case No. 6 of 1854, of the Session Court of Chicacole.

(Were Enter'd No. 733 of 1854)

1. The Court of Foujdaree Udalut are of opinion, that a sentence of (7) Seven years imprisonment with hard labor in irons, will be adequate punishment for the offence of which the 2d, 3d and 6th Prisoners in this case, have been convicted, and they resolve to call upon the Session Judge to reduce their sentences accordingly.—

2. If unable to concur with the Court in the propriety of the mitigated sentence above proposed, the Session Judge will be pleased to submit for their consideration, an English translation, of so much of the Record as relate to the aforesaid Prisoners.—

3 The Court of Foujdaree Udalut are further of opinion, that the

the amount of security required for the 1st Prisoner, may with propriety be reduced to 100 Rupees for each surety, and they direct, that the requisition, made by the Session Judge, be modified accordingly.—

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

(Sent in No.)

Read Calendar of Case No. 10 of 1854, of the Session Court of Combaconum.

(Were Enter'd No. 847 of 1854)

1. The Court of Foujdaree Udalut are of opinion, that a sentence of (7) Seven 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 they resolve to call upon the Session Judge to reduce his sentence accordingly.—

2. If unable to concur with the Court in the propriety of the mitigated sentence now proposed, the Session Judge will be pleased to submit an English translation

2d May 1854.—

translation of the entire Records of the case for their consideration.—

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

(Sent in No.)

Read Calendar of the case No. 24 of 1854, of the Sessions Court of Tellore.

(Here Enter T. C. No. 940 of 1854)

The Court of Tanjore do approve of the recommendation made by the Sessions Judge in this case, that the imprisonment, which the prisoners noted in the margin, have been adjudged to suffer on their conviction of the crime of Highway Robbery by open violence, be reduced to (5) five years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.—

1st Tiravithe Chendergadar
2d Sagutoor Lakshmegadar
3d Chembatti Gurusadar, and
4th Sagatha Allungadar.—

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

(Sent in No.)

Read Calendar of Case

T. C.

2d May 1854.—

of 1854, of the Sessions Court of Madura.—

(Here Enter T. C. No. 953 of 1854)

The Court of Tanjore do approve of the recommendation made by the Sessions Judge in this case, that the imprisonment, which the Prisoners noted in the margin, have been adjudged to suffer on their conviction of the crime of Highway Robbery, be reduced to (5) five years imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.—

1st Coopun
2d Chellum
3d Paichaimoothum, and
4th Permmanb.—

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

(Sent in No.)

Read Calendar in case No. 12 of 1854, before the Sessions Court of Madura.—

(Here Enter T. C. No. 928 of 1854)

1. In this case the Prisoners were charged with Robbery by open violence, attended with murder, and upon a 2d Count with possessing property obtained by such robbery knowing it to have been thus acquired.—

2. The first four prisoners confessed before

before the Head of Police, that they had found
part of the gang that committed the robbery an
produced part of the stolen property. They a
-ver pleaded not guilty before the Subordina
Court.-

3.

The 3d. prisoner in whose po
-session a part of the stolen property was found
denied his guilt throughout and declared
property to be his own.-

4.

The 4 persons convicted all the
prisoners upon the 2d. count, but acquitted
them of the charge of Robbery by open violence
attended with murder, upon the ground that the
evidence was insufficient to identify the pri
-soners as having been the parties concerned in
the Robbery or to shew by whom the blows were
given which were said to have caused the
death of the 2d. prisoners father or whether such
blows really caused his death.-

5.

The Sessions Judge concurred
with the assessors in their conviction of all the
prisoners upon the 2d. Count, and also concur
-red in holding the evidence insufficient to
justify a conviction upon the 1st. count, b
although there could exist no moral doubt
that

that the prisoners were guilty of the robbery, and
violence resulting in the death of the 2d. prison
-er's father.-

6. Under these circumstances the
Sessions Judge, sentenced the prisoners to be
imprisoned for seven years with hard labor
in irons.-

7 The Court of Sunjidaree Adaw
-lut considers that, as the prisoners from 1 to 4
confessed to the robbery before the Police, and
as this confession was corroborated by their
giving up a part of the robbed property, the
Session Judge should have convicted them,
in full, of the crime with which they were
charged.-

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

(Sent in No.) 5

24 Nov 54

Read Return dated 24th April 1854
from the Sessions Judge of Bellary to the Precept of the
Sudr Udalut under date the 27th March 1854, directing
him to reduce his sentence against the 2d Prisoner in
Case No. 49 of 1854 on his file, to 2 years.

(Here enter F.R. No. 1043 of 1854)

F. D.

Monday
3d. May, 1854.

At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire.
} Puisne Judges

Read again Calender of Cases
No. 22 and 23 of 1853, on the file of the Sessions
Court of Rajahmundry.

/ Hereto Enter P. D. No. 2830 of 1853 /

Read also Extract from the
Minutes of Consultation under date the 27th
Ultimo.

/ Hereto Enter P. D. No. 1024 of 1854 /

The Court of Foujdaree Adalut
resolve to direct that English Translation
of the Records of the foregoing Cases may be
submitted for their consideration with as
little delay as possible.

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Rajahmundry by Precept
returnable

3d May 1854

returnable within XV days from and day
its receipt.

4th Instt / Sent following Precepts /

F. M.

Thursday
4th May 1854 } At a Court of the Foujdaree Adalut

Present

G. L. Hooper Esquire
H. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire.

Read again Calendar in
Case No. 1 of 1854 sent by the Session
Judge of Coimbatore.
(Here enter F. M. No. 371 of 1854)
Read also again letter under
date the 9th March 1854 from the Session
Judge of Coimbatore. —
(Here enter F. M. No. 640 of 1854)
Read return from the Session
Judge of Coimbatore under date the 9th
April 1854 to the precept of the Foujdaree
Adalut under date the 24th March 1854
directing that an English translation
of so much of the record in Case No. 1
of 1854 of the Sessions Court of Coimbatore
as relate to the 4th and 5th Prisoners
in that case be submitted for their
Consideration

4th May 1854

Consideration —

(Here enter F.M. at 9 of 1853)

The Court of Faydaree

Udalut having on their proceedings of
February 1854 Extract from which was sent
to the Sessions Judge of Combatoor copy of
themselves at a loss to understand why
Sessions Judge should have limited
to convict the 4th and 5th Prisoners on
above cases, the Sessions Judge has in
explanatory letter of 9th March 1854
forth his grounds for rejecting the
brought against the 4th and 5th
with the exception of what related
property found in their possession

2. He observed that
evidence as to its belonging to the
was of a loose and general
but that as the Prisoners had
to prove it to be theirs he
that it must be that of the
and therefore required security
Prisoners as under sentence

3. The Court of Faydaree

4th May 1854

Consider that the Sessions Judge was in
error to make the failure of the evidence
adduced by the Prisoners operate in
favor of the Prosecutors' Claim to the
property and that it was inconsistent
in him when he had come to the conclusion
that the property was the Prosecutors
to have convicted the prisoners of receipt
thereof knowing it to be stolen —

4. The articles in question
are confessedly of a common description
incapable of satisfactory identification
and the Court of Faydaree Udalut being
unable to satisfy themselves that they
belong to the Prosecutor are of opinion
that the prisoners are entitled to their
unconditional release. —

5. The Court of Faydaree
Udalut accordingly resolve to cancel
the requisition of security from them and
to direct that the articles in question
be recovered from the Prosecutor and
returned to the prisoners. —

Ordered that the extract

forms.

4th May 1854.

these proceedings be sent to the Sessions Judge of Coimbatore for his information by precept returnable within VII days from and after its receipt —

(Sent following precept &c)

Read Petty Calendars submitted by the Sessions Judge of Mangalore under date the 21st April 1854 for the 4th quarter of 1853.

(Here enter F. C. No. 1007 of 1854)

Read letter dated 29th April 1854 from the Acting Sessions Judge of Chingleput stating in reference to Conts letter of the 25th inst. the annual Criminal Statement from the Magistrate and Principal Sudr Ameen will be transmitted without delay. —

(Here enter F. C. No. 1027 of 1854)

Read statement submitted by the Acting Subordinate Judge of Cuddapah under date the 1st April 1854 shewing the amount realized by the labor of Prisoners during the 1st quarter of 1854. —

(Here enter F. C. No. 1028 of 1854)

F. C.

Saturday 6th May 1854 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morrhead Esquire } Puisne Judges
T. L. Strange Esquire

Read letter dated 10th Ultimo from the Sessions Judge of Tellicherry, referring for the final Judgment of the Foujdaree Udalut, the record of Case No. 17 of 1853 of the Calendar of the Sessions Court.

(Here enter F. C. No. 1056 of 1854)

Mr. T. L. Strange 1

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 Vaddapady Coongoo
2nd Attoor Krishnen by Vakeel Ramasamy
3d Kooroonnam Coonjamboo
4th Kallil Shangoren by Vakeel Ramasamy
5th Kannadra Coonhamboo by Vakeel Ramasamy
6th Tadattil Amboatty
7th Koondanoudy alias Trinotta Amboo
8th Tayaratta Kalandan

9th

1st Eddatta Coomban by Kehall
10th Ramishen Ramman by Kehall
11th Achutta Bappoo.
12th Achutta Chuffala
and
13th Raamunnal Vadaun

are not convicted on presumptive proof the evidence of credible witnesses, or on own confession of the crime charged, them thereof, and direct that they at liberty.

2 There is no part of the in this case which can in the Court of Foujdaree Udalut be on. There was no information be for the earliest arrests. There was to lead to the first confession of The 2d 3d 4th and 9th Prisoners who were apprehended were detained in without reasonable cause, and for about twenty days, after which 1st prisoner was taken up, also the due course, and their confessions Those proceedings are calculated

much suspicion upon the operations of the Police and prevent the Court having confidence in the evidence furnished to the discovery of the property produced with the prisoners and to its being what was stolen. The Court of Foujdaree Udalut have therefore concurred with the Sessions Judge in acquitting the prisoners and have directed their release.

3 The Court direct that the foregoing remarks be communicated to the Magistrate of Malabar.

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

(Sent in No)

Read Calendar of Case No 12 of 1834 of the Sessions Court of Calicut.

(Here enter F. C. No 825 of 1834)

1 The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the imprisonment which the 3d Prisoner

mattil Chathara Nair

has

has been adjudged to suffer on his conviction
of the Crime laid to his charge be reduced
to (2) Two years imprisonment with hard
labor in irons, and being of opinion that a
sentence of (4) four years imprisonment
with hard labor in irons will suffice
in the Case of the 1st Prisoner, they direct
that his sentence be reduced accordingly.

Cheria Kandala Tristnan Nair

2

If unable to concur with
the Court in the propriety of the mitigated
sentence above proposed the Sessions Judge
will be pleased to submit for their Consider-
ation an English translation of so much
of the Record of the Case as relates to the
3d Prisoner.

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

(Sent following Precept No)

Read Calendar of Case No 22 of
1854 of the Sessions Court of Nellore.

(Here enter S. Ch. No 939 of 1854)

The

The Court of Sudder Adalut, ap-
prove of the recommendation made by the
Sessions Judge in this Case that the imprison-
ment, which the 3d Prisoner has been adjudged
to suffer on his conviction of the Crime of
robbery by open violence be reduced to (5) five
years imprisonment with hard labor in irons,
and being of opinion that a similar pun-
ishment will suffice in the Case of the 1st
Prisoner, they direct that his sentence be
modified to that extent and that the Sessions
Judge will issue his warrant accordingly.

x Chowga Subbadu

x Ennamu

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

(Sent in No)

Ex. Ch. No

F. U.

Monday
8th May 1854. } At a Court of the Foujdaree Udalut.

Present.

G. L. Hooper Esqre.
W. A. Morehead Esqre. } Puisne Judges.
T. L. Strange Esqre.

Read Miscellaneous Petition presented on the 3d April 1854 by Kaluppa Goudoo of the Zillah of Chittoor.—

(Here enter F. M. P. No. 66 of 1854)

The Petitioner apparently claims to hold

Mr. W. A. Morehead. 1.

on a perpetual lease granted by one Veerapah, certain lands purchased at Auction in Court by one Chiniah, some time subsequent to the death of the original grantor of the lease.—

He states that when the purchaser

2.

claimed from him (Petitioner) possession of the land, he refused to resign it, but agreed to pay to him the rent hitherto received by Veerapah and his heirs—and that he (Petitioner) further presented in the Civil Court a petition No. 335 of 1853—praying the Court to maintain him in possession of the land, on which petition an order was passed, directing him, in the event of his continued enjoyment of the land being opposed by the purchaser to seek redress by a regular suit.—

The

3

He goes on to state that the purchas
of the land brought a false complaint against him bef
the Assistant Magistrate regarding the crops when the
Officer fined the Petitioner Rupees 50 and this sentence
was affirmed by the Magistrate but passed by the
Session Judge on appeal.-

4.

In the proceedings of the Session Co
reviewing this police sentence the Session Judge has state
that Petitioner's claim to hold the land in question on a pe
-petual lease had been disallowed by the Court which
directed the sale of the land and Petitioner apparently en
-dering his claim to the land to be affected by this observati
prays this Court to issue a precpt to the Session Judg
directing him to issue orders to the Magistrate to protect
Petitioner's being disturbed in possession of the land, and t
the purchaser that he may in future receive the rent
and not interfere with Petitioner's enjoyment of the land

5.

The Court of Foujdaree Udalut re
-solve to reject this petition, the matter of which is of
an entirely civil nature.-

Ordered that Extract from these Pro
-ceedings be furnished to the Petitioner on his application.

Read Miscellaneous Petition sent by
the Subordinate Judge in charge of the Zillah Court
of Salem from Vyapoory Pilly of the Zillah of Salem-

/Here enter F. M. P. No. by of 1854/

8th May 1854.-

1.

Mr W. A. Morehead / With reference to the above Petition, the
Court of Sudder Udalut direct, that it be returned to the
Petitioner, and that the Subordinate Judge be informed that
the Circular Order of the 6th July 1847, is only applicable
to appeals preferred to this Court against sentences and
orders passed by the Sessions Judges in cases on trial before
them, and not to petitions of the character of that now under
notice.-

2.

This Petition should have been presented
to the Court of Foujdaree Udalut by the Petitioner in person
or by his duly appointed Vakeel.-

Ordered that Extract from these Proceed
-ings be sent to the Session Judge of Salem for his inform
-tion and for communication to the Subordinate Judge and
to the Petitioner.-

/Sent in No. /

Read Miscellaneous Petition presented
on the 10th April 1854, by Venkamah and another of the
Zillah of Nellore.-

/Here Enter F. M. P. No. 73 of 1854/

Mr W. A. Morehead. 1.

The Petitioners who are relatives of the
prisoners in Case No. 13 of 1854 of the Session Court of
Nellore, pray the Court of Foujdaree Udalut to review
the record of the Case and to order the release of the
prisoners.-

The

2. The Court of Foujdaree Udalut have already in their proceedings dated 1st April 1854 confirmed the mitigated sentence recommended by the Sessions Judge in this Case, and resolve to reject the present petition this Court seeing no reason to disturb the conviction arrived at by the Sessions Court.—

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

Read Miscellaneous Petition presented on the 13th April 1854 by Pachayammal of the Zillah of Cuddalore.—

/Here Enter F. M. P. No. 79 of 1854/

Mr W. A. Morehead. 1. The Petitioner complains that she has been unable to obtain from the Sessions Judge a copy of the sentence passed upon her relatives the 1st and 2nd Prisoners in Case No. 47 of 1853 and prays the Court of Foujdaree Udalut to order this copy to be given to her with a view to her preferring an appeal against the above mentioned sentence.

2. The Petitioner is informed that upon application to this Court she will be allowed to take a copy of the Calendar in Case No. 47 of 1853.—

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

Read Criminal Reports submitted

by the Acting Session Judge of Combaconum for the Month of March 1854.—

/Here Enter F. C. No. 932 of 1854/

The prisoner in this case was charged

Magistrates Report B. 1. with assault and pounding and on conviction was sentenced by the Acting Special Assistant Magistrate Mr. Morris to pay a fine of Rupees 20 or in default to be imprisoned for two Months under Section VII Regulation X of 1816.—

The Court of Foujdaree Udalut

2. consider a fine to be a very inappropriate punishment in a case of pounding.—

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

/sent in No. 1/

Read Criminal Report for the Month of March 1854 from the Session Judge of Chittoor, dated the 1st April 1854.—

/Here Enter F. C. No. 936 of 1854/

The 1st Prisoner in this Case was

Magistrates Report B. 1.

Case No. 2. charged with having "violently kicked and struck the Prosecutrix on the lower portion of the belly, and private

private parts, with intent to do her some grievous bodily harm, she being at the time three months gone in preg-nancy" by which assault abortion was produced and the life of the Prosecutrix endangered, and on conviction was sentenced by the Magistrate to pay a fine of 35 Rupees or to be imprisoned for 3 months, in default of payment.

2. The Court of Foujdaree Udalut are of opinion that the sentence passed by the Magistrate on the Prisoner in this Case was altogether inadequate as a punishment for an assault of the serious nature described in the charge.—

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

(Sent in No.)

Read Calendar of Case No. 963 of 1854 on the file of the Session Court of Calicut.—

(Here Enter F.R. No. 963 of 1854.)

1. The Prisoner in this case a Native twelve years old was charged with stabbing a boy who died the next day from the effects of the wound.

2. The Session Judge convicted the

Mahomedan Law Officer in convicting the Prisoner of culpable Homicide. but in consideration of his Youth and that the crime was done without premeditation in a moment of anger sentenced the Prisoner to imprisonment of one year with labour suited to his age. The first, sixth, and last month of the above imprisonment to be passed in solitary confinement. The Prisoner to be kept entirely separate from the Prisoners in the Jail.—

3. The offence of which the Prisoner in this case was guilty, was of a very grave nature. The Court of Foujdaree Udalut consider that the sentence passed upon him was, under the circumstances, very inadequate.

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

(Sent in No.)

Read Calendar of Case No. 17 of 1854 of the Session Court of Chittoor.—

(Here Enter F.R. No. 963 of 1854.)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which

the

private parts, with intent to do her some grievous bodily harm, she being at the time three months gone in pregnancy" by which assault abortion was produced and the life of the Prosecutrix endangered, and on conviction was sentenced by the Magistrate to pay a fine of 35 Rupees or to be imprisoned for 3 Months, in default of payment.

2. The Court of Foujdaree Udalut are of opinion that the sentence passed by the Magistrate upon the Prisoner in this Case was altogether inadequate as a punishment for an assault of the serious nature described in the charge.—

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor for communication to the Magistrate.—

/Sent in No. /

Read Calendar of Case No. 14 of 1854 on the file of the Session Court of Calicut.—

/Here Enter F.C. No. 960 of 1854./

1. The Prisoner in this case a boy of twelve years old was charged with stabbing his brother who died the next day from the effect of the wound.—

2. The Session Judge concurred with the Mahomedan Law Officer in convicting the Prisoner of culpable Homicide. but in consideration of his Youth and that the crime was done without premeditation in a moment of anger sentenced the Prisoner to imprisonment of one year with labour suited to his age. The first, sixth, and last month of the above imprisonment to be passed in solitary confinement.— The Prisoner to be kept entirely separate from the Prisoners in the Jail.—

3. The offence of which the Prisoner in this case was guilty, was of a very grave nature.— The Court of Foujdaree Udalut consider that the sentence passed upon him was, under the circumstances, very inadequate.—

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

(Sent in No.)

Read Calendar of Case No. 17 of 1854 of the Session Court of Chittoor.—

/Here Enter F.C. No. 963 of 1854./

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the

1st Yakeretnomaluppah.
2d Paupunnah, and
3d Yrramullorgandoo

the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Gang Robbery unattended with aggravating circumstances be reduced to (8) Eight years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.—

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

(Sent in No)

Read Calendar in Case No 10 of 1854 on the file of the Session Court of Cuddapah.—

(Here Enter F. C. No 982 of 1854.)

1. In this case the Prisoners 1st and 2nd were charged with Highway Robbery. the 1st Prisoner was further charged with having in his possession part of the stolen property knowing it to have been stolen.—

2. The Mahommedan Law Officer considered the Prisoners not convicted, but that the 1st Prisoner was liable to suspicion.—

3. In this Futwah the Session Judge concurred and considering that great suspicion, not amounting to

to conviction, attached to the 1st Prisoner directed him to find 2 securities each in Rupees 50 for his good behaviour and appearance when required for one Year - or that he be imprisoned during the same period under the provisions of Clause 6 Section II. Regulation XV of 1803.—

4. The Court of Foujdaree Udalut are of opinion that this was a case in which the Session Judge should from the evidence adduced have decided as to the guilt or innocence of the 1st Prisoner.—

5. If the evidence appeared, as seems to have been the case, questionable and unsatisfactory the Session Judge should have released the Prisoner unconditionally

6. Under these circumstances the Court of Foujdaree Udalut resolve to direct the Session Judge to cancel the security required from the 1st Prisoner in this case.—

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

(Sent in No)

Read Calendar of Case No 6 of 1854 of the Session Court of Cuddalore.—

(Here Enter F. C. No 999 of 1854)

The

8th May 1854.

1st "
2d "
3rd "

7th Erodapanvaday, and
8th Voalla Verna Chetty.

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Gang Robbery be reduced to (8) Eight years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.-

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

(Sent in No.)

Read Calendar of Petty Cases disposed of by the Magistracy of Trichinopoly during the 1st Quarter of 1854.-

/Here Enter F. C. No. 1036 of 1854/

Case No. 1.

1.

The fraud charged in this case having been committed upon the Assistant Magistrate the trial of the case by that Officer was extremely irregular.-

2.

The Assistant Magistrate was virtually the prosecutor and it was therefore not competent to him to act as Judge in the case.-

Under

8th May 1854.

3.

Under these circumstances the Court resolve to direct that the fine imposed upon the prisoner be remitted.-

4.

The Court are surprised that this sentence should have been passed unnoticed both by the Magistrate and Session Judge.-

Ordered that Extract from these Proceedings be sent to the Sessin Judge of Trichinopoly for communication to the Magistrate.-

(Sent in No.)

Read Calendar of Case No. 9 of 1854 of the Session Court of Cuddalore.-

/Here Enter F. C. No. 1002 of 1854/

2d Munthee, and
5th Caroppen.

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this Case that the imprisonment, which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Gang Robbery be reduced to (8) Eight years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.-

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

/Sent in No. /

Read

Read Calendar of Case No" 43 of 1854 on the file of the Session Court of Masulipatam.—

/Here Enter F. D. No" 1047 of 1854./

The Court of Foujdaree resolve to direct that an English Translation of the record of this case may be submitted for their consideration.—

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

(Sent following precept No")

The record of trial in referred Cases No" 4 and 5 of 1854 on the file of the Session Court of Tellicherry, not having been yet received,—

Ordered that the Session Judge of Tellicherry be required to submit the record aforesaid without delay.—

(Sent in No")

The record of trial in referred Case No" 9 of 1854 on the file of the Session Court of Cuddapah, not having been yet received,—

Ordered that the Session Judge of Cuddapah

Cuddapah be required to submit the record aforesaid without delay.—

(Sent in No")

Read again Miscellaneous Petition presented on the 23" February 1854 by Venkatachella Naicken and others of the Zillah of Chittoor.—

/Here Enter F. D. No" 390 of 1854/

Read also Return dated the 18th " March 1854 to the precept of the Foujdaree Udalut under date the 13th " March 1854, calling upon the Session Judge of Chittoor, with reference to the above Petition, for an explanation as to the circumstances under which the property produced in Calendars 14 and 15 of 1849, which should have been given back to the Prisoners on their acquittal and release was not given back to them.—

/Here Enter F. D. No" 719 of 1854/

Mr" C. S. Hooper.
Mr" W. A. Morehead
Mr" F. L. Strange.

1. Upon a perusal of the above return, the Court of Foujdaree Udalut observe, that the Session Judge of Chittoor appears to be only imperfectly acquainted with the circumstances connected with Cases 14 and 15 of 1849.

2. The whole of the Prisoners in these Cases were released by the Court of Foujdaree Udalut

upon

upon the ground that the evidence adduced against them was insufficient.—

3. After this acquittal and the release of these Prisoners they moved the Court of Fouzdaree Udalut to cause their property to be restored to them, and upon the Court issuing a precept to that effect, the late Session Judge of Chittoor, Mr. Lovell stated, that some of the properties seized upon the Prisoners in Nos. 14 and 15 of 1849, were in deposit in the Court— and that the remainder had been returned to the Prosecutor.—

4. In the above Petition it is stated, that these properties were given up to the Prosecutor upon his giving security for them.—

5. The Court of Fouzdaree Udalut direct the Session Judge to take such steps as may be necessary to recover from the Prosecutor these properties and to restore them to the Petitioners with such other properties belonging to them as may be in deposit in his Court.— The Calendar in Case No. 14 shows the articles which were sent up from the Criminal Court with the Prisoners committed for trial before the Session Court.—

6. Should the Prosecutor fail to give up the properties, and if as has been stated in the

Petition

8th May 1854.

Petition, these were made over to him under security, the Session Judge will proceed against the security for recovery thereof, or their value.—

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

(Sent in No.)

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

Read Miscellaneous Petition presented on the 10th April 1854, by Ammah Moottoo of Zillah Cuddalore

(Vide Enter F. M. P. No. 74 of 1854.)

Mr. W. A. Morehead. Petitioner who is wife of Annay pillay prisoner in Case No. 2 of 1854 of the Session Court of Cuddalore, prays this Court on review of the record of that case to order the release of her husband.—

2. The Court of Fouzdaree Udalut in their proceedings of 27th March 1854, reduced the mitigated sentence recommended in this Case by the Session Judge.—

3. They resolve to reject the present petition, the Court having failed to discover any grounds for

questioning

8th May 1854.-

questioning the correctness of the sentence appealed against.-

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

Read Criminal Reports submitted by the Session Judge of Chicacole for the month of March 1854.-

/Here Enter F.R. No. 977 of 1854/

Case No. 10.

1. The Court of Foujdaree Udalut direct that the Session Judge will review the proceedings in this case.-

2. The sentence of six months Imprisonment passed upon the prisoner upon his conviction of an attempt at suicide appearing to the Court of Foujdaree Udalut unnecessarily severe.-

3. In the opinion of the Court a sentence of one Months Imprisonment will be amply sufficient.-

4. The Session Judge should attend to the wording of the charges in cases disposed of by the Moofty Sudder ameen, who should be instructed that such a minute description of wounds, as that entered in the charge in this case, is unnecessary.-

Nos. 14 & 16.

5. The Court of Foujdaree Udalut require an explanation of the delay which has occurred in the disposal of these cases - In Case No. 16 the dates

dates of the departure of the prisoner from the Talook and of his arrival at the Criminal Court have not been given.-

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

/Sent following precept No. /

Read Miscellaneous Petition presented on 10th April 1854 by Mootoo-paditeachy, of zillah Cuddalore.-

/Here Enter F. Mo. P. No. 76 of 1854/

Mr. A. Morehead /

The Petitioner who is the father of the 5th Prisoner in Case No. 47 of 1853, of the Session Court of Cuddalore, prays this Court on review of the record of the case, to order the release of his son the said 5th Prisoner.-

2. The Court of Foujdaree Udalut resolve to reject this petition - the petitioner having shown no reason for calling in question the decision of the lower Court.-

Ordered, that Extract from these proceedings be furnished to the petitioner on his application.-

E. T. Ro.

F. U.

Tuesday
9th. May 1854.

At a Court of the Foujdaree Udalut

Present

G. L. Hooper Esqr. _____ Puisne Judge
W. A. Morehead Esqr. ___ Puisne Judge
T. L. Strange Esqr. ____ Puisne Judge

Read Calendars of Petty Cases disposed of by the Magistracy of Chingleput during the 4th. Quarter of 1853

(Here enter F. U. No. 926 of 1854)

Calendar of persons punished - case No. 92.

1 The Defendant in this Case a Village Moonsif was charged with abuse of authority in having prevented the Talliar from attending to the duties of his office, and in having forcibly ploughed his maniam lands, and was sentenced by the Assistant Magistrate Mr. Grenfell to pay a fine of Rupees 5 or in default to be imprisoned for 10 days under Clause second Section III Regulation III of 1819.

2 The Court of Foujdaree Udalut require further explanation to enable them to judge of the propriety of this sentence - the acts charged, as stated in the charge, not constituting an abuse of authority within

9th May 1854.-

Case No. 74

within the meaning of the Regulation quoted.

3.

The Court also require explan
with reference to this Case to enable them to dete
whether the offence charged has been properly
as a Misdemeanor and not as a robbery.

4

The Court approve of the order
passed by the Magistrate on a review of the
submitted by the Joint Magistrate at St. Thom
Mount. The proceedings of this Officer in the ca
noticed by the Magistrate were very irregular.

5.

It appears from these Calend
that by two of the Assistant Magistrates station
this District, Messrs Wedderburn and Gra
no cases were disposed of during the Quarter
review. The Court desire to be informed wh
duties were delegated to these Officers in their
terial capacity during the period in question.

Ordered that Extract from the
Proceedings be forwarded to the Acting Session
of Chingleput for communication to the Ma
Magistrate by Precept returnable within a day
from and after its receipt.

(Sent following Precept No.

Read again Criminal Repo
for the month of February 1854 submitted by the
Ass

9th May 1854

Sessions Judge of Coimbatore.

(Here enter F. C. No. 948 of 1854)

Read also return from the Session
Judge of Coimbatore dated the 20th April 1854 to the
precept of the Foujdaree Udalut under date the
10th April 1854, directing the Session Judge of
Coimbatore to call for and review the proceedings
in Case No. 6 of 1854 on the Criminal file of the
Principal Sudr Ameen and also desiring to be
informed whether in Criminal Cases Nos. 16-17
18 and 19 witnesses for the defence were examined
before security was demanded from the Prisoners.

(Here enter F. C. No. 984 of 1854)

In the above return the Session Judge
1.
observes that with regard to the Cases Nos. 16. 17. 18 and
19, he finds that no witnesses for the defence were
examined by the Principal Sudr Ameen before security
was demanded from the Prisoners. The Prisoner
in No. 18 appealed against the sentence passed
upon him, when the Session Judge upon a
perusal of the record confirmed the verdict of the
Principal Sudr Ameen.

Under the circumstances stated
2.
in the above return the Court of Foujdaree Udalut
direct that evidence for the defence be received in the

cases

9th May 1854

Cases 16-17-18 and 19. should the Prisoners in these Cases be desirous of offering any.

3d. The Court of Foujdaree Udalut also direct that the Session Judge will again call the attention of the Principal Sudr Ameen to the frequency of requisitions of security from Prisoners upon the part of that Officer, and point out to him that the Court of Foujdaree Udalut consider such a course very objectionable.

Ordered that Extract from these Proceedings be sent to the Session Judge of Coimbatoor for communication by him to the Principal Sudr Ameen.

(Sent in No.

Read Calendar of Case No. 49 of 1854 of the Session Court of Masulipatam.

(Here enter F. Ct. No. 971 of 1854)

The prisoner in this case was charged with Murder - but acquitted by the Assessors in whose verdict the Session Judge concurred.

2 He states in his sentence that "the "only direct evidence against the Prisoner was given "by 1st "witness a near relation of the deceased" - but that there "is much doubt of her credibility"

3 The Session Judge should have explained

F. Ct.

9th May 1854

explained what this evidence was, and why he discredited it. and the Court of Foujdaree Udalut resolve to direct that this omission may be now supplied.

Ordered that Extract from these Proceedings be sent to the Session Judge of Masulipatam by Precept returnable in 7 days from and after its receipt.

Sent following precept No.

Read Calendar of Case No. 24 of 1854 of the Session Court of Nellore.

(Here enter F. Ct. No. 973 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Robbery by open violence with wounding be reduced in the case of the 1st Prisoner to (4) four years, and in that of the 2d and 3d Prisoners to (2) two years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

1st Indla Narasingadu
2d Eaga China Chenchuv-gadu. and
3d Eaga Peda Chenchuyadu.

Ordered that Extract from these

Proceedings

9th May 1854.

Proceedings be forwarded to the Session Judge of Nellore for his information.

(Sent in No.

Read Calendar of Case No. 25 of 1854 of the Session Court of Nellore.

(Here enter F. C. No. 974 of 1854)

The Court of Foujdaree Udalut are of opinion that a sentence of (6) six months imprisonment with hard labor in irons will be adequate punishment for the offence of which the 1st Prisoner in this case has been convicted, and they resolve to call upon the Session Judge to reduce his sentence accordingly.

2. If unable to concur with the Court in the propriety of the mitigated sentence now proposed, the Session Judge will be pleased to submit an English translation of the entire Record of the case for their consideration.

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

(Sent following Precept No.

Read Calendar of Case No. 37 of 1854 of the Session Court of Masulipatam.

(Here enter F. C. No. 1032 of 1854)

The

9th May 1854

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Robbery by open violence be reduced to (8) eight years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

1st Chagondy Bhemadoo
2d Yenna Soobbadoo
3d Rayolagudda Pitchigandoo and
4th Marooga Reddy.

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

(Sent in No.

Read Criminal Reports for the month of March 1854, forwarded by the Session Judge of Tillah Calicut.

(Here enter F. C. No. 931 of 1854)

Subr Judges Report B
Case No. 206 of 1853.

The Prisoners in this case appear to have been apprehended on the day on which the crimes charged was committed viz: 1st October 1853, and to have reached the Court on 6th of the same month.

2. The case is entered as being still under examination.

3. No cause whatever is assigned for

for the excessive delay that has occurred in the disposal of this case, and the Court of Sunderee Adalut resolved to direct the Session Judge to furnish explanation on this point.

Case No. 24 of 1854. 4.

In this case although the Prisoner reached the Court on the 17th February last, the examination is still proceeding, and the case undisposed of although two and a half months have elapsed.

5.

The Court of Sunderee Adalut direct that explanation of this delay be submitted.

Subo. Judge's Report A Nos. 45 and 46. 6.

The Prisoner was charged in No. 45 with petty theft, and in No. 46 with escape from custody: and on conviction was sentenced by the Moofty Sudr Ameen to 6 months' imprisonment with labor and irons and to receive 15 lashes under Clause 3d Section V Regulation IV of 1822.

7.

It appeared that he had been formerly convicted of House breaking and escape when he was punished by 8 months' imprisonment with labor and irons and again in 1852 of Petty theft when he was sentenced to 6 months imprisonment with labor and irons and to receive 15 lashes - and the Session Judge being of opinion that the present case No. 45 should consequently have been committed for trial by the Session Court under Clause 2d Section III Regulation VI of 1822, quashed the sentence

sentence of the Mooftey Sudr Ameen, and directed the committal of this case.

8.

The Court of Sunderee Adalut on consideration of the facts of the case as stated in the report, are of opinion that this proceeding of the Session Judge was uncalled for.

9.

In the present instance the theft committed was of a most trifling description - nor do the previous convictions appear to have been of such a nature as to necessitate the award of a heavier sentence than the Mooftey Sudr Ameen was competent to adjudge.

10.

The Section of Regulation VI of 1822 referred to by the Session Judge does not render it incumbent on the Subordinate Criminal Judge to commit an old offender unless he considers him to be deserving of a more severe sentence than he is authorized to inflict.

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

(Sentence No.

Read Calendar of Case No. 47 of 1854, dated 19th April 1854 on the file of the Session Court

9th May 1854.

Court of Masulipatam.

(Here enter F. C. No. 970 of 1854)

1. The Prisoner in this case was charged with "attempt at Rape" and the Session Judge considering the evidence sufficient for conviction, has sentenced him to 2 years' imprisonment with hard labor and irons.

2. The Court of Foujdaree Udalut observe that the spot named in the charge as that where the assault took place - namely the vicinity of the Europeans' house, is not one likely to have been selected for the commission of such an offence - while the evidence of the witnesses as stated in the Calendar would seem to show that the case was one of ordinary assault.

3. The Court of Foujdaree Udalut considering the grounds of sentence, as stated in the Calendar to be unsatisfactory, resolve to suspend the execution of the sentence passed by the Session Judge, and to direct him to forward an English translation of the entire record of the case to this Court for revision.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Masulipatam by Precept returnable in 10 days from and after its receipt.

(Sent following Precept No.

Read

9th May 1854

Read letter dated the 28th April 1854 from the Acting Session Judge of Tinnevelly, submitting for the final judgment of the Foujdaree Udalut the record of Case No. 10 of 1854 on the file of the Session Court.

(Here enter F. C. No. 1055 of 1854)

Mr. Hooper and Mr. 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,

"Maruden",

is sufficient to convict him of the crime of Murder, do convict him thereof, and under the provisions of Section X Regulation VIII of 1809 sentence him to suffer death by being hanged at the usual time and place of execution.

(Sent following letter No.

Read letter under date the 6th Instant from the Acting Session Judge of Combaconum.

(Here enter F. C. No. A 1088 of 1854)

1. With this letter the Acting Session Judge has submitted the Calendar of Case No. 18 of 1854, tried by him with two assessors, in which he

9th May 1854

he has suspended the sentence in consequence of his being unable to concur in the verdict recorded by one of the Assessors.

2 The Court of Foujdaree Udalut observe that the record of the trial should have been submitted for their consideration, and they resolve to call upon the Acting Sessions Judge to explain his reasons for departing from the course invariably adopted by his predecessors in the Combaconum Court in cases falling under the provisions of Clause third Section XXXII Act VII of 1843.

3 The Court of Foujdaree Udalut direct that an English Translation of the record of this case be submitted with the least possible delay.

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

(Sent following) Precept No. V

Extract

F.G.

Wednesday 10th May 1854

At a Court of the Foujdaree Udalut.

Present.

G.S. Cooper Esquire.
W.A. Morehead Esquire. } Puisne Judges.
J.L. Strange Esquire.

Read Calendar in Case No 8 of 1854 on the file of the Sessions Judge of Zillah Mangalore.

(Here enter F.G. No 1033 of 1854)

1 The Court of Foujdaree Udalut observe that the Prisoner in this case ought to have been indicted for "Murder" and not for "Culpable Homicide" as entered in the Cal hearing of the Charge.

2 The Court of Foujdaree Udalut direct that the remarks recorded by the Cazee Abd Cooza on the Futwa be communicated to the Mohomedan Law Officer of the Sessions Court.

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

/ Sent in No /

Read

Read Calendar of Case No 15 of the Sessions Court of Calicut.

(Here enter F.C. No 961 of 1854)

1 The Prisoner in this Case, who was charged with stealing vegetables of the va value of Annas 6 and Pice 5 was on conviction Sentenced by the Moosfy Suor Ameen, but as it appeared that he had been already twice co punished by the Criminal Court under co Regulation VII of 1822. the Sessions Judge over- ruled the sentence passed by the Moosfy Suor ameen, directed the Committal of the Case, and has sentenced the Prisoner on conviction to 7 years imprisonment with hard labor in irons, but has recommended a mitigation of the Sentence to one of three years imprisonment with labor and irons, as being under the co Circumstances of the Case a sufficient measure of punishment to meet the ends of Justice.

2 The Mohomedan Law Officer on a 2d question being put to him, had declared the Prisoner liable to Hud Serka. i. sogra

3 The previous convictions recorded against the Prisoner were, one for Housebreaking and Theft, and escape in co No. 305 and 306 of 1850, in which Cases he

he was Sentenced to 8 Months imprisonment with labor and irons, and for "Theft" in No 26 1852, when he was Sentenced to 3 Months imprisonment with labor and irons, and receive 50 lashes. In the present case the value of the property stolen was under half a Rupee, the Prisoner has throughout co confessed the Charge, and it appears, from the Report A of this case, received with the Criminal Reports for the Zillah of Calicut on 20th April, that the Moosfy Suor Ameen considered 6 Months imprisonment with labor and irons, and the infliction of 15 lashes a Sufficient punishment for the offence Charged.

4 The Court of Foujdaree Adawlut on consideration of the Circumstances of this Case, are of opinion that the Sessions Judge erred in over-ruling the sentence co passed in it by the Moosfy Suor Ameen.

5 Under Clause 4th Section III Regulation VII of 1822, the Moosfy Suor Ameen was competent to pass Sentence, nor does Clause 2 Section III of the same Regulation referred to by the Sessions Judge in his Proceedings on this Case which accompanies

the

10th May 1854

the Criminal Report abovementioned, in any way render it incumbent on the Subordinate Criminal Judge to convict parties against whom previous conviction may have been recorded, unless he considers them deserving of heavier punishment than he is competent to award.

6 Judging by the Sentences which were considered sufficient for the offences with which the Prisoner in the present case was on previous occasions charged, he cannot be with reason considered so notorious an offender as to remove him from the Jurisdiction of the Subordinate Criminal Court when charged with so trifling an offence as that of which he has now been convicted nor does the judgment passed by the Sessions Judge appear to the Court of Sudder Ameen appear to the Court of Sudder Adalut to be "Contrary to the Regulations" or "to Justice" or in any way of such a nature as to call for the interference of the Sessions Judge under Section II Regulation III of 1829.

7 The Court of Sudder Ameen do not consider it necessary to recommend to mitigate the sentence passed by the Sessions Judge in this case.

10th May 1854

years imprisonment with labor and irons.

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Calicut by Precept returnable in 5 days.

Sent following precept &c.

2nd 1810

Read statement submitted by the Acting Sessions Judge of Combaconum under date the 29th April 1854

(Here enter S.R. No. 1041 of 1854)

Read letter dated 2nd May 1854 from the Sessions Judge of Cuddalore informing that the monthly Criminal Reports for March 1854 were forwarded on the 18th Ultimo —

(Here enter S.R. No. 1052 of 1854)

Read Criminal report submitted by the Sessions Judge of Nellore under date the 1st May 1854 for the month of April 1854 —

(Here enter S.R. No. 1058 of 1854)

Read letter dated 3rd May 1854 from the Sessions Judge of Cuddalore reporting the transfer of the Prisoner in Case No. of 1853 to Chingleput has been deferred. —

(Here enter S.R. No. 1063 of 1854)

Read

10th May 1854

10th May 1854.

Read Convict labor report of the Jail at Salem under charge of the Magistrate submitted by the Sessions Judge of Salem under date the 1st April 1854 for the month of March 1854. —

(Here enter J. R. No. 1066 of 1854)

Read Report, dated 2nd May 1854 from the Principal Sudr Ameen in charge of the Session Court of Tellicherry, of Cases pending on the 30th April and committed for trial during the month of February 1854

(Here enter J. C. No. 1101 of 1854)

J. C.

Thursday 11th May 1854 } At a Court of the Fouzdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
I. L. Strange Esquire

Read Criminal Report with enclosures for the month of March dated 15th April received from the Sessions Judge Zillah Trichinopoly

(Here enter J. C. No. 956 of 1854)

Principal Sudder Ameen's Report B. Case No. 15.

1. In the 1st Instance of this charge, eight prisoners were charged with assaulting the Prosecutor and in the 2d Instance the 1st Prisoner alone is charged with having on the same evening as the assault took place and in company with an individual not apprehended and not included among those charged under the 1st instance snatched from the same Prosecutor certain property.

2. From the wording of the charge it would seem that the snatching charged against the 1st Prisoner was committed although on the same evening as the assault charged in the 1st Instance - still in different company and apparently at a different time and place.

It

Judge to have proceeded to call the trial and to have discharged the Prisoner as directed in Circular Order of this Court dated 26th November 1821.

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

/Sent in No. /

Read letter under date the 28th Ultimo from the Acting Agent to the Governor at Ganjam submitting a Report of the trial in Case No. 10 of 1854 on his Criminal file.

/Here enter S. D. No. 1082 of 1854/

The Court of Foujdaree Adalut, on a consideration of the evidence detailed in the foregoing letter, convict the Prisoner of the crime of assault attended with wounding, and resolve to sentence him, under Clause seventh Section II Regulation XV of 1803, to two year's imprisonment with hard labor in irons.

The Court of Foujdaree Adalut can place no reliance on the Prosecutrix's statement of the attempt at robbery committed by the Prisoner, no such accusation having been preferred by her against him before the Police.

Ordered that Extract from these Proceedings

Proceedings be sent to the Acting Agent to the Governor at Ganjam for his information and guidance.

/Sent in No. /

Read letter/with enclosure/ dated 15th April 1854 from the Subordinate Judge of Zillah Rajahmundry.

/Here enter S. D. No. 942 of 1854/

1. With this letter the Subordinate Judge forwards by request one from the Zillah Surgeon of Rajahmundry, bringing to notice the situation of the Prisoners awaiting trial in the Gaol of that Station and claiming for them separation from the convicted Prisoners and greater indulgences than are allowed to these last.

2- He states that on examination of the returns of the sick for the last 25 years, he has found that the mortality among this class of Prisoners has equalled 23 per cent upon the number of sick admitted and expresses his opinion that this mortality would not have occurred to such an extent had the Prisoners in question been granted every indulgence consistent with security.

3- He suggests that any money found in

Judge to have proceeded to call the trial and to have discharged the Prisoner as directed in Circular Order of this Court dated 26th November 1821.

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

/Sent in No. /

Read letter under date the 28th Ultimo from the Acting Agent to the Governor at Ganjam submitting a Report of the trial in Case No. 10 of 1854 on his Criminal file.

/Here enter F. De. No. 1082 of 1854/

The Court of Foujdaree Udalut, on a consideration of the evidence detailed in the foregoing letter, convict the Prisoner of the crime of assault attended with wounding, and resolve to sentence him, under Clause seventh Section II Regulation XV of 1803, to two year's imprisonment with hard labor in irons.

The Court of Foujdaree Udalut can place no reliance on the Prosecutrix's statement of the attempt at robbery committed by the Prisoner, no such accusation having been preferred by her against him before the Police.

Ordered that Extract from these Proceedings

Proceedings be sent to the Acting Agent to the Governor at Ganjam for his information and guidance.

/Sent in No. /

Read letter /with enclosure/ dated 15th April 1854 from the Subordinate Judge of Zillah Rajahmundry.

/Here enter F. De. No. 942 of 1854/

1. With this letter the Subordinate Judge forwards by request one from the Zillah Surgeon of Rajahmundry, bringing to notice the situation of the Prisoners awaiting trial in the Gaol of that Station and claiming for them separation from the convicted Prisoners and greater indulgences than are allowed to these last.

2- He states that on examination of the returns of the sick for the last 25 years, he has found that the mortality among this class of Prisoners has equalled 23 per cent upon the number of sick admitted and expresses his opinion that this mortality would not have occurred to such an extent had the Prisoners in question been granted every indulgence consistent with security.

3- He suggests that any money found in

in their possession on their admission into Gaol may be held available for supplying them with indul= =gence in the shape of any extra articles of diet they may wish to procure, the Gaoler supplying the same and keeping accounts of the disbursements-

4- The Subordinate Judge while agree= =ing with the Zillah Surgeon in the desirableness of making a marked distinction between the untried and the convicted Prisoners, expresses his opinion that it would not be judicious for obvious reasons to allow the Gaoler to keep an open account with the Prisoners in the way proposed, and points out that during the greater part of the period of 25 years, from the returns of sick, for which time the Zillah Surgeon deduces the inference of excessive mortality among the untried Prisoners- the Circuit Courts were in existence, and under the then system Prisoners were detained in confinement awaiting their trial, for much longer periods than now takes place- He states that he is not aware that under the existing system the proportion of sick among them is greater than or even so great as among the other classes of Prisoners, but expresses his desire to effect the complete separation of convicts from untried Prisoners.

The

11th May 1854-

5- The Court of Foujdaree Adalut observe that the conditions of Prisoners under trial as to the time they have to wait until tried, is so different under the present system from what it was under the former one, that the mortality that may formerly have prevailed among them cannot be brought into account now. It is certainly most desirable that this Class of Prisoners should be kept separate from convicts and when the Central Gaol is established the facilities for this in the Zillah Gaols will be increased.

6- The Zillah Surgeon's proposition = that the untried Prisoners should be allowed the command of their private resources would be the means of introducing very objectionable practices into the Gaol and certainly cannot be carried out.

Ordered that Extract from these Proceedings be sent to the Subordinate Judge of Rajahmundry for his information and for Communication to the Zillah Surgeon.

Sent in No 15

E. C. Thatt

T. U.

Saturday 13th May 1854

At a Court of the Tanjore Udalut

Present

G. L. Hooper Esqre Puisne Judge

W. A. Morehead Esqre Puisne Judge

T. L. Strange Esqre Puisne Judge

The record of trial in referred Case No. 1 of 1854, on the file of the Session Court of Chittoor, not having been yet received.

Ordered that the Session Judge of Chittoor be required to submit the record aforesaid without delay.

(Sent in No.)

4th Mar

Read letter dated 9th May 1854 from the Acting Subordinate Judge of Cuddapah, stating with reference to the Court's letter of the 24th April 1854, that the sanction of Government for Rupees 70 — for certain ventilation of the Jail may now be cancelled.

(Here enter T. U. No. 1122 of 1854)

Read Return dated 8th May 1854 from the Session Judge of Coimbatore to the Precept of this Court dated the 4th Idem, cancelling the requisition of Security from the 4th and 5th Prisoners in Calendar Case No. 1 of 1854, and directing certain property to be recovered and returned to the Prisoners. (Here enter T. U. No. 1116 of 1854)

F. U.

Monday 15th May 1854.

At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esqr. ___ Puisne Judge
W. A. Morehead Esqr. ___ Puisne Judge
T. L. Strange Esqr. ___ Puisne Judge.

Read Miscellaneous Petitions sent by the Acting Session Judge of Masulipatam from Immunnah Inggaraikooloo and Gantasala Soobapoyadoo of the Zillah of Masulipatam.

(Here enter F. U. M. Ps. Nos. 80 and 81 / 1854)

Mr. Morehead 1. These Petitioners pray the Court of Foujdaree Udalut to reverse the sentence passed upon them by the Acting Session Judge of Masulipatam by which they were sentenced to be imprisoned for 8 years with hard labor in irons - as guilty of Riot, and Robbery by open violence, and possessing plundered property.

2. The Court of Foujdaree Udalut seeing no reason to doubt the correctness of the sentence passed upon these Prisoners by the Acting Session Judge resolve to reject these Petitions.

Ordered that Extract from these

Proceedings

15th May 1854

Proceedings be sent to the Acting Session Judge of Masulipatam for communication to the Petitioners.

(Sent in No.

Read Miscellaneous Petition presented on the 20th April 1854 by Mr. Ritchie Esqr. Pleader on behalf of Bawadeen alias Nunneyah and others of the Taluk of Trichinopoly

(Here enter T. Ur. M. P. No. 82 of 1854)

Mr. Morehead and Mr. Strange.

This is an application for the remission of the sentence passed on the Petitioners, prisoners in Case No. 36. before the Session Court of Trichinopoly

2 The Court of Foujdaree Udalut has already passed orders upon the subject of this Petition in their Proceedings dated the 13th February 1854 to which these Petitioners are referred.

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

Read Miscellaneous Petition from the Taluk on the 27th April 1854 by Sooburmal of the Taluk of Cuddalore.

(Here enter T. Ur. M. P. No. 90 of 1854)

Mr. Strange

1 The Petitioner prays the Court of Foujdaree Udalut to order the release of the 12th Prisoner in Case No. 42 of 1853. before the

15th May 1854.

Session Court of Cuddalore he being as she submits of unsound mind.

2. The Court of Foujdaree Udalut resolved to reject this Petition having already given the subject thereof their full consideration in their Proceedings of the 6th March 1854 to which this Petition is referred.

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

Read again Criminal Reports submitted by the Session Judge of Cuddapah, for the month of February 1854.

(Here enter T. Ur. No. 691 of 1854)

Read also Return dated 18th April 1854 from the Session Judge of Cuddapah to the Receipt of the Foujdaree Udalut under date 8th April 1854, directing him to submit Report A. of Cases Nos. 28. 33. 39. 41. 42 and 59. on the Criminal file for 1854.

(Here enter T. Ur. No. 947 of 1854)

Sub. Crimn. Judge's Report A. Case No. 28

1 The Prisoner in this Case was charged with murder, and sentenced by the Subordinate Judge to find security for one year, as strong grounds of suspicion existed against him.

The

2 The Court of Foujdaree Udalut observe that there was distinct evidence to criminate the prisoner who had absconded - If the Subordinate Judge was of opinion that the evidence adduced was sufficient to raise such strong suspicion against the accused as to justify requisition of security and found that no further evidence was likely to be forthcoming, the case should have been committed for trial before the Session Court.

Case No. 39. 3 In this case of "Housebreaking and Theft", a bead with the name of the Prosecutors father engraved on it and which was found in the house of the Prisoner was identified as belonging to the Prosecutor, and the Moofty Sudr Ameen considering strong suspicion to attach to the Prisoner held him to security -

4 The Moofty Sudr Ameen should have come to a definite decision on the value of this evidence and if he considered the bead to have formed part of the stolen property should have convicted the Prisoner of the crime charged.

Case No. 41. 5 In this case where the Prisoners were charged with stealing public money under their guard, the Subordinate Judge being of opinion that strong

strong suspicion attached to them - held them to security

6 The Court of Foujdaree Udalut observe that the evidence of the 3d Witness, the Duffadar, would seem to acquit the 1st prisoner, and to charge the guilt upon the 2d during whose period of guard the bag of money was found to be missing) No weight can be attached to the alleged confession of the 1st prisoner when coupled with the statement that he refused to deliver up the money - and in the face of the evidence of the 3d Witness - There would appear however to have been sufficient evidence for committing the 2d Prisoner

7 The Court of Foujdaree Udalut resolve to direct the Session Judge to review the proceedings in this Case and determine whether the securities of the 1st and 3d Prisoners should not be cancelled.

Case No. 42. 8 The prisoners in this case who were Chuprassees, were put on their trial by orders of this Court, on a charge of conniving at the escape of certain prisoners - and the Subordinate Judge holding that the evidence adduced insufficient to prove connivance on the part of the prisoners, raised strong suspicion against them, held them to security.

9 The Court of Foujdaree Udalut observe that

that all the evidence of connivance was wanting, there was ample proof to have convicted the Prisoners under clause first Section XI Regulation XIII of 1832, of gross and culpable neglect of duty, whereby the Convicts were enabled to effect their escape. and considers it much to be regretted that the Subordinate Judge did not put this Law into force.

Case No. 59. 10. In this case of Murder, the prisoner confessed before the police, but denied the charge in the Criminal Court, and the Subordinate Judge considering him under strong suspicion held him to security.

11. The Court of Foujdaree Udalut are of opinion that there was enough to have justified the committal of the prisoner. his police confession having been corroborated by the declaration of the deceased made both when she felt herself to be dying and immediately after she had been assaulted and which are proved by several witnesses.

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddapah by Precept returnable in 15 days from and after its receipt.

(Sent following) precept No.

Read

Read Criminal Reports dated 1st April 1854, submitted by the Session Judge of Rajahmundry for the Month of March 1854.

(Here enter F. C. No. 978 of 1854)

1. Of the 18 Cases entered in Report B of the Subordinate Criminal Court, the Court of Foujdaree Udalut observe that no less than 13 were referred by the Subordinate Judge to the Mooftly Sudr Ameen, which, considering the duties devolving on that Officer as Law Officer in the Session Court in addition to his Civil business was a larger proportion of cases than the Subordinate Judge should have referred to him.

Cases No. 20. 25. 2. The Court of Foujdaree Udalut require an explanation of the great delay which has occurred in the disposal of these Cases

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry for communication to the Subordinate Judge by precept returnable in 7 days from and after its receipt.

(Sent following) precept No.

Read Calendar in Case No. 64 of 1854 on the file of the Session Judge of Bellary

dated

15th May 1854.

dated 20th April 1854

(Here enter F. C. No. 987 of 1854)

1. The 1st prisoner in this case is charged with murder, and the 2nd with being an accessary before the fact

2. There being no evidence to implicate the 2nd Prisoner, she was released.

3. From the abstract of the evidence and of the 1st Prisoner's statement it appears that the Prisoner was on the night in question suddenly roused from sleep, and perceived two persons standing - one in the room, the other (declared) on the threshold - that he did not recognize them - but taking them for thieves attacked them - that one of them threw a stick at him and then ran away - but that he grappled with the other one who was armed, and stabbed him twice thereby killing him.

4. It also appears that the 1st prisoner and the deceased were on friendly terms

5. The Mahomedan Law Officer convicts the Prisoner of "Culpable Homicide", and the Sessions Judge concurring in this conviction, sentenced him to one years' imprisonment with labor but without irons

6. The Court of Enquiry Adalut[illegible]

F. C.

15th May 1854.

opinion that this sentence was unduly lenient.

7. The use of the knife by the 1st Prisoner was not justified by the facts of the case as stated by himself - and the case was actually one of Murder.

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

(Sent in No.

Read Extract from the Proceedings of the Session Court of Combaconum dated 26th April 1854 on Criminal Report A. of No. 68 of 1854 on the file of the Subordinate Court, submitted by the Acting Session Judge.

(Here enter F. C. No. 1009 of 1854)

1. The Prisoners in the above case were charged with conspiring together with intent to injure or disgrace a Government servant by falsely charging him with having received bribes, and committed to the Subordinate Court where on trial they were acquitted.

2. The Acting Session Judge in the above mentioned proceedings on the report of the case, being of opinion that the Acting Subordinate Judge before disposing of the case should have

ascertained

15th May 1854

ascertained thro' the Session Court whether under the Mahomedan Law, the offence charged was punishable - no specific penalty being attached to it in the Regulations, has referred the matter for the consideration and orders of this Court.

The Court of Foujdaree Udalut

3 observe that a conspiracy of the kind set forth in the charge - viz: to disgrace or injure a party, is indubitably punishable under the Mahomedan Law. a fact of which the Acting Session Judge might have satisfied himself by a reference to the Law Officer of his Court.

The Court of Foujdaree Udalut

4 consider that the reference to this Court was unnecessary.

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

(Sent in No 5

Eq Tho W

Tuesday
16th May 1854

F. Ud.

At a Court of the Foujdaree Udalut

Present

G. L. Wooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. Le. Strange Esquire

Read Calendar of case No 155 of 1854 of the Session Court of Masulipatam.

/Vide Enter F. Ud. No. 969 of 1854/

The Court of Foujdaree Udalut

= but approving of the recommendation made by the Session Judge that the sentence of Imprisonment recorded against the 1st Prisoner in this case be reduced to /8/ eight years Imprisonment with hard labor in irons, resolve to direct that the Corporal punishment awarded to him be remitted.-

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

/Sent in No. /

Read

15th May 1854

ascertained thro' the Session Court whether under the Mahomedan Law, the offence charged was punishable - no specific penalty being attached to it in the Regulations, has referred the matter for the consideration and orders of this Court -

3 The Court of Fouzdaree Udalut observe that a conspiracy of the kind set forth in the charge - viz: to disgrace or injure a party, is undoubtedly punishable under the Mahomedan Law - a fact of which the Acting Session Judge might have satisfied himself by a reference to the Law Officer of his Court -

4 The Court of Fouzdaree Udalut consider that the reference to this Court was unnecessary

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

(Sent in No 5

C/ Eg/ Hott

Tuesday
16th May 1854.

F. U.

At a Court of the Fouzdaree Udalut

Present

G. L. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read Calendar of Case No. of 1854 of the Session Court of Masulipatam -

/ Vide Extract F. U. No. 969 of 1854 /

The Court of Fouzdaree Udalut - but approving of the recommendation made by the Session Judge that the sentence of Imprisonment recorded against the 1st Prisoner in this Case be reduced to / 8 / eight years Imprisonment with hard labor in irons, resolve to direct that the Corporal punishment awarded to him be remitted -

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

/ Sent in No. /

Read

15th. Ma

16th. May 1854

Read Calendar of Case No. 07 of 1854, from the Sessions Judge of Tellicherry Mangalore.-

/Vide Enter F. Pg. No. 1056 of 1854/

1. The Prisoner was charged with Housebreaking and Theft on the 2d Count of the indictment with knowingly receiving part of the stolen property, and on the 3d Count, with being a convicted Burglar and Thief.-

2. He was committed by the Subordinate Judge for trial before the Sessions Court, and committed by the Officer of the Crimes charged against him.

3. The Sessions Judge in his sentence states that he concurs in the conviction of the prisoner on the 2d and 3d Counts, that there is no proof that the Prosecutor was in possession of the sum of cash which he states to have been and sentences the prisoner to seven years Imprisonment with hard labour.

4. The Court of Sessions Adalut resolve to return these Proceedings

16th. May 1854

for amendment.-

5. The Sessions Judge should state out his reasons for conviction. the omission of which this Court has repeatedly had occasion to point out.-

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Mangalore by precept returnable in 7 days from and after its receipt.-

/Sent following precept No./

Read letter under date the 21st Ultimo from the Sessions Judge of Madura applying for sanction to admit Caroopanen the 15th prisoner in Case No. 16 of 1854 on the Calendar of the Sessions Court as an approver therein.-

/Vide Enter F. Pg. No. 995 of 1854/

Read also return under date the 6th Instant made by the Sessions Judge of Madura to the Precept of the Sonjdaree Adalut under date the 27th April 1854 directing the submission of an epitome of the evidence already

already forthcoming in the case and a transla-
tion of the statements made by the Prison-
er referred to.-

/Vide enter F. Ct. No. 1095 of 1854/

The Court of Fouzdaree Adawlut
not resolve under the authority vested in
them by Section XII Regulation XIII of 1832
to sanction the offer of a pardon to the Pri-
soner

"Caroopanen"

on the terms and conditions specified
in Section XX Regulation VIII of 1802.-

Ordered that Extract from
these Proceedings be forwarded to the Ses-
sion Judge of Madura for his informa-
tion.-

/Sent in No./

Read Miscellaneous Petition
sent by the Acting Session Judge of Com-
baconum from Shekan 1st Prisoner and
Oodeyummy 8th Prisoner in Case No. 43 of
1843 on the file of the said Session Court

/Vide enter F. Ct. P. No. 85 of 1854/

The Petitioners in the case having

Mr. W. A. Morehead. 1.

and wife, were charged in the abovementioned
case the 1st Petitioner with Gaucy Robbery, and
the 2d Petitioner with having pawned part
of the stolen property, and on conviction
were sentenced to imprisonment with
hard labor in irons for 14 years, and for
six months respectively.

2. They pray the Court of
Fouzdaree Adawlut to call for the record
of the case, and on consideration of the
arguments stated in their petition
to annul the sentence passed against
them, and to order their release.

3. The Court of Fouzdaree
Adawlut seeing no reason to disturb the
sentence of the Lower Court resolve
to reject this petition.-

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

/Sent in No./

Read letter from the Session
Judge of Salem dated the 26th April 1854

/Vide enter F. Ct. No. 1035 of 1854/

In

1.

18th May 1854

1 In this letter the Session Judge solicits the opinion of the Foujdaree Adalut whether the inhabitants of any Village are at liberty to employ as Barbers Sotios &c and others than those holding these situations in merassy in that village, and whether the owners of dead cattle can dispose of these as they please.-

2 The Court of Foujdaree Adalut see no occasion to pass any orders upon this matter.-

3 Parties who may be aggrieved by the orders of the Session Judge upon this subject can if they see fit, petition the Court of Foujdaree Adalut.-

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

/Sent in &c/

Read Criminal Reports for the month of March submitted by the Session Judge of Bellary.-

/Vide entry No. 458 of 1854/

The Court of Foujdaree Adalut observe that the headings of the several charges in these cases require amendment

2. Those of Nos. 33. 69. and 78 should have been "Robbery by open violence" and that of No. 34. "Attempt at Robbery by open violence" instead of Robbery and attempt at Robbery as entered.-

No. 77 3 The prisoners in this case were committed for trial before the Session Court on a charge of stealing grain valued at Rupees 25. 14. from the Cholum pit of the Prosecutor and the greater number of them were further charged with having severally received shares of the stolen grain, to the aggregate value of Rupees 20 knowing it to be stolen.-

4. The Court of Foujdaree Adalut consider that this case should have been disposed of by the Subordinate Judge and that its committal to the Session Court was unnecessary.-

Account of Puffadars &c employed to guard Prisoners at work outside the gaol- 5. The number of Prisoners in this account is 305 and that of Peons &c 81.-

The

No. M. 2

Subordinate Judge Report B. Nos. 33. 34. 69 and 78

16th May 1854

6 The Court of Foujdaree Udalut require an explanation of the excess in this last number over that prescribed the authorised number of Peons to guard 305 prisoners being at the rate of one Peon for four prisoners, only 76 and not 81. —

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Bellary, by Precept returnable in 7 days from and after its receipt. —

/Sent following precept &c/

Read Calendar of Case No. 7 of 1854 on the file of the Session Court of zillah Rajahmundry. —

/Here enter F. Pa. No. 1057 of 1854/

1. The prisoner was charged with causing the death of a woman by attempting to procure abortion and the Head of Police who made the preliminary enquiry reported the case to the Head Assistant Magistrate and asked for instructions. —

2. The case was committed for trial by the Head Assistant Magistrate

F. Pa.

16th May 1854

who took depositions in it and received a confession from the Prisoner. —

3. The Court of Foujdaree Udalut are unable to see why the Prisoner was brought before the Head Assistant Magistrate and not committed by the Police Officer direct. —

4. The Court of Foujdaree Udalut resolve to direct that explanation on this point be submitted to them.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Rajahmundry by precept returnable in 15 days from and after its receipt. —

/Sent following Precept. &c/

Read Criminal Reports for the month of March submitted by the Session Judge of zillah Tinnevelly. —

/Here enter F. Pa. No. 975 of 1854/

Moofty Sudr Ameen's Report B Case No. 22

1. The Prisoner was charged with being in possession of 2 bullocks valued at 9 Rupees Knowing them to be stolen, and on conviction was sentenced to two years imprisonment with labor in irons.

2. The Court of Foujdaree Udalut consider this sentence to be unnecessarily

-rily severe, unless the crime of cattle stealing is very prevalent in Tinnevelly, which the reports do not show, and it is moreover incon-sistent with the sentence passed by the same Officer in Case No. 25 in which the prisoners were sentenced to one years imprisonment with labor in irons. on conviction of being in possession of stolen cattle valued at 98 Rupees.-

3 The Court of Fonjdaree Adaw-lut resolve to direct the Session Judge to review the Proceedings in this case, and pass such orders as he may deem proper. reporting the same for the information of this Court.

Case No. 25.

4 With reference to the above-mentioned Case No. 25, the Court of Fonjdaree Adaulut observe that the receiving a reward for restoring stolen cattle to the owner which is charged in the second clause of the indictment, is not a penal offence and should not have been entered in the charge

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Tinnevelly by precept returnable in

in 15 days from and after its receipt.-

/Sent following precept No. /

Read letter from the Acting Agent to the Governor in Ganjam submitting the Criminal reports for the month of March 1854.-

/Here enter F.C. No. 1029 of 1854/

Principal Assistant Agents Report A Case No. 9

1 The Prisoners in this case were charged with having received a sum of 100 Rupees, with the intention of giving it to the Head of Police as a bribe to stop the enquiry in a Murder case.-

2. The 1st. Prisoner confessed to having paid the sum of money named in the charge to a Police Gomastah for delivery to the Head of Police, and was sentenced by the Principal Assistant Agent to six months imprisonment, and to pay a fine of 50 Rupees or in default to further imprisonment for 3 months.-

3. In the Extract from the Proceedings of the Agents Court on this case, it is stated that, for reasons therein mentioned, the Agent determined

to

"to modify the sentence by raising the fines to 100 Rupees."-

4 The Court of Fouzdaree Adawlut
-lut observe that the Acting Agent does not
possess the power of enhancing a sentence
passed by the Assistant Agent under
Section VII Regulation X of 1816. He could
have mitigated it, or if he considered it
inadequate, could have commented upon
it.-

5. The Court of Fouzdaree Adawlut
-lut resolve to direct the Acting Agent to
reduce the fine to the amount declared
by the Principal Assistant Agent in
his sentence.-

Ordered that Extract from
these Proceedings be forwarded to the Act-
-ing to the Governor of Fort Saint George
at Ganjam by precept returnable in five
days from and after its receipt.-

/Sent following precept No /

Read Return dated the 28th
April 1854 from the Agent to the Governor
at Kurnool to the precept of the Fouzdaree
Adawlut

Adalut under date the 18th April 1854, calling
for explanation of the large number of Pris-
-ers in the Kurnool jail who in the mean-
-time allowance of grain.-

/Were enter F. Ad. No 1065 of 1854/

The Agent reports that these Pr-
-soners were employed in work of the severe
description such as clearing out wells, ex-
-cavating gravel and drawing it in Carts
for the repair and construction of roads.-

2 The Court of Fouzdaree Ad-
-lut consider the work described above
as not being of such an unusual nature
as to justify the prisoners receiving the
maximum allow-ance which they accord-
-ingly direct that the same be discontinu-

Ordered, that Extract from
these Proceedings be sent to the Agent to
the Governor of Fort Saint George at
Kurnool for his information and gui-
-dance.-

/Sent in No /

Read Criminal Report
B. submitted by the Session Judge of
Masulipatam

Masulipatam for the months of March 1854.

/Here enter F. Ms. No. 1021 of 1854/

Subordinate Criminal Judge's Report 13 Cases Nos. 22, 30 & 32.

As these cases were finally disposed of by the Acting Sessions Judge in his capacity as such, the mere fact of commital should have been stated in this report, the sentence beings entered in the separate Calendar submitted by the Sessions Judge.-

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

/Sent in No./

Read Criminal Reports for the months of March 1854 submitted by the Sessions Judge of Cuddalore.-

/Here enter F. Ms. No. 981 of 1854/

Principal Sudr Ameen's Report B Case No. 4

1. The prisoner who was sentenced in Case No. 3 to punishment for breaking, was in the present case charged with escape from custody when arrested on the former charge, and on conviction was sentenced to one months imprisonment with labor in irons for this offence.-

2. The Court of Poudaree Adalut observe that it should have been stated in this last sentence that it is to take effect on the expiration of the sentence passed in the preceding case.-

Ordered, that Extract from these Proceedings, be forwarded to the Session Judge of Cuddalore for communication to the Principal Sudr Ameen.-

/Sent in No./

Read Criminal Reports for the month of March 1854 submitted by the Sessions Judge of Coimbatore.-

/Here enter F. Ms. No. 965 of 1854/

Joint Magistrates Cotacamund Report A Case No. 4.

1. The Prisoner was charged with fraudulently obtaining a sum of money, and sentenced on conviction to imprisonment with labor, and to pay a fine of the amount of the sum fraudulently obtained, half of which was to go to the Prosecutor as compensation or in default to undergo further imprisonment.-

2. The Sessions Judge on review of

of the case, considered the evidence insufficient to prove that a fraud had been committed, released the prisoner, and stated that he could "not concur in the propriety of the mode in which restitution was awarded to the Prosecutor by the Joint Magistrate.-

3 The Court of Foujdaree Adalut but observe that assuming the evidence to have been sufficient to prove the fraud, which was the opinion of the Joint Magistrate, the award to the Prosecutor of the amount of the fine was in accordance with the provisions of Act XV of 1850.-

Principal Sudr Ameen's Report B Cases Nos. 22, 23, 24, 25, 34, and 36

4 In the six cases noted in the margin the charges in which were for "Gang Robbery by open violence" "House breaking with theft" and "Cattle stealing" it is briefly stated that "strong suspicion existed" and security in varying amounts has been required from the Prisoners.-

5. The Court of Foujdaree Adalut resolve to direct the Session Judge to review the proceedings of the Lower Court in each of these cases, and to state for the information of this Court whether he considers the several requisitions

sitions of security to be proper as a mode of disposing of the cases, or necessary under their respective circumstances

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Coimbatore by precept returnable in 20 days from and after its receipt.-

/Sent following Precept No. /

Read Criminal Reports for Month 1854 submitted by the Session Judge of Salem

/Vide Enter F. Ud. No. 945 of 1854/

Subordinate Judge's Report B. Case No. 28

In this case of "Arson" the charge merely states that the prisoner set fire to the Prosecutors house.-

2. The Court of Foujdaree Adalut but observe that the malicious intent which forms the essence of the crime should have been set forth in the charge. As it now stands, this is nothing to show that the fire was not accidental.-

Subordinate Judge's Report B. Cases Nos. 29. 30 and 31

3. In these three cases the same prisoner was charged with "House breaking and theft" and "Theft" and on conviction was sentenced to a cumulative punishment of 18 months

months imprisonment with labor in irons.-

4 The Court of Sonjdaree Udalut observe that the aggregate value of property stolen in these three cases was no more than Rupees 7.12.2 and consider that the punishment awarded by the Subordinate Judge was unnecessarily severe

5 They accordingly resolve to direct the Session Judge to review the whole of the proceedings and to mitigate the punishment. nine months imprisonment would in the opinion of this Court, be a sufficiently long term of imprisonment.

Hooghly Sudr Ameens 6
Report 63.

In these two cases the same prisoner was charged with stealing from an open shop two bullocks valued at Rupees 13-8-- and further with knowingly retaining the stolen property in his possession and was required to find two securities for good conduct for six months.

Cases Nos. 43 and 44

7. The Court of Sonjdaree Udalut consider that a verdict of acquittal or of conviction should have been passed in these cases

8 The Court resolve to direct the Session Judge to review the proceedings in these cases and to pass such orders as he may

16th. May 1854

may deem proper, reporting the same for the information of this Court.-

The 1st. prisoner was charged with

9 having in the day time assaulted the prosecutrix and cut off a portion of her ear and the 2d. prisoner with having aided in the commission of the assault by holding the prosecutrix down by her hair. on conviction they were sentenced to imprisonment with labor 1st. prisoner for 6 and the latter for 3 months.-

It is stated in a note by the Session Judge that the Subordinate has been informed that he should have tried the 2d. prisoner as a principal in the offence.-

10

The Court of Sonjdaree Udalut consider that the sentence passed by the Subordinate Judge was inadequate to an offence of the nature stated in the charge which exhibits a degree of malice, and deliberation in the assault calling for severer punishment- The case should have been committed to the Session Court.-

11.

It is stated that 58 out of the total number of prisoners receive the maxi-

12.

Convict labor Report

mum

-mum rate of Diet being employed on hard labor.-

13. The Court of Fonjdaree Adaw-lut observe that all prisoners sentenced to labor, are expected to be employed on hard labor and that this does not form a sufficient reason to keeping them on the maximum rate of diet.-

14 The Court of Fonjdaree Adaw-lut resolve to direct that this be hencefor-the discontinued except in cases where it may be specially recommended by the zillah surgeon.-

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Salem by precept returnable in 20 days from and after its receipt.-

/Sent following precepts &c/

Read Miscellaneous Petition presented on the 10th Instant by Gopa-lakristnier of the zillah of Chingleput.-

/Here enter F. Mc. P. No. 75 of 1854/

Morehead The Court see no reason for interfering in the matter of this Petition which

which has previously received their full consideration, and upon which they passed orders in their proceedings dated the 8th September 1853.-

Ordered, that Extract from these Proceedings be furnished to the Peti-tioner on his application.-

Read Miscellaneous Petition presented on the 10th April 1854 by Nyn-nanmah of zillah Nellore.-

/Here enter F. Mc. P. No. 83 of 1854/

Mrs. Morehead- 1 The Petitioner prays the Court of Fonjdaree Adalut to reverse the sentence passed upon her husband in Case No. 19 of 1853, by the Session Judge of Nellore.-

2 The Court find nothing advanced by their Petitioner which would lead them to question the correctness of the sentence passed upon her husband and therefore resolve to dismiss this Petition.-

Ordered that Extract from these Proceedings be furnished to the Pe-titioner on her application.-

Read Calendar of Case No. 6

of

of 1854 from the Session Judge of Zillah Monore.
/ Vide inter. Ltr. No. 1019 of 1854 /

1. The prisoner was charged with Housebreaking, and theft, and on a 2d. Count with having been formerly convicted of theft.-

2. This case was committed by the Acting Principal Sudr Ameen for trial by the Session Court on the ground of the prisoner having been formerly punished for theft.-

3 The prisoner confessed to participation in the offence charged in the 1st. Count and pleaded guilty to the 2d. Count.-

4 The Mahomedan Law Officer on a 2d. question being put to him, declared the prisoner liable to Hud, and the Session Judge concurring in the conviction of the Prisoner of guilty participation in the theft charged sentenced him to seven years imprisonment with labor and irons but recommended that the term of imprisonment be reduced to 3 years.-

5 The Court of Sudder Dewanny Adawlut observe that this case might have been disposed of by the Principal Sudr Ameen the value of the property stolen being less than one hundred

hundred Rupees, and a previous conviction for theft not constituting one of the circumstances of aggravation set out in Clause 2 Section II Regulation VII of 1822.-

6. The Court of Foujdaree Adawlut - but are of opinion that a sentence of 2 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 they resolve to call upon the Session Judge to reduce his sentence accordingly.-

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Monore for his information and guidance by precept returnable in X days from and after its receipt.-

/ Sent following Precept No. /

Ent. Thos W

F. Ud.

Wednesday
17th May 1854

At a Court of the Toujdaree Udalut

Present

G. S. Hooper Esqre ____ Pnisne Judge
W. A. Morehead Esqre ____ Pnisne Judge
T. L. Strange Esqre ____ Pnisne Judge

Read Criminal Reports for the month of March 1854, submitted by the Session Judge of Tellicherry.

(Here enter F. Ud. No. 1023 of 1854)

Principal Sudr Ameens Report B. No. 22.

1 In the 2d Count of the indictment in this Case the prisoner is stated to have given up on demand the stolen property which he is therein charged with knowingly having in his possession

2 The Court of Toujdaree Udalut observe that as the fact of the prisoner producing the property, formed no portion of the charge against him it should not have been mentioned in the indictment.

Hooghly Sudr Ameens Report B. No. 23.

3 The Prisoner in this case was charged with breaking open the door of the Cookroom in the Prosecutor's house during the night, and stealing therefrom utensils and fowls of the value of Rupees 3-8-, and further with knowingly retaining in his possession

and

and secreting the said property.

4

On conviction he was sentenced by the Moosfy Sudr. Ameen to one years imprisonment with labor and irons.

5.

The Court of Foujdaree Udalut being of opinion that this sentence is unnecessarily severe resolved to direct the Sessions Judge to review the proceedings in the case and to modify the sentence should he see cause to do so.

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

(Sent following precept No.

Read letter under date the 25th April 1854 from the Agent to the Governor of Fort St. George in Vizagapatam, submitting an English translation of the record of Case No. 2 of 1854 on the Criminal file of this Court for the final judgment of the Court of Foujdaree Udalut.

(Here enter F. Co. No. 1668 of 1854)

Before passing sentence in this case the Court of Foujdaree Udalut resolve to direct that an English translation of any record that may have been made

made (should such record be in existence) of the further enquiries referred to in the 9th para. of the Agents letter as having been instituted in consequence of a Petition presented by the 1st witness for the defence may be submitted for the consideration of the Court with as little delay as possible.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George in Vizagapatam by Precept returnable within iii days from and after its receipt.

(Sent following precept No.

Read letter dated the 4th May 1854 from the Session Judge of Calicut, submitting for the final judgment of the Foujdaree Udalut the record of Case No. 9 of 1854 on the Calendar of the Session Court.

(Here enter F. Co. No. 1104 of 1854)

Mr. Hooper and Mr. Strange

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,

2nd Melepeediakel Moideen

5th Edathody Velloo

9th Koonaraden Ahen

10th Paramel alias Ichatil Koonhoony

12th

17th May 1854

12th Poorkoombata Parangodan

and

13th Madathiltodyil Tomatha Koomby Kodan

is sufficient to convict them of the crimes charged, do convict them thereof; and under the provisions of Clauses third and fifth, Section IV Regulation X of 1803, 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.

But being of opinion that the Prisoners,

3rd Parapoolakel alias Kaluthe Koomby Mannu

4th Poothiathil Ramen Coothy

7th Koyaketalakel Ither

8th Koyaketalakel Koya

11th Konapoolakel Ramen Nair

14th Manakattil Chungo Nair

are not convicted on presumptive proof or on the evidence of Credible witnesses, or on their own confession of the crime charged, do acquit them thereof and direct that they be unconditionally released

(Section No

Read letter dated 9th May 1854 from

F. C.

17th May 1854

from the Session Judge of Madura, submitting for the final judgment of the Foujdaree Adalut the record of Case No 17 of 1854 of the Calendar of the Session Court.

(Here enter F. C. No 1135 of 1854)

Mr. Morehead and Mr. Strange.

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,

Veroyee (a female)

is sufficient to convict her of the crimes charged, do convict her thereof and sentence her to be imprisoned and kept to labor suitable to her sex and age for and during the period of (2) two years.

1. The Court of Sudr Adalut are not of opinion that Mr. Baynes' proposition that this Prisoner on account of her tender age should be placed under the care of some Clergyman, is feasible.

2. The Court would, if the Jailer at Madura is an European, direct the Session Judge to make such arrangements as he may think advisable for placing this Prisoner immediately under the Jailer's care, and for her keeping her separate from

17th May 1854

from the Prisoners in the Jail

Ordered that Extract from these Pro-
ceedings be forwarded to the Session Judge of Madura
for his information.

(Sent in No.

Read letter dated the 9th May 1854
from the Session Judge of Cuddalore, submitting
for the final judgment of the Foujdaree Udalut
the record of Case No. 18 of 1854 on the Calendar of
the Session Court.

(Here enter F. Ud. No. 1123 of 1854)

Mr. Strange
and
Mr. 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,

Soobben alias Lunga suby,

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. 5

F. Ud.

Thursday.
18th May 1854. } At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esqre.
W. A. Morehead Esqre. } Puisne Judges.
T. L. Strange Esqre.

Read Calendars of Cases Nos. 12 and
13 of 1854 of the Session Court of Cuddalore.-

(Here enter F. Ud. Nos. 1039 and 1040 of 1854.)

The Court of Foujdaree Udalut approve
of the recommendation made by the Session Judge in these
Cases, that the period of Imprisonment which the Prisoners
noted in the margin have been adjudged to suffer on
their conviction of the crime of Gang Robbery, be reduced
to (8) Eight years Imprisonment with hard labor in irons,
and they do authorize the Session Judge to issue his warrant
accordingly.-

1 Vengalum } In No. 12 of 1854.
2 Soobbaraya }
Cicherayan } In No. 13 of 1854.
Caroopiah -

Ordered that Extract from these Pro-
ceedings be sent to the Session Judge of Cuddalore for
his information.-

(Sent in No.)

Read Calendar of Case No. 8 of 1854
on the file of the Session Court of Chittoor.-

(Here Enter F. Ud. No. 1076 of 1854.)

The

1.

The Court of Foujdaree Udalut observe that the trial of these prisoners was closed on the 22d April 1854, and that the sentence of acquittal was not pronounced until the 29th of April.—

2.

The Court of Foujdaree Udalut consider this delay unnecessary, and resolve to direct the Session Judge in future to avoid delays in passing sentence after a trial is closed.—

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

(Sent in No.)

Read Calendar of Case No. 170 of 1854 of the Sessin Court of Combaconum.—

/True inter F.C. No. 1079 of 1854./

The Court of Foujdaree Udalut approve of the recommendation made by the Sessin Judge in this Case, that the prisoner noted in the margin has been adjudged to suffer

Ammoyamaul.

Prisoner noted in the margin has been adjudged to suffer on her conviction of the crime of House breaking and Theft, be reduced to (3) Three years Imprisonment with labor suited to her sex; and they do authorize the Session Judge to issue his Warrant accordingly.—

Ordered that Extract from these Proceedings be sent to the Acting Sessin Judge of Combaconum

Combaconum for his information.—

(Sent in No.)

Read Criminal Reports submitted by the Session Judge of Nellore for the Month of March 1854.

/True inter F.C. No. 972 of 1854./

Magistrates Report B.

Case No. 5.

1.

The Prisoner was charged with deliberately and violently dragging down the Prosecutrix from a height of about 4 feet, and throwing her thereby with such force to the ground, as to dislocate her hip joint, and further with having knelt upon her chest, and otherwise maltreated her, and was sentenced to pay a fine of Rupees 10, or to be imprisoned for 6 weeks.—

2.

Unless the nature of the assault was greatly exaggerated in the charge, it appears to the Court of Foujdaree Udalut that the punishment awarded was altogether inadequate to the offence.—

3.

The Court of Foujdaree Udalut resolve to direct that it be in future always stated, by what officer of the Magistracy the cases tried under Section IXIV Act VIII of 1843 were disposed of.—

4.

The Court of Foujdaree Udalut observing report of cases disposed of by the Principal Sud Ameen, contains no fewer than seven cases of requisition of security, viz. Nos. 9- 39- 44- 46- 50- 54- and 57, resolve to direct the Session Judge to submit Reports A of these Cases.—

Ordered

18th a May 1854.

Ordered that Extract from these Proceedings be sent to the Session Judge of Nellore by precept returnable in VII days from and after its receipt.

/Sent following precpt No. /

Rs 18/.

Friday
19th May 1854.

F.V.

At a Court of the Foujdaree Udalut

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges

Read Report of Cases pending on the 30th April 1854 for periods in excess of 25 days before the Session Court of Chittoor.

/Here enter F.V. No. 1048 of 1854/

In this report no less than four cases are entered of which the trial had not commenced when the report was dispatched These delays are much to be regretted and show the necessity of greater exertion on the part of the Session Judge.

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

/Sent in No. /

Read Miscellaneous Petition presented on 21st April 1854 by Soottaramien Villah Combaconum.

/Here enter F.M.P. No. 86 of 1854/

Mr Morehead / The Petitioner who styles himself Assistant Sarval Navis in the Talook Cutcherry of

of Parellum Tanjore district was charged in
No 39 of 1853 before the Joint Magistrate of Tan
with Theft and Knowingly retaining part of
the stolen property and was sentenced to give
security in the sum of Rupees 100 for six Mon
in two securities of Rupees 50 each.

2 He appears from his petition
to have been employed on some previous occasio
in an Honorary situation but was not re
employed since this case was tried

3 He prays the Court to consid
-ation of the circumstances stated in his
petition to call for the record of the trial and
cancel the sentence passed against him and
also to direct his restoration to office.

4 The Court of Foujdaree Udalut
with reference to the prayer of this Petition resolv
to call upon the Sessions Judge to forward Proceed
submitted by the Joint Magistrate of Case No 39
of 1853.

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

Read again Calendar of Case
No 56 on the file of the Sessions Court of Bellary

/Here Inter F. P. No 807 of 1854/

Read also return from the
Sessions

19th May 1854.

Session Judge of Bellary dated 29th April 1854
to the precept of the Foujdaree Udalut under
date the 18th April 1854 directing the submission
of a translation of the Police proceedings in the
above case.

/Here Inter F. P. No 1046 of 1854/

The Prisoner in this case was
1 committed for trial before the Session Court
of Bellary on a charge of Robbery.

He was acquitted by the Maho-
2 -medan Law Officer in whose verdict the Session
Judge concurred, stating it to be his opinion
that the identification of the Prisoner was co
evidently false. and that more attention on the
part of the Subordinate Judge to the original
evidence would have prevented the committal
of the case to Court.

The principal evidence against
3 the Prisoner was that of 1st witness who identified
him as one of the robbers wounded by him selfie
the melee.

The Court of Foujdaree Udalut
4 seeing reason to doubt the sufficiency of the ground
upon which the Session Judge pronounced the
committal of the case to be unwarranted by the
evidence directed that the translate of the Police
proceedings should be submitted for their considera

On

5 On perusal of these papers the Court of Foujdaree Udalut observe that the wound inflicted by 1st witness on one of the robbers was described by him (1st witness) before the prisoner who was so wounded was produced.-

6 It appears from the letter of the authorities of the village in which prisoner was arrested- that he was seized in consequence of being wounded and detained in custody that no complaint was preferred by him of having been wounded and robbed but that this story was first told when he found suspicion excited against himself and an explanation required of the mode in which he became wounded- The wound is said to have been a severe one- which renders the prisoners silence the more suspicious.-

7. The Court of Foujdaree Udalut are of opinion that the Subordinate Judge was fully justified in committing the case for trial- and that the evidence was sufficient to justify a requisition for security from the Prisoner by the Session Court.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Bellary for information and communication to Subordinate Judge.-

(Sent in No)

Read

Read Calendar of Case No. 11 of 1854 on the file of the Session Court of Combaconum

(Here enter F. C. No. 1060 of 1854)

1. It should have been distinctly set forth in the 1st Counts of the charge whether the Pagoda therein referred to was situated in the same village with the house of the prosecutor

2. The guilty knowledge which forms the basis of the crime of receiving stolen or plundered property should also have been alleged in the 2d Count preferred against the several prisoners

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

(Sent in No)

Read Criminal Report submitted by the Agent to the Governor in Vizagapatam for the Month of March 1854.-

(Here enter F. C. No. 976 of 1854)

Assist. Agent's Report B No. 3

1 In this case of Arson the malicious intention of the prisoners which forms the gist of the crime- should have been set forth in the charge.-

Do— Do No. 7. 2. The heading of the charge in this

this case is Culpable Homicide. The prisoner has
have been charged with Murder. when in the event
of the lesser crime being proved against him he
could have been convicted and sentenced accor-

Ordered that Extract from the
Proceedings be sent to the Agent to the Govern-
Fort Saint George at Vizagapatam for his inform-

/Sent in Ms./

Read Miscellaneous Petition
-ed on the 15th May 1854 by K. Tirumala Rao
on behalf of Mamalu and another of Bille-
Pitchimpoly.

Mr. Monkhouse. /Here enter F. M. P. No. 99 of 1854/

1 The Petitioners pray for the rever-
-sion of the sentence of Transportation passed on
their Relation Mallay alias Mavey Mayo
Prisoner in Case No. 1 of 1854 on the Calen-
Calendar, who was convicted of professing to
Knowing it to have been obtained by murder

2 The Court of Foujdaree Udalut
have fully considered the Record of the case
and perused the sentence complained of. We
see nothing urged in this Petition, which
lead them to doubt the propriety of the
conviction or the Justice of the sentence pass-

upon her..

3. The Court of Foujdaree Udalut resolve,
therefore, to reject this Petition..

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

Read again Calendar of Case No. 76
of 1853 submitted by the Acting Session Judge of Masuli-
-patam under date the 11th December 1853..

/Here enter F. M. P. No. 2709 of 1854/

Read also Miscellaneous Petition
forwarded by the Acting Session Judge of Masuli-
-patam from Jansity Jagunnadhum 2d. prisoner
in Case No. 76 of 1853 on the file of the Session Court.

/Here enter F. M. P. No. 93 of 1854/

The Court of Foujdaree Udalut
resolve to direct that an English Translation
of the record of the foregoing case may be submit-
-ted for their consideration..

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

/Sent following precept No./

Read

Read Calendar of Case No 1 of 1854
from the Session Judge of Guntoor.

/ Here enter F. C. No 1085 of 1854 /

1. The Prisoners who were indicted for Robbery by force violence. were acquitted by the Mahomedan Law Officer. and the Sessions Judge fully concurred in this acquittal.

2. The Session Judge in his sentence expresses his opinion that the whole "facts" of the "case were lies invented by the Prosecutor and his "Myrmidons. and greedily admitted and connived "at by the Head of Police of Rapilly Valagapody "Kristnia and his subordinates.

— that "the so called confessions of the prisoners "were taken under circumstances to induce the "strongest suspicion of their being fabrications "of the Police assistant with the connivance "and assent of the Head of Police."

— that "the depositions were taken at unusual "hours of the night and while a peon" sentry "was posted at the door of the house to prevent "access to the apartment" in which they were "being recorded — and that the Head of Police had evidently placed himself at the sentry's disposal of the Prosecutor.

3. In conclusion he states that it is, in his opinion "impossible to suppose

"the Head of Police of Rapilly Valagapoody Kristnia "of suspicion of having in collusion with the "Prosecutor fabricated or connived at the fabrica- "tion of evidence calculated to convict the Prisoners but that he "does not consider it incumbent on him to do more than record his opinion as a caution and warning to that Officer."

4 The Court of Foujdaree Udalut resolve to direct the Session Judge to state his case against the Head of Police. to the Magis- trate and to report for the information of this Court the result of the Magistrates enquiry into it.

Ordered that Extract from these Proceedings be sent to the Session Judge of Guntoor by Precept returnable within 30 days from and after its receipt.

/ Sent following precept No 1 /

4 Th W

F. No.

Saturday
20th May 1854

At a Court of the Foujdaree Adalut.

Present

G. S. Cooper Esquire
W. A. Morehead Esquire
} Puisne Judges.
T. L. Strange Esquire

Read Criminal Reports for the month of March 1854 submitted by the Sessions Judge of Cuddapah.

(Hereunto F. No. 967 of 1854)

Sub Judges Report P. 1
No 63.

The Prisoner Yaacob Peer was charged with (conniving) at the escape of 19 Prisoners and was sentenced to find 2 securities in 50 Rupees each or in default to be imprisoned for one year.

2 The Court of Foujdaree Adalut are of opinion that if the evidence was sufficient to warrant the requisition of security, although not enough to prove the fact of guilty connivance, there must have been ample grounds for convicting the prisoner of the lesser offence of

grof-

30th May 1854

Sub Judge's Report B
№ 66

proceedings and publishing the Judge's order for

3 The Prisoner in this case was charged

with Forgery and was stated to have been Released

with a warning.

4 The Court of Tongadavo Modaliar

resolve to direct the Session Judge to forward

the report A. of this case.

Sub Judge's Report B № 69

5 The Prisoners in this case were

charged with assaulting the 9th witness in this

case, and another party thereby causing the

disappearance of the latter. They were ordered

to find security for 6 months or in default

to be imprisoned for that period on the labor

but without irons.

6 The Court of Tongadavo Modaliar

presume that the security for 6 months the

labors in this case to allow of further search

being made for the missing party and are

therefore at a loss to understand why confine-

ment with labor is adjudged in default of

the security demanded. They resolve to direct

the Session Judge to call for the proceedings in

this case and to forward such further report as he

30th May 1854

may deem necessary submitting the same for

the information of this Court.

Monthly Sub Judge's Report B - № 71 & 72

7 In these cases the prisoners were

charged with "preferring false and malicious com-

plaints before the Police" and are stated to have

been released

8 The Court of Tongadavo Modaliar

resolve to direct that Reports A of these two cases

be also forwarded to this Court

Sub Judge's Report B № 75

9 The Prisoner was charged with "House

breaking, theft and Arson" and was "Released

with a warning".

10 The Report A of this case must

also be submitted to this Court.

Ordered that Extracts from these

proceedings be sent to the Session Judge of

Cuddapah by precept returnable in VII days.

pursuant to this precept.

Sent following precept &c.

Read Calender of Case № 53 of 1854

on the file of the Session Court of Masulipatam.

(Have Entered F. M. № 1099 of 1854.)

The Court of Tongadavo Modaliar

require a more explicit explanation than is

contained

20th. May 1857

contained in the Calender of the grounds upon which the charge preferred in the case was based.

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

Sent following precept A.

Read Miscellaneous Petition presented on the 20th. April 1854 by Mahommed Saib of Villah Pychinopoly.

(Reverter S. & F. M. Mis. P. No. 31 of 1854)

Mr. G. L. Harper and Mr. H. R. Morehead

The Court of Foujdaree Adalut direct that the English Translation of this Petition be sent to the Sessions Judge of Pychinopoly who will be pleased to explain the circumstances that led to the Petitioner being degraded from the situation of Duffadar.

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

Sent following precept A.

Read Miscellaneous Petition presented on the 27th April 1854 by P. Salmon Esqr.

Vakeel

20th. May 1857

Vakeel on behalf of Ammanreamah of the Villah Coonoolore.

(Reverter S. & F. M. P. No. 89 of 1854)

Mr. H. R. Morehead

The Petitioner who is wife of Sabapathy Chetty of Coonoolore, Prisoner No. 14 in Case No. 13 on the file of the Sessions Court Coonoolore, prays the Court of Foujdaree Adalut to order the release of her husband who she submits has been convicted on very insufficient evidence of receiving stolen property knowing it to be stolen and sentenced to 14 years imprisonment with hard labor in irons.

2 The Petitioner states that the only evidence against her husband is a confession before the Police, since retracted. The property was not found in possession of the Prisoner until four months after the commission of the gang robbery. an interval of time sufficient for the Prisoner to have come honestly by the property in question.

3 Further Petitioner states that there is no proof whatever that the property pieces of gold, were any belonging to the

Prosecutor

Prosecutor.

4 The Court of Fouzdaree Adaulut upon a consideration of the circumstances set forth in this Petition resolved to call for the record of Case No. 12 so far as it regards the 4th Prisoner.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Cuddalore by precept returnable in 7 days from and after its receipt.

(Sent following precept &c.)

Read a Miscellaneous Petition presented on the 20th April 1854 by M. Ba-
manna of Tillak Cuddapah.

Mr. Hare enter F. D. No. 129 of 1854.

This is an application for the reversal of the sentence passed by the Court of Fouzdaree Adaulut upon M. Venkata 3d Prisoner in Case No. 15 of 1853 on the Calendar of the Sessions Court of Nellore.

2 The prisoner in question was convicted of the crime laid to his charge on consideration of the entire record of the Case and the Court of Fouzdaree Adaulut see no reason to doubt the justice of the sentence passed upon him.

The Court accordingly resolve to dismiss this Petition.

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

Read return dated 11th May 1854 from the Sessions Judge of Calicut to the precept of the Fouzdaree Adaulut under date the 6th May 1854 conveying the Court's observation on Case No. 12 of 1854 on the Calender and calling upon the Sessions Judge to reduce the sentence passed on the 1st Prisoner to 4 years imprisonment with hard labor in irons.

(Here enter F. D. No. 1158 of 1854)

Read Letter dated 11th May 1854 from the Acting Agent to the Governor at Ganjam submitting the Criminal Reports for the months of April 1854.

(Here enter F. D. No. 1163 of 1854)

Read Extract dated 13th May 1854 from the Sessions Judge of Madura on review of Petty Calenders of the Magistracy for the months of may 1854.

(Here enter F. D. No. 1167 of 1854)

4th Vol

No. 16.

Monday
22nd May 1854

At a Court of the Sudder Udalut

Present

G. L. Hooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire

} Puisne Judges

Read Miscellaneous Petitions presented on the 22nd May 1854 by Mahomed Causim and Palacondoo late Jail Peons of Cuddapah.

(Here Enter S. and T. M. D. Nos 39 & 40 of 1854)

Mr W. A. Morehead 1 The Petitioners complain that their claims to re-employment have been disregarded by the Subordinate Judge and pray the Court of Sudder Udalut to interfere on their behalf.

2 The Court of Sudder Udalut resolve to forward copies of these Petitions to the Sessions Judge of Cuddapah, and to desire that he will instruct the Subordinate Judge to take the prayer of these Petitioners into consideration.

Ordered, that Extract from these Proceedings be sent to the civil

civil and Sessions Judge of Cuddapah for
information and guidance.
(Sent in &c.)

Ordered also, that Extract
from these Proceedings be furnished
these Petitioners on their application

Read Miscellaneous Petition
presented on the 18th April 1854 by Peddap
Royalee of the Zillah of Masulipatam
(Here enter T. M. P. No 75 of 1854)
Mr W. A. Morehead

The Petitioner prays that
Court of Sanjavaru Adalut to call up
the record of Case No 31 on the file
of the Session Court of Masulipatam
and upon perusal thereof to order the
release of the prisoners who have been
he submits, convicted of Robbery by per
violence with wounding upon insufficie
evidence.

2

The Court of Sanjavaru Adal
but direct that the Petitioner be in
formed that the Prisoner in Case No 31
of 1854 before the Court of Masulipatam
have by their Orders been released.

Ordered, that Extract from
these

these Proceedings be furnished to the
Petitioner on his application

Read Miscellaneous Petition
presented on the 24th April 1854 by Soonda
-ra Nadan of the Zillah of Coimbatore.
(Here enter T. M. P. No 88 of 1854)

This Petition is referred to
Mr W. A. Morehead
the orders passed by the Court of Sanj-
-aree Adalut upon the subject of this
Petition, in their proceedings dated the
10th April 1854.

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

Read Miscellaneous Petition
presented on the 19th May 1854 by Appa
-voo Catchyroyen of the Zillah of Cud-
-dalore, on behalf of certain prisoners
in Cases Nos 12 and 13 on the file of the
Session Court of Cuddalore.
(Here Enter T. M. P. No 102 of 1854)

This Petition is merely an
Mr W. A. Morehead 1
intimation that the Petitioner intends
to present a detailed Petition of Appeal
as soon as he has obtained Copies of
certain

certain papers connected with the above
cases.-

2 Under these circumstances
the Court of Fouzdaree Adalut do
consider any orders necessary.-

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

Read letter under date the
6th Instant from the Sessions Judge of
Bellary submitting copy of a report made
by the Sessions Judge as to the manner in
which the orders of Government of the 8th
Ultimo respecting the Jailor and certain
persons of the Bellary Jail have been
carried into effect.-

(Here enter F.R. No. 1103 of 1854)

In para 3 of the Subordinate
Judge's report it is stated that the Pen
Hosoorappah, who, with two other persons
and a Nurgur, had been dismissed on
the 25th January 1854, was restored to his
situation by order of the Fouzdaree Adalut
conveyed in their proceedings of the 17th
April. On reference to their records, the
Court

Court of Fouzdaree Adalut not only
fail to observe any order of the date as
mentioned by the Subordinate Judge,
but they do not find any orders of any
date whatever on the case of the indi-
vidual in question.-

2 The Court of Fouzdaree Adal-
-lut therefore resolve to direct the Sessions
Judge to call upon the Subordinate
Judge for explanation on the above
point.-

Ordered, that Extract from
from these Proceedings be forwarded
to the Sessions Judge of Bellary by
Precept returnable in 14 days from and
after its receipt.-

(Sent following Precept &c)

Read return dated the 15th
May from the Sessions Judge of Nellore
to the Precept of the Fouzdaree Adalut
under date the 9th May 1854 directing the
sentence in Case No. 25 of 1854 to be re-
-duced or the record submitted.-

(Here Enter F.R. No. 1154 of 1854)

Under the circumstances
stated

22nd May 1854

stated in the above return the Co
of Tanjore Udalut resolve that
imprisonment of the Prisoner m
above Case be without issue.

Ordered, that Extract
these Proceedings be sent to the Sp
Judge of Salem for his information
guidance.

/Sent in No

Read return dated the
May 1854 from the Sessions Judge
Trichinopoly to the precept of the
Tanjore Udalut under Date the 15th
1854 directing the Sessions Judge t
store Venaty Row to his situation
Sail prison.

/Here Enter Title No 1128 of 1854/

The Court of Foujda
Adalut resolve to forward a copy of
Head Assistant Magistrates Re
which accompanied the abov
the Magistrate of Trichinopoly
direct that Officer to send
Head Assistant a Magistrate
full explanation of his proce

22nd May 1854

in this Case stating how long the Pris
Venaty Row was in confinement under
what Regulation he was punished and
whether the Case was duly entered in
the Petty Calendars.

Ordered, that Extract from
these Proceedings be sent to the Magis-
trate of Trichinopoly by Precept return-
able within X days from and after its
receipt.

/Sent following Precept No /5

Ex Wells

F. C.

Tuesday— 23rd May 1854— At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqr. ——— Puisne Judge.

W. A. Morehead Esqr. ——— Puisne Judge

T. L. Strange Esqr. ——— Puisne Judge

Read Memorandum from the Chief Secretary to Government forwarding a Petition from Francis Andree residing at Coconada now a Prisoner in the Jail at that place

(Here enter F. C. No. 1155 of 1854)

1 The Court of Foujdaree Udalut resolve to call upon the Magistrate of Rajahmundry for explanation of the statement contained in the above Petition a copy of which is enclosed- that the Assistant Collector refused in his capacity of Registrar of shipping to endorse this Petitioners Register as Master of a Vessel to which the Petitioner was appointed.

2 The Court of Foujdaree Udalut desire further to be informed how the above mentioned Francis Andree when a Prisoner in the Coconada Jail was able to forward by post this Petition to Government

Government without this circumstance being known
to the Jailor.

Ordered that Extract from these Pro-
ceedings be sent to the Magistrate of Rajahmundry
by Receipt returnable in 21 days from and after the
receipt.

(Sent following Receipt No.

Read letter dated the 16th May 1854 from
the Principal Sudr Ameen in charge of Tunnuelly.

(Here enter F. Dy. No. 1176 of 1854)

This Court of Foujdaree Udalut
direct that the Principal Sudr Ameen in charge of
the Sessions Court will communicate to the Prisoner
referred to in the foregoing letter the sentence passed
upon him and superintend the operation.

Ordered that Extract from these
Proceedings be sent to the Principal Sudr Ameen
of Tunnuelly for his information.

(Sent in No.

24th Instt

F. D.

Thursday
25th May 1854. } At a Court of the Foujdaree Udalut.

Present.

G. L. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read Criminal Reports submitted by
the Session Judge of Chittoor for the Months of April 1854.

(Here Enter F. Dy. No. 1172 of 1854)

The Court of Foujdaree Udalut ob-
serve that the Statements forwarded with these Reports
should have been stitched together in the book form,
like Report B of the Subordinate Criminal Court.—

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

(Sent in No.)

Read Report dated the 1st May 1854,
from the Session Judge of Cuddalore of Cases, pending
on the 1st May, committed for trial during the Months
of February, March, and April 1854.—

(Here Enter F. Dy. No. 1177 of 1854)

The

23d May 1854.

25th May 1854.

1. The Court of Foujdaree Udalut observe with dissatisfaction that there are 11 Cases committed during February, March and April on the file of the Session Court still pending.—

2. The practice of allowing parties to go to their villages on Mocahilka which it appears is the cause of this delay is in the opinion of the Court of Foujdaree Udalut very objectionable.—

3 After the parties are in attendance batta should be paid to them but they should not be allowed to return to their villages until the trial in which they are concerned is terminated.—

4. The Court of Foujdaree Udalut observe that the Session Judge only passed sentence in 12 cases during the month of April which number the Court consider very insufficient at a time when there were so many Cases still remaining for decision.—

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

(Sent in No.)

Rec Report of Cases pending

25th May 1854.

31st March, and committed for trial during the Month of April 1854 before the Session Judge of Masulipatam.—

(Here Enter Fdc No. 1151 of 1854)

Case No. 444 of 1854.

1. The Court of Foujdaree Udalut observe that in his explanation of the delay that has occurred in passing sentence in this case the Session Judge states that both he, and the Assessors were occupied on the 29th March in perusing the voluminous Record of the Proceedings held in this case by the Special Assistant Magistrate.—

2. The Court of Foujdaree Udalut consider that it was not necessary that the Assessors should have perused the Record in this case Assessors having only to deal with cases as they come before them on trial.—

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

(Sent in No.)

Read letter under date the 10th Instant from the Agent to the Governor of Fort St. George in Vizagapatam submitting a summary of the proceedings in Case No. 3 of 1854 on the Annual file of the Agent's Court.—

(Here Enter Fdc. No. 1161 of 1854)

Before

1.

Before finally disposing of this case the Court of Foujdaree Udalut resolve to direct that an English translation of the depositions of the 1st, 2d, 3d and 5th witnesses for the prosecution as given before the Agent may be submitted for their consideration, and that, in the meantime, the accused be set at liberty on bail.—

2.

The Court of Foujdaree Udalut direct that that part of the sentence passed upon the 1st witness which awards labor be cancelled, Section VII. Regulation XIII of 1832 under which the said sentence was passed not warranting the award of labor.—

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George in Vizagapatam by precpt returnable within X days from and after its receipt.—

/ Sent following precpt. No. /

Read Miscellaneous Petition presented on the 29th April 1854, by Vanaina Vaak of the Zillah of Combaconum.

/ Hon'ble Enter Ft. M. D. No. 287 of 1854 /

Wm. H. A. Morehead /

The Petitioner complains that he has, by the ill will of the Jailor, lost his situation, as a Jail peon at

at Combaconum, and prays the Court of Foujdaree Udalut under the circumstances contained in his Petition to order his restoration.—

2

The Court of Foujdaree Udalut resolve to send a copy of this Petition to the Acting Session Judge for report.—

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Combaconum by precpt returnable in V days from and after its receipt.—

/ Sent following precpt No. /

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

Read letter under date the 17th April 1854 from the Session Judge of Rajahmundry.—

/ Herewith Ft. M. No. 979 of 1854 /

1.

With the foregoing letter the Session Judge has submitted for the consideration of the Court of Foujdaree Udalut the Abstract Report and record of a Criminal case in which he has reversed the sentence passed by the Subordinate Criminal Judge together with copies of a correspondence which has passed between himself and that Officer on the subject.—

The

2

The prisoner in the case in question is charged with snatching in having at about 12 A.M. on the 8th February 1854 robbed the 6th witness the prisoner's son a boy aged 7 years among the Mud walls situated in the neighbourhood of Samalamba at Rajahmundry struck him two blows with his fist on the back of his neck and kicked him on his breast and stolen from him a silver neck ornament called "Cuntay" valued at Rupees 6.—

3.

The Subordinate Judge considering the charge proved sentenced the prisoner under clause 4th Section III Regulation VII of 1822 to 18 Months imprisonment with hard labor in irons and to receive 100 lashes with a Rattan

4.

The Session Judge after calling for further information on certain points in the evidence was unable to discredit the charge and the evidence adduced in support of it and reversed the sentence accordingly.—

5.

The Subordinate Judge has requested that the proceedings in the case should be submitted to the Court of Foujdaree Udalut on the ground that the Session Judge has misstated the evidence in the proceedings recorded by him on perusal of the record and which are referred to in his subsequent order directing the release of the prisoner.

&c.

6.

On perusal of the record the Court of Foujdaree Udalut find all the facts set forth by the Session Judge in the 2d para of his proceedings of the 22d February to be in evidence with the exception of the description of the route said to have been taken by the prisoner with the 6th witness, which the Session Judge would seem to have given from his knowledge of the localities. What relates to the alleged attempt of the prisoner to remove the 1st witnesses neck ring is spoken of in the 1st witnesses evidence before the police and the Subordinate Judge and in that of the 2d, 3d, and 6th witnesses before the Subordinate Judge, and the detail as to the manner in which the prisoner had forced away the 6th witness is given in the 2d witnesses deposition before the police, the accuracy of which he affirmed before the Subordinate Judge. Not a question was put by the Subordinate Judge to this or the other witnesses to draw out or negative this detail, and it stands thus uncontradicted and was so made use of by the Session Judge. The Session Judge merely omitted to particularize the various sources from which he drew the facts in question commented on by him in the para of his proceedings brought under the Courts' consideration, and adverted to the evidence as a whole. In the opinion of the

Court,

Court, the Subordinate Judge was altogether unwarranted in imputing to the Session Judge a misrepresentation of the evidence, a charge which he should not have ventured to make but upon the most unquestionable grounds.—

7. The Subordinate Judge was also in error in not better estimating the observations of the Session Judge as to the means there had been of testing the 16th witnesses evidence by the production of the handkerchief therein alluded to, and the Subordinate Judge's comments on this part of the Session Judge's remarks were uncalled for and highly indecorous.—

8. The offence charged was robbery and not snatching and the case should have been committed for trial before the Session Court. The investigation held by the Subordinate Judge was most loose and unsatisfactory.

9. The Court of Foujdaree Udalut would observe in conclusion that the Subordinate Judge should in the first instance have been directed to supply the omission in the report of the case submitted by him to the Session Court of his reasons for concealing the prisoner which would probably have prevented the correspondence that has taken place.—

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry for communication to the Subordinate Judge.—

/Sent in No. /

Read again Calendar of Case of No. 4 of 1853, on the file of the Session Court of Cuddalore.—

/Here enter F. Q. No. 662 of 1853/

Read Miscellaneous Petitions presented on the 1st and 8th May 1854 by Mootoopadiachy of the zillah of Cuddalore.—

(Here enter F. M. P. Nos. 91 and 94 of 1854)

Mr. W. A. Morehead. 1. The Petitioner on behalf of the 6th Prisoner in this case states, that the charge of Gang Robbery has been maliciously brought against him and prays the Court of Foujdaree Udalut to reverse the sentence passed upon the 6th Prisoner by the Session Judge.—

2. With reference to the above Petition the Court of Foujdaree Udalut direct the Session Judge to submit for their consideration translations of the first report made by the village authorities to the Police concerning the occurrence of the Gang Robbery with which the Prisoners in this case have been charged. and if the depositions given by the 9th 10th and 19th witnesses.—

The

25th May 1854.

3.

The Court of Foujdaree Udalut [illegible]
to be further informed, what led to the apprehension
of the 3d Prisoner, and how it happened that the
Witness, described as the officiating Shirestadar, had
any thing to do with the preliminary investigation
the case.—

Ordered, that Extract from these
Proceedings be sent to the Session Judge of Cuddap-
-pore by Precept returnable in X days from and after
its receipt.—

(Sent following Precept No.)

24th Inst.

F. U.

Friday 26th May 1854. } At a Court of the Foujdaree Udalut.

Present.

[illegible]	G. S. Hooper Esquire	Puisne Judges.
W M	W. A. Morehead Esquire	
TL	T. L. Strange Esquire	

Read the Criminal Reports submitted
by the Session Judge of Trichinopoly for the Year 1853.—
(Here enter F. U. No. 815 of 1854.)

Appendix D. to Statement No. 1. The Court of Foujdaree Udalut observe
that the entry of one person in Column 21 of the Statement
as having died &c., should have been excluded from the head
"Heads of Police" &c. in this appendix.—

D. B to Statement No. 4. 2. The above remark applies also to this
Appendix.—

3. The submission of a Duplicate copy
of the Report of the Magistrate, is unnecessary.—

Ordered that Extract from these Proceed-
-ings be sent to the Session Judge of Trichinopoly, for his
information and future guidance.—

(Sent in No.)

Read

26th May 1854.-

2.

Read the Criminal Reports submitted by the Session Judge of Nellore for the year 1853.-

/Here Enter Fl. Vb. No. 907 of 1854./

Appendix D. to Statment 122. 1. The Court of Foujdaree Udalut observe that the entries under head "In Cases treated under Act VIII of 1843" opposite to "Magistrate" should be 22 and not 21.-

Statment shewing the Cases involving grave injury.- 2. The entries in Columns 8-9. 26 and 27 should be 14-34. 230 and 432 and those in Columns 10 to 13 would be affected thereby.-

Statement shewing the nature and the result of charges preferred against the Police.- 3. In this Statment the foot Note appended in para 2 of this Court's letter dated 1st April 1853. should be added.-

Statment No. 10 Bengal form. 4. Eight persons who were detained in default of furnishing security and included in Columns 7 to 9 under head "Session Judge", should be transferred to Column 2 of this Statement.-

Do. No. 13 Do. 5. This Statement will be affected by the foregoing remark.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Nellore by Parcel returnable within III days from and after its receipt.-

/Sent following precept No. /

Do.

26th May 1854.-

Read Criminal Reports submitted by the Session Judge of Coimbatore, for the month of April 1854.-

/Here Enter Fl. Vb. No. 1129 of 1854./

Case No. 26. 1. Five persons in this case, charged with murder and robbery, have been placed by the Principal Sudr Ameen under requisition of security, on the ground that strong suspicion attached to them.-

2. The Court of Foujdaree Udalut observe that, if strong suspicion existed, it was the duty of the Principal Sudr Ameen to commit the prisoners for trial before the Session Court, unless there were a reasonable prospect of procuring further evidence.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Coimbatore for communication to the Principal Sudr Ameen.-

(Sent in No.)

Read Criminal Report B submitted by the Principal Sudr Ameen in charge of the Session Court of Tellicherry, for the Month of April 1854.-

/Here Enter Fl. Vb. No. 1174 of 1854./

Case No. 27. The prisoner in this case was charged with "killing Cattle", in having stolen a she goat and killed

26th May 1854.-

killed it for the sake of its flesh.-

2. The Court of Foujdaree Udalut do
that the offence charged should have been designated
Cattle stealing, the theft, and not the killing being the
criminal part of the act charged against the prisoner.
It is only to cases of malicious killing of Cattle, that
the designation of cattle killing should be applied.-

Case No. 32.- 3. The prisoner in this case was charged
with wounding, in having accidentally shot the prosecutor
while hunting in the Eymada Jungle.-

4. This case should not have been
committed, the act charged as stated in the charge not
being a Criminal offence.- If the Prosecutor complained
of the wound inflicted on him, and the Head of Police
was satisfied, as would appear from the charge that
it was accidental, he should have dismissed the charge
or referred the case for the orders of the Magistrate.-

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

(Sent in No.)

F. C.

Saturday 27th May 1854. } At a Court of the Foujdaree Udalut.-

Present.

G. S. Cooper Esquire
W. A. Morehead Esquire } Puisne Judges.
T. L. Strange Esquire

Read the Criminal Reports submitted by the Sessions Judge of Rajahmundry for the Year 1853.-

(Here enter F. C. No. 676 of 1854)

Statement No. 2.- 1. The Court of Foujdaree Udalut direct that the Sessions Judge will explain why the person charged with Extortion, has been separately entered in this Statement, instead of including him under the head of "Abuse of authority by Police Officers."-

Appendix D to D. 2. The entry of one person in Column 21 of the Statement as having died Vide, should be excluded from the Column in which it may have been included under head "Heads of Police" Vide, in this Appendix.-

Appendix B to Statement No. 3. A. 3 The aggregate of the entries in Columns "Sentences Annulled", and "Sentences undisturbed", under head "Trials reported" Viz. 98, does not correspond with the Total

Number

Number of Persons (102).

Appendix C to Statement No. 3. B.

4. The explanation given in regard to the sentence of the Prisoner censured in Case No. 26 of 1853 is not sufficient. The point on which the orders of the Sessions and Foujdaree Courts were required, should be stated.-

App: D to Do.

5. The entry under the head "Deduct those with more than one Offence", should be 55, if the entries in Column "Of which charged with" be correct, for the latter shews that 25 persons were charged with 2 Offences and 4 with 4 Offences; and consequently from the aggregate number of persons entered in the total Column, 55 should be deducted Viz. 25 for the Number twice entered therein, and 30 for the Number entered 4 times. In the Column "Of which charged with" in the Appendix E to Statement No. 2, 23 persons are entered as charged with 2 Offences, and 4 with 4 Offences and appears to be correct.-

App: B. to Statement No. 4.-

6. The remark in para 2 applies also to this Appendix.-

Statement shewing the Cases involving grave injury to person or property.-

7. The entries in Columns 26 and 27 should be 198 and 426, and those in Columns 40 to 48 will consequently require alteration.-

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

by precept returnable within V days from and after its receipt.-

(Sent following precept No.)

Read Criminal Report B submitted by the Sessions Judge of Masulipatam for the Month of April 1854.-

/Here Enter F. No. 1152 of 1854./

1. The Court of Foujdaree Udalut observe that the sentences passed in Cases tried by the Sessions Judge in his capacity of Sessions Judge, should not be entered in these Reports.-

2. In all such cases when the preliminary enquiry may have been gone through which is necessary to satisfy the Session Judge that there are grounds for putting the prisoners on their trial, it should be stated in the Report that the case has been committed for trial before the Session Court.-

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

(Sent in No. .)

Read again Calendar of Case No. 49

of

of 1854 submitted by the Session Judge of Tillah Manicktollah

/Vide Entr. Fl. No. 971 of 1854/

Read also return dated 13th May 1854 from the above Session Judge, to the precept of the Foujdaree Adalut dated 9th May 1854, calling for an explanation why the Sessions Judge discredited the evidence of the 1st witness in the above case, and as to the nature of the said evidence.

/Vide Enter Fl. No. 1159 of 1854/

1. The Court of Foujdaree Adalut are of opinion that the explanation afforded in this return by the Session Judge, of his reasons for discrediting the evidence of the 1st witness in the above case, is sufficient.

2. They do not therefore require the submission of a translation of the deposition in question, but they observe that the original sentence of the Session Judge should have contained the information which has been now supplied, and desire that such omission be guarded against in future.

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

(Sent in a No.)

Read

27th May 1854.

Read Calendar of Case No. 20 of 1854 submitted by the Session Judge of Tillah Cuddalore.

/Vide Enter Fl. No. 1184 of 1854/

1. The prisoners in this case who are Customs Peons, were charged before the Session Court of Cuddalore, with having on the night of 7th January 1854 in company with six others, gone armed with sticks to the Prosecutor's hut, forcibly entered it, beaten and maltreated the 1st and 2d witnesses, and robbed from the said hut and from the person of the Prosecutor's wife, gold ornaments, brass utensils and cloths valued at Rupees 35-9-7. The prisoners denied the charge before the Magistracy, and the Subordinate and Sessions Courts.

2. The prosecutor was absent at the time the robbery occurred, and the 1st and 2d witnesses were by his request guarding his house in which his wife 3d witness and his daughter were sleeping.

3. The 1st and 2d witnesses clearly identified the prisoners as having formed part of the gang and been actively engaged in the robbery, and their evidence as to the general facts was corroborated by that of the 3d witness, who however from having

been

been inside the hut without any light, was not able to identify any of the gang.-

4.

The Law Officer convicted the prisoner of Gang Robbery and the Session Judge concurring in conviction, sentenced them to 14 Years imprisonment with hard labor in irons, but has recommended to this Court that the term of imprisonment be reduced to 10 years as no case presented no circumstance of aggravation.-

5

The Court of Foujdaree Udalut being of opinion that the punishment recommended by the Session Judge is sufficient to meet the requirements of justice in this Case, resolve to reduce the prescribed punishment to 10 years imprisonment with hard labor in irons, and authorize the Sessn Judge to issue his warrant accordingly.-

6.

The Court of Foujdaree Udalut make to direct the Session Judge to state in future the grounds for conviction in his sentence, and not to refer for them to the Law Officers Futwa, as he has done in the present instance.-

7.

The Court of Foujdaree Udalut observe that the prisoners in this Case reached the Subordinate

27th. May 1854.-

Subordinate Court on the 23rd and 28th January, and that the Case was not committed for trial until the 31st of March. This delay should have been explained.-

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

(Sent in No.)

Read Calendar in Case No. 17 of 1854 submitted by the Session Judge of Cuddalore.-

(Here enter Fol. No. 1183 of 1854)

The Prisoner in this Case was charged

1.

with having at 8 O'clock A.M. of the 19th December 1853 in company with three others, and being all armed with sticks attacked the Prosecutor, and 2d and 3d witnesses as they were going along the high road, beaten them, and robbed them of Cash and Cloths of the value, altogether of Rupees 19-10-7.-

This prisoner has throughout denied the

2.

charge, but the Prosecutor and 2d and 3d witnesses identified him positively as one of the party who committed the offence charged. The Law Officer convicted him of highway robbery, and the Sessions Judge concurring in this conviction, sentenced him to 14 years imprisonment with hard labor in irons, but has

has recommended a mitigation of punishment, by reducing the term of imprisonment to 7 years.-

3.

From the abstract of the evidence contained in the Calendar, the Court of Foujdaree Udalut observe, that the prisoner was not apprehended until two months had elapsed after the commission of the offence- and that his arrest did not apparently take place in consequence of any charges having been preferred against him, by the Prosecutor, who however, appears from the sentence of the Sessions Judge to have been previously acquainted with the prisoner's person.-

4.

The Calendar does not shew whether the prosecutor had mentioned the prisoner's name to any one previously to his arrest, nor how the prosecutor came to see the prisoner in the Police Office after he was taken into custody.-

5.

Before issuing final orders in this Case the Court of Foujdaree Udalut resolve to call upon the Sessions Judge to supply the necessary information on the above points, and to explain clearly what led to the prisoner's being indicted on the present charge, and why his arrest was so long delayed.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore by prompt returnable within days from and after its receipt.-

Sd H.C.

/ Sent following precept- No. 14

F. C.

Monday 29th May 1854

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire
} Sessions Judges.
I. L. Strange Esquire

Read letter under date the 15th May 1854 from the Agent to the Governor of Fort St. George at Vizagapatam, submitting for the final Judgment of the Foujdaree Udalut a report of the trial of Criminal case No. 6 of 1854 on his file.-

(Here enter F. C. No. 7317 of 1854)

The Court of Foujdaree Udalut concurring in the conviction of the Prisoners

1st P. Appayah
3rd C. Rajeegoundoo
4th B. Appayah
5th P. Bungaregoundoo
and
6th B. Chenchatageoundoo

of the crime of Housebreaking laid to their charge, resolve to confirm the sentence proposed to be passed upon them by the Agent, of 10 (Eighteen) months Imprisonment with hard labor in irons under the provisions of Section XXI Regulation

of 1812 and Section IV Regulation II of 1825.-

3 The Court of Sudder Adawlut are of opinion that this Case might have been disposed of by the Assistant Agent, the value of the stolen property discovered being only Rupees 8 and there being no thing on the record to establish the correctness of the valuation put thereon by the Prosecutor.-

Ordered that Extract from these Proceedings be sent to the Agent to the Governor at Fort St. George at Vizagapatam for his information and guidance.-

/Sent Ext &c.

Read Miscellaneous Petition sent by the Sessions Judge of Salem, from Sungoo and others of the Gillah of Salem.-

/Hereunder Extract &c. 10th of 1854/

Read again Calendar and Case No 7 of 1854 on the file of the Sessions Court of Salem

/Hereunder Extract &c. 9th of 1854/

W. Morehead. /

The Prisoners Petitioners charged with highway Robbery were convicted by the Sessions Judge per commitment with the Assistance of a Law Officer, and sentenced to be imprisoned with hard labor in irons for fourteen years. This sentence was at the recommendation of the Sessions

Sessions Judge mitigated to 5 years imprisonment with hard labor in irons.-

3 The Petitioners submit that they have been convicted upon insufficient evidence, and pray the Court of Sudder Adawlut to reverse the Sentence passed upon them by the Sessions Court.-

3 The Court of Sudder Adawlut before passing any final orders upon this Petition, direct the Sessions Judge to submit the record of this case for their consideration.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Salem by precept returnable in VII days from and after its receipt.-

/Sent following precept &c.

Ordered that Extract from these Proceedings be communicated by the Sessions Judge to the Petitioners.-

Read Calendar of Case No 3 of 1854 of the Sessions Court of Bellary.-

/Hereunder Extract &c. 11th of 1854/

The Court of Sudder Adawlut are of opinion that no further reduction of the period of seven years imprisonment proposed to be passed upon the Prisoner in this Case will be a

29th May 1854

a sufficient punishment for the offence of which he has been convicted; and they direct that the Sessions Judge will issue his warrant accordingly.

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

Pronounced &c.

Dr 1810.

F U.

Tuesday 30th May 1854.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqre.
W. A. Morehead Esqre. } Puisne Judges
J. L. Strange Esqre.

Read Miscellaneous Petition presented on the 1st May 1854 by Selaymansaib of the Zillah of Trichinopoly.

Here enter F. M. P. No. 92 of 1854.

1. This is an application on behalf of Mahomed Selar Prisoner in case No. 33 of 1853 on the file of the Session Court of Trichinopoly praying the Court of Foujdaree Udalut to order the sentence passed upon the above Prisoner to be cancelled and that he be released from confinement.

2. The Court of Foujdaree Udalut in their Proceedings of the 13th February 1854. having taken the case of Mahomed Selar into consideration resolve to reject this Petition.

Ordered that Extracts from these Proceedings be furnished to the Petitioner upon his application.

30th May 1854

Read Miscellaneous Petition
by the Session Judge of Masulipatam from
Chodavaram for Samayanjeelu of the Zillah of Mas-
-patam.

[Here enter M.P. 95 of 1854]

Mr. W.D. Morehead

1. The Petitioner prisoner in Cr.
No. 6 of 1854 on the file of the Sessions Court
on a charge of Riot and robbery by open violence
prays the Court, on the grounds stated in the
petition to reverse the sentence passed upon him

2 The Court of Foujdara Udalut
seeing no reason to question the justice of the
sentence passed upon the Prisoner in the above
case resolve to dismiss this Petition

Ordered that Extract from the
Proceedings be sent to the Session Judge of
Masulipatam for communication to the Prisoner

[Sent in No.]

Read letter under date the 12th
1854 from the Acting Agent to the Governor
Fort Saint George in Ganjam

[Here enter J.U. No. 1181 of 1854]

1. In the foregoing letter the Agent

30th May 1854.

Agent reports the total destruction of the Village
of Toolasinghy situated about 15 Miles from
Russelcondah on the night of the 3d Instant
by a Gang of Robbers, the entire village having
been burnt to the ground with serious loss of
life - no less than 12 persons having been burnt
to death in one house - With a view to the appre-
-hension of the perpetrators of this atrocious
outrage of whom no traces had been discovered
at the date of the Agents letter, the Agent
requests authority to offer a reward of Rs. 500
for the apprehension of each Sirdar or leader, and
of Rupees 100 for each of the other members of the
gang, and further to offer a free pardon to any
of the persons present not being leader or those who
actually fired the house referred to who may
come forward and give information leading to
the apprehension and conviction of the principal
offenders.

2. Under the circumstances represented
in the Agents letter, the Court of Foujdaree
Udalut authorize that Officer to offer the rewards
named by him.

3. The Court also authorize the offer

of

of a conditional pardon to any of the inferior members of the Gang who may be shewn not to have taken an active part in the commission of the crime with a view to the conviction of the leaders.

Ordered that Extract from these Proceedings be forwarded to the Acting Agent to the Governor of Fort Saint George at Ganjam for his information and guidance.

/ Sent in. /

Read Return made by the Sessions Judge of Madura dated the 6th May 1854 to the Precept of the Foujdaree Udalut under date the 28th april 1854 commenting on the excessive number of extra Peons entertained in the month of March 1854 in the Jail at Paumbum and forwarding a copy of the Proceedings sent to the officer in charge of the Jail.

/ Here enter F. U. No. 1118 of 1854. /

1. The Court of Foujdaree Udalut observe on perusing the extract from the Proceedings of the Session Court of Madura dated the 20th March 1854 that there was one salem prisoner in Hospital apparently incurably lame and three other prisoners reported to be permanently unfit for hard labor.

2. The Court of Foujdaree Udalut direct that these Prisoners be transferred to the hospital at Madura as they consider it advisable that none but efficient convicts should be kept at Pambum

3. It appears that it is customary to allow the convicts at Pambum to cut firewood outside the Jail

4. The Court of Foujdaree Udalut desire that this practice may at once be discontinued as affording opportunities of escape to the prisoners whose batta money should furnish the means for purchasing the firewood required.

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

Sent in No.

Read Return dated 20th May 1854 from the Sessions Judge of Chicacole to the Precept of the Foujdaree Udalut under date the 8th May 1854 directing to review a case, and to explain the cause of delay in the disposal of certain cases, and to account for the omission of certain dates in a case, on his criminal Report for march last.

Here enter F. U. No. 1236 of 1854.

Read Return dated 24th May 1854 from

from the Sessions Judge of Salem to the Precept of the Fouzdaree Udalut under date the 16th May 1854 directing the Sessions Judge to review the proceedings held in Criminal Cases Nos 29, 30, 31, 43 & 44 of 1854.

Here enter F.U. No 1237 of 1854.

Read letter dated 25th May 1854 from the Sessions Judge of Cuddalore returning the death warrant of this Prisoner in Sessions Case No 18 of 1854 - duly executed.

Here enter F.U. No 1257 of 1854.

F.U.

Wednesday 31st May 1854

At a Court of the Fouzdaree Udalut.

Present:

G. L. Hooper Esquire
W. A. Morehead Esquire
} Sessions Judges
J. L. Strange Esquire

Read Calendar of Case No 29. of 1854 of the Sessions Court of Vellore.

Here enter F.U. No 1197 of 1854.

The Court of Fouzdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment to which the Prisoners noted in the Margin have been sentenced, be reduced to 10 Seven years Imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his warrants accordingly

1st Ramagiri Anhadu.
2nd Chinniri Iyavaru.
5th Matle Perugadu
6th Pokiemi Lakshmegadu.
7th Shaik Cadir.

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

Sent in Lre

Read Miscellaneous Petition sent by the Sessions Judge of Calicut from Manalingud

31st May 1854..

Manalingum Theran and three others of the Village of Caliecut..

(Here enter F.M.P. for 30 of 1854)

Mr Hd Moorhead

1

The Petitioners above named having entered into strong recognizances of being present on two cases of theft were permitted to find Sureties. The first Prisoner two Sureties in the sums of 100 Rupees each for good behaviour and appearance when required for three years subject to the approval of the Sessions Judge.

The 2nd and 3rd Prisoners to find each two Sureties in the sums of 50 Rupees each for one year. and the fourth Prisoner two Sureties of 50 Rupees each for a similar period..

2

The Petitioners having now applied to procure Sureties, have been interrogated to submit their Case for the consideration of this Court of Sessions Calicut, praying that they may be released..

3

With reference to the above Petition the Court of Sessions Calicut is to call upon the Sessions Judge of Calicut to submit for their information the proceedings held by him in this Case, in accordance with the provisions of Clause 4th Section 2nd Regulation VII of 1827..

31st May 1854..

Ordered that a Extract from these Proceedings be sent to the Sessions Judge of Calicut by precept returnable within V days from and after its receipt..

(Sent following precept & Ex)

Read Calendar of Case No 2 of 1854. submitted by the Sessions Judge of the Zillah Honore..

(Here enter F.H. No 1164 of 1854)

The Court of Sessions Calicut observe that the Acting Principal Sudr Ameen has entered in the column headed abstract of the examination &c. a minutely detailed report of the Police Statements of the Prisoners and of the examination of the witnesses instead of the abstract of the evidence and Police enquiry, which it was intended that this Column should contain..

2

The Court of Sessions Calicut resolve to direct the Sessions Judge to call the special attention of the Acting Principal Sudr Ameen to this point, in communicating to him the above observations of this Court..

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

Judge of Kerry for his information and communication to the Acting Principal Sub Inspr..

/Instrs &c.

Read again - Miscellaneous Petition presented on 27th March 1854 by Ludlow Sumnah of Gillah Trichinopoly..

/Here enter Sub Dr. 30 of 1854/

Read also Return dated 22d May 1854 from the Sessions Judge of Trichinopoly to the precept of the Sangalaree Adalut, under date 20th April 1854, directing the Submission of a translation of so much of the record in Sessions Cases Nos. 15 and 17 of 1853, as affects the Prisoner Linga Reddy in those Cases..

/Here enter Sub Dr. 1349 of 1854/

Mr W.A. Morehead.

In the above Miscellaneous Petition the Petitioner who is brother of the Prisoner in Cases Nos 17 of 1853 on the file of the Sessions Court of Trichinopoly prays this Court of Sangalaree Adalut on consideration of the circumstances stated in her Petition to direct the examination of certain parties on her own behalf, and to cancel his conviction of knowingly receiving stolen property & the sentence of 7 years imprisonment &c.

31st May 1854..

heard Counsel in support of which was opposed by counsel for the Sessions Judge in the said Cases.

3 The Court of Sangalaree Adalut having attentively perused so much of the record in the above cases, as relates to the said Prisoner, are unable to see any ground for their interference on his behalf, as prayed in the above petition, which they therefore resolve to reject..

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

/Instrs &c.

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

Read Calendar of Cases &c. 15 of 1854 of the Sessions Court of Combaconum..

/Here enter Sub Dr. 1125 of 1854/

The Court of Sangalaree Adalut approve of the recommendation made by the Sessions Judge in this Case, that the period of imprisonment which the prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Gang Robbery, be reduced to 7 years imprisonment with

1st 2d Solar Swearing Armak
4th Verkant..

with hard labour in prisons and they do authorise
the Sessions Judge to forward his Contract recording
Proceedings be sent to the Sessions Judge of
Coimbatore for his information.
Sentence fee.

Read again Calendar of the
A.C. 19 of 1953 on the file of the Sessions Court of
Mangalore.

(Here under S.R. A.C. 21 of 1953)

Read again also Miscellaneous
Petitions received through the Sessions Judge of
Mangalore from Khoodratullah the prisoner
Khoodratullah the prisoner in the above case.

(Here under S.R. A.C. 19 & 21 of 1953)

Read also Return dated 2.4.54
April 1954 from the Sessions Judge of Mangalore
to the precept of the Tanjore Establishment
dated the 3rd February 1954 calling for immediate
of the records of the above Sessions Cases.

(Here under S.R. A.C. 19 of 1953)

The Petitioners who were in the
above Sessions Case convicted by the Last
Assizes of the offence charged with forgery
and uttering and abetting in the same,

were

were Sentenced by the Sessions Judge who con-
-victed in the Instant to Imprisonment with
hard labour in prisons for a term of 4 years and
of 1 year respectively..

2 In their petitions above men-
-tioned, they pray this Court for the reasons
therein stated and on a review of the
proceedings in their case to reverse the sentence
passed against them and to order their release..

3 The Court of Tanjore Established
on a careful consideration of the entire record
of the case as well as of all that has been urged
by the Petitioners in their defence, sees no
reason to question the justice of the Petitioners
conviction by the lower Court, or the propriety
of the sentences passed upon them..

They resolve therefore to reject
4 the said Petition..

Orders that Extract from these
Proceedings be sent to the Sessions Judge of
Mangalore for communication to the
Petitioners..

Sentence fee

Sd/- K.D.

To G.S. Hooper..

F. M.

Thursday 1st " June 1854 } At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read again Miscellaneous petition presented on the 24th April 1854 by Soobaramien of the Zillah of Combaconum

(Herewith F. M. P. No 86/1854.)

Read Criminal Report No 1 disposed of by the Joint Magistrate in Case No 39 of 1853 called for in the proceedings of the Foujdaree Adalut 19th May 1854 in connection with the above petition

(Herewith F. M. No 1739/1854)

The petitioner was charged with theft and being found in possession of the stolen property.

Mr W. A. Morehead 1.

The property stated to have been stolen was a silver Panchapatram the property of the Prosecutors master.

2

valued

valued at 22 Rupees.

3. The only evidence against the prisoner is that he was seen in possession of a silver Punchapatra. but there is nothing to identify this ornament with that stated to have been stolen.

4. The Acting Joint Magistrate although he lays great stress on the unsatisfactory nature of the evidence nevertheless placed the prisoner under a requisition of security of 100 Rupees (with 2 securities of 50 Rupees each) for his good behaviour and appearance during 6 Months in default to be imprisoned for that period.

5. Under these circumstances the Court of Fouzdaree Adalut resolved to direct the Acting Sessions Judge to call for the record of this Case and proceed therein reporting the same to the Court of Fouzdaree Adalut.

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

(Sent in No)

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

Read Calendar of Case No 2 of 1854 of the Sessions Court of Cuddalore

(Here enter F. Dc. No 1185/1854)

1. The Court of Fouzdaree Adalut are of opinion that a further reduction to (8) Eight years of the period of imprisonment proposed to be passed upon the Prisoners in this Case will be sufficient punishment for the offence of which they have been convicted; and they direct that the Sessions Judge will issue his warrant accordingly.

2. The Court of Fouzdaree Adalut observe that the Sessions Judge has omitted to specify the grounds upon which he convicted the Prisoner in this Case.

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

(Sent in No)

× 1st Mauttan
2nd Mootan
3rd Mauttan and
4th Cogalar Savaday

Extract

P. M.

Friday
2d June 1854

At a Court of the Tongdaree Adalut

Present

C. S. Hooper Esquire
W. A. Morehead Esquire
G. L. Strange Esquire

} Puisne Judges

Read letter under date the 18th May 1854 from the Agent to the Governor of Fort St. George at Vizagapatam, submitting for the final Orders of the Tongdaree Adalut a report of the trial of Criminal Case No 7 of 1854 on his file.

(Here Enter P. M. No 1242 of 1854)

The Court of Tongdaree Adalut concurring in the conviction of the Prisoner

Canhedatah Pauyiah alias Appayah

of the crime of House breaking, resolve to confirm the sentence proposed to be passed upon him by the Agent of (7) Seven years Imprisonment with hard labor in irons, under the provisions of Clause 7 Section XXV Regulation VII of 1802.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George at

Vizagapatam

2d June 1854

Vizagapatam for his information.

/ True Copy /

Read letter under date the 1st Instant, from the Acting Superior Judge of Combaconum, submitting the Calendar of Case No. 15 of 1854 on the file of the Superior Court.

/ True Copy P.W. No. 405 /

Read also the Letter dated the 12th Instant, from the Acting Superior Judge of Combaconum, to the Principal of the Sudder Adawlut under date the 9th May, directing the Acting Superior Judge to explain why the Records of the trial in the above case was not forwarded and to submit a Translation of the same without delay.

/ True Copy P.W. No. 406 /

Read also Letter dated the 17th Instant, from the Acting Superior Judge of Combaconum, submitting Translation of the Records in the above case.

/ True Copy P.W. No. 407 /

1. In this case one of the two Assessors who assisted at the

2d June 1854.

convicted the Prisoner of the crime charged against him, viz. Housebreaking and Theft, but the other considered it not proved by the evidence.

The Acting Superior Judge

2. agreed with the Assessor who acquitted the Prisoner, but considering that much suspicion attached to him, required him to find two Sureties each in the sum of 15 Pagodas for the period of one year.

The course adopted by the

2. Acting Superior Judge in disposing of the Case, not being in conformity to Clause 8. Section XXXII Act VII of 1843 that Officer was directed to submit the Record for the consideration and final Orders of the Court of Foujdaree Adawlut.

On a perusal of the Proceedings

3. held in this Case the Court of Foujdaree Adawlut concur with the Acting Superior Judge, and the Assessor "Montagerion," in the opinion that the charge in question is not established against the Prisoner and they therefore acquit him thereof. but as strong suspicion attaches to him they resolve to confirm the Requisition of security under

which

which the Prisoner has been found by the Sessions Judge.

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

/ Sent in Pr. /

Read Calendar of Cases of 1854 of the Sessions Court of Chittur.

/ Here Enter F.R. No. 232 of 1854 /

The Court of Tanjore Zillah affirms of the Recommendation made by the Sessions Judge in this case, that the period of Imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the Crime of Perjury by night and theft, be reduced in the case of the 1st and 2d Prisoners to (2) Two years Imprisonment, and in that of the 3d Prisoner to (4) Four years Imprisonment with hard labor in irons, and they do authorize the Sessions Judge to pass his Mandate accordingly.

1. Salay Vinatasamy.
2. Maula Roshata Pillaigandee alias Gunjador, and
3. Maula Ramayadee.

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

/ Sent in Pr.

Read letter under date the 25th April 1854, from the Agent to the Governor of Vizagapatam, forwarding English Translation of the records of Case No. 2 of 1854 on the Calendar.

/ Here Enter F.R. No. 1060 of 1854 /

Read also letter under date the 18th April 1854 from the same Officer, submitting for the final judgment of the Tanjore Zillah a report of the trial of Criminal Case No. 5 of 1854, on his file.

/ Here Enter F.R. No. 997 of 1854 /

Read also Return dated 25th May 1854 from the same Officer, to the precept of the Tanjore Zillah under date the 17th May 1854, calling for an English Translation of the Records in case No. 2 on the Agents file.

/ Here Enter No. 1371. /

Mr. W.A. Maclean

The Court of Tanjore Zillah, on a deliberate consideration of all the circumstances of the case in evidence before them, being of opinion that the Prisoner,

Damaphoneaday Raminaidoo.

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,

thereof, and direct that he be set at liberty.

1. The Court of Fouzdaree Adawlut consider the evidence adduced as to the manner in which the deceased met his death open to very grave suspicions.

2 The motive attributed to the prisoner for killing his nephew, that the family should escape the shame of the deceased being connected with a criminal offence, is totally insufficient to account for the Prisoner before many witnesses committing an act of murder certain to bring the disgrace upon the family, which according to the evidence, it was the Prisoner's object to avoid by escaping the life of his nephew whom and himself there does not appear to have been any enmity.

3. Further there were discrepancies in the accounts given by the witnesses for the prosecution, as to the wounds pronounced by the Panchayetnamah prepared under the orders of the Head of Police of Palamcottah, and that the Tahsildar's peons showed have denied the existence of such marks of the injury on the body, while the fact of these marks being there, is proved by the Panchayetnamah taken by Order of the Head of Police of Maringhy, and the evidence of the 7th and 8th witnesses. This omission in the opinion of the Court would tend to strengthen the probability previously raised by other circumstances stated in evidence, that the Deceased met his death at the hands of the peons engaged in arresting him.

4. The Court of Fouzdaree Adawlut therefore are of opinion, that the evidence in this case was insufficient for the conviction of the Prisoner of the crime with which he was charged.

5. They accordingly resolve to acquit him thereof, and to direct his unconditional release.

6. Ordered, that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George at Vizagapatam for his information and guidance.

Sent in No. 15

J. H. C.

5th June 1854.

Saturday.
3rd. June, 1854.

At a Court of the Foujdaree Udalut.

Present.

G. L. Cooper, Esquire
W. A. Morehead, Esquire } Puisne Judges.
J. L. Strange, Esquire

Read letter, dated 27th. May 1854 from the Sessions Judge of Chittoor submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 1 of 1854 of the Calendar of the Sessions Court.

Vide Enter F.M.C. No. 1264 of 1854.

Read also return dated 3rd. May 1854 from the Sessions Judge of Chittoor to the precept of the Foujdaree Udalut under date the 21st. April 1854 calling upon him to explain under what circumstances he considered the case No. 1 of the Calendar 1854 referrible under Section VI. Regulation XX

of

3d June, 1854.

of 1803.

/Henry Sutton's File No. 1049 of 1854/

Mr. W. A. Morehead.

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

Yakoob Vanjeera

committed the act charged against him being then of unsound mind, cannot be dealt under the provisions of Act IV of 1849. that he be kept in safe custody in the Jail at Chittoor until the pleasure of Government regarding him be made known.—

/Sentence &c/—

Mr. W. A. Morehead.

5th June 1854.

Monday

5th June 1854

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Sessions Judges

Read Calendar of Case No. 11 of 1854

of the Sessions Court of Chittoor

/Referred F. U. No. 1013 of 1854./

The Court of Foujdaree Udalut approve

1.

of the recommendation made by the Sessions Judge that

× Gungadar

the period of Imprisonment which the Prisoner in this Case has been adjudged to suffer on his conviction of the Crime of Highway Robbery be reduced to (2) Two years Imprisonment with hard labor in irons, and they do authorize the Sessions Judge to issue his Warrant accordingly.

In the Sessions Judge's summary of this

2.

Case it is stated that the Prisoner was shewn by the evidence to have been armed with an Axe during the commission of the Robbery. The Court of Foujdaree Udalut however observe on reference to the Abstract of the evidence set forth in the Calendar that the Prisoner snatched

X
5th June 1854.

snatched from the Prosecutrix a Bill book which she was carrying.

3. The Court of Foujdaree Udalut [illegible] to intimates to the Sessions Judge that the fact of Robbery being unattended with aggravating circumstances need not be stated in the heading of the charge

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

/Sent in No /

Read Calendar in Case No of 1854 on the file of the Sessions Court of Chittagong

/Vide order F.U. No 1215 of 1854/

1. The Prisoner in this case charged with Highway Robbery, were convicted by the Mahomedan Law officer and Sessions Judge, and sentenced to 10 years imprisonment with hard labor in irons but as there are aggravating circumstances attending the case the Sessions Judge recommends that this punishment should be mitigated to an imprisonment of three years with hard labor in irons.

2. The Court of Foujdaree Udalut before passing any order upon this case observe that a translation of the Record may be submitted for their consideration.

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

5th June 1854. precept returnable in X days from and after its receipt.

/Sent following precept No /

Read Calendar in Case No 11 of 1854 on the file of the Session Court of Salem.

/Vide order F.U. No 1210 of 1854./

In this case the prisoners four in number

1. were charged with Housebreaking by night and theft

The Mahomedan Law officer declared

2. the 1st prisoner liable to Tazeer punishment on suspicion, or to pleader, and acquitted the other Prisoners

The only evidence against the prisoners

3. 2d, 3d and 4th were confessions retracted before the Courts

The Session Judge concurred therefore in the Fatwah concerning these Prisoners and ordered their release.

The evidence against the 1st prisoner was to

in the opinion of the Session Judge unsatisfactory inasmuch as it consisted of a confession, which, there was very reason to believe, was extorted by ill treatment, and of the statements of witnesses, Police officers, who were parties to the illtreatment of the 1st Prisoner.

It was sufficiently proved that a burglary

5. was committed as stated by the Prosecutor and that a large proportion of the property stolen was discovered in a well by the police officers in the presence of the 1st Prisoner, but it was not in the opinion of the Session Judge sufficiently proved that the 1st Prisoner had concealed

the

5th June 1854

the property there or that he pointed out to the Police officers as stated by them the particular place where the property was concealed.

6

Under these circumstances the Sessions Judge although considering that there was much ground of suspicion against the 1st Prisoner ordered his unconditional release.

7.

The Court of Foujdaree Udalut do not clearly understand if the Sessions Judge was dissatisfied with the evidence of the Police regarding the fact that the property was pointed out by the 1st Prisoner, how the Sessions Judge accounted for the finding of the property by the Police.

8.

Either the 1st Prisoner or some one in his knowledge, placed the property in the well by the Police themselves or by their agents concealed it there, but from the abstract of the evidence in the Calendar of this case nothing appears to connect the Police with the concealment of property or to throw any suspicion upon them as having been concerned in the act of House breaking and theft with which these Prisoners are charged.

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

/Sent in./

5th June 1854

Read Extract from the Minutes of Consultation under date the 27th April 1854 communicating Extract from a letter from the Commissioner in the Northern Circar and suggesting with reference thereto that the Court should lay down some general rules for dispensing with the records of Police cases after the lapse of a certain period from the time to which they refer.

/Rec'd Enter F.D. No. 1086 of 1854./

The Court of Foujdaree Udalut are of

1.

opinion that the records of all petty cases disposed of by the Police may safely be destroyed at the expiration of a year from the date on which the Sessions Judge may have perused the Calendars connected with them.

The Police records of cases committed

2.

to the Courts or Magistracy may also be destroyed with advantage so soon as the cases to which they refer are disposed of.

Ordered that Extract from these Proceedings be sent to the Secretary to Government in the Judicial Department, for the purpose of being laid before the Right Honorable The Governor in Council.

/Sent in./

Ordered also that Extract from these Proceedings be sent to the Several Sessions Judges for

5th June 1854.

for their information and for communication to the
Magistrates

/Sent in/

/Read Calendar of Case No 3 of 1854
submitted by the Sessions Judge of Cuddalore
Receipt Nº 1129 of 1854/

1

The prisoners were charged with the
at the Khalk A.M. of 2d May 1854 of stealing the
prosecutrix, her daughter (a Witness) and the 3d and
5th Witnesses on the high road and with having taken
them of property valued altogether at Rupees

2

The prisoners throughout have pleaded
not guilty and none of the property was recovered from
them, but the prosecutrix and 3d & 5th Witnesses
swear positively to their identity while 3d Witness
averred that he was previously acquainted with the
and it does not appear from the abstract of the evidence
contained in the Calendar that the witness were in
any way disguised.

3

The Muhammadan Law Officer on
2d question being put to him convicted the Prisoners of
Highway Robbery and the Sessions Judge concurring
in their conviction sentenced them to 14 years rigorous
with hard labour in irons but on consideration of the
facts of the Case has recommended that the term of
imprisonment be reduced to Five years

5th June 1854.

The Court of Foujdaree Udalut

4

observe that the entire evidence against the prisoners
consists of their alleged identification by the prosecutrix
and witnesses the sufficiency of which to justify their
conviction the Court of Foujdaree Udalut are not
at present prepared to admit.

They resolve to call upon the Sessions
Judge to report the grounds upon which the prisoners
were apprehended, and to give a full account of
such defence as the prisoners may have made in
rebutting the charge.

Ordered that Extract from these
Proceedings be forwarded to the Sessions Judge of
Coimbatore by precept returnable in V days from
and after its receipt

/Sent following precept Nº/

Read again letter under date the 4th
Instant from the Sessions Judge of Chicacole submitting
the petty Calendars of the Magistracy of Ganjam
and Vizagapatam for the 4th Quarter 1853.
/Received under F.R. Nº 623 of 1854/

Read also return under date the
13th April 1854 and supplemental return under
date the 8th May 1854 from the Sessions Judge of
Chicacole to the precept of the Foujdaree Udalut
conveying

5th June 1854.

conveying their remarks on the foregoing Calendar
(Vide entries F. Ills. Nos 9 & 10 of 1854)
The explanations submitted in the
Sessions Judges supplemental return is satisfactory
Ordered that Extract from these
Proceedings be sent to the Sessions Judge of Chittagong
for communication to the Magistrate of Noagoolee
(Sent in No 1)

Ex. for Roll.

F. Ills.

Tuesday 6th June 1854

At a Court of the Foujdaree Adalut
Present
G. L. Cooper Esquire
W. A. Morehead Esquire
T. L. Strange Esquire
} Puisne Judges

Read letter under date the 27th May 1854 from the Sessions Judge of Noacolee forwarding an English Translation of the record of Case No 87 of 1854, on the Calendar of the Sessions Court for the final Judgment of the Court of Foujdaree Adalut.
(Vide entries F. Ills. No 1307 of 1854)

W. A. Morehead

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

Tandlapeddy Lutchmee

is

is sufficient to convict her of the
crime of Perjury, do convict her thereof,
and under the provisions of Clause
First Section III Regulation VII of 1811
and Section XXXIII Act VII of 1843;
sentence her to be imprisoned and
kept to labor suitable to her sex for
and during the period of (1) one year.

(Sent in No.)

Read letter under date the
27th May 1854 from the Sessions Judge of
Masulipatam forwarding an English
Translation of the record of Case No. 58
of 1854, on the Calendar of the Sessions
Court, for the final Judgment of the
Court of Tsujdaree Udalut.

(Here Enter F.M. No. 1309 of 1854)

Mr. G. S. Hoopes

The Court of Tsujdaree Udalut
on a deliberate consideration of all the cir-
cumstances of the Case in evidence before
them being of opinion that the proof against
the prisoner,

Bellumoondah Latchmee

is sufficient to convict her of the crime
of Perjury do convict her thereof, and under
the

the provisions of Clause First Section
III Regulation VII of 1811, and Section XXXIII
Act VII of 1843 sentence her to be imprison-
ned and kept to labor suitable to her
sex for and during the period of (1)
one year.

(Sent in No.)

Read Criminal Reports
for the month of April 1854 submitted
by the Sessions Judge of Nellore.

(Here Enter F.M. No. 1166 of 1854)

The Prisoners in Case No. 75

Cases Nos. 68-74
75-77-81-82

having been committed
are described in
for trial before the Sessions Court under
Clause 2 Section XI Regulation VIII
of 1832 on a charge of connivance at
Prisoners escape. The Regulation under
which these prisoners should be commit-
ted is Regulation XIII of 1832 Section
XI Clause 2.

In Cases Nos. 68-74-77-82

2

the Prisoners the Court observe have
been placed under requisitions of security,
while the facts alleged against them
were of a definite order calling for a
decision

decision expressive of the absolute reception or rejection of the evidence adduced.

3 In Case No. 81 the Prisoner charged with Robbery with open violence should in like manner either have been committed to the Sessions Court or have been acquitted and released.—

The Court of Fouzdaree Udalut resolve to direct the Sessions Judge to call for and review the proceedings in the above mentioned Cases.—

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

(Sent in No.)

Read again Calendar of Cases Nos. 23 and 24 of 1854 on the file of the Sessions Court of Cuddalore.—

(Here Enter F.M. No. 1243 of 1854)

The prisoners in this case were charged with gang robbery in having with others not apprehended, broken into the houses of the Prosecutors and after maltreating the inmates stolen

from their persons and from the houses gold jewels and cloths amounting in value to Rupees 2460-6-6.—

The evidence against the

2 1st Prisoner was the finding in his house certain cloths which were identified as belonging to the Prosecutors.—

The evidence against the 2d

3 Prisoner was of a similar nature, property of smaller value identified as belonging to the Prosecutors being found in his possession; which he stated had been given to him by one of those concerned in the gang Robbery.—

The Mahomedan Law

4 Officer convicted the 1st and acquitted the 2d Prisoner of the Crime with which they were charged.—

The Sessions Judge concurring with the Mahomedan Law Officer

5 sentenced the 1st Prisoner to 14 years imprisonment with hard labor in irons, and ordered the 2d Prisoner to be unconditionally released.—

The Court of Fouzdaree Udalut

6 direct

direct that the Record in this Case and in Case No. 24 of 1854, may be submitted for their perusal. the evidence upon which the 1st Prisoner was convicted as shewn in the Calendar not being in their opinion satisfactory.—

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

/ Sent following Precept No. /

Read Calendar in Case No. of 1854 on the file of the Sessions Court of Trichinopoly.—

/ Here enter F.R. No. 1246 of 1854 /

The Prisoner in this Case was charged with having in company with others entered the Prosecutor's house armed and with torches, and after having maltreated the inmates, robbed property to the amount of Rupees 243.—

2.

There was no evidence against the Prisoner except his identification by five witnesses but as they did not mention

mention his name, although previously acquainted with him at the time of the robbery the Sessions Judge concurring with Futwah of the Law officer did not consider the offence proved but held the Prisoner to security in two securities of 25 Rupees each for his good behaviour and appearance for one year or in default to be confined for one year.—

The Court of Foujdaree

3

Adalut consider that there was ample evidence produced against the Prisoner if it had been of a trust worthy nature but as they are satisfied of the sufficiency of the Sessions Judge's reasons for discrediting the evidence, they think that the prisoner was entitled to an unconditional release and resolve therefore to cancel the requisition of security under which the prisoner has been placed and to direct that he be discharged.—

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Trichinopoly for his information and guidance by Precept returnable in III days

days from and after its receipt.—
(Sent following Precpt. No)

Read Calendar of Case No 16
of 1854 on the file of the Sessions Court
of Chittoor.—

(Here Enter F. M. C. No 1247 of 1854)

1 The prisoner in this Case
charged with the murder of a child of
ten years old. whom he had maliciously
beaten with a stick, and thereby caused
her death on the afternoon of the follow-
ing day; was acquitted by the Mahomedan
Law Officer who considered that the
charge was not established against
the Prisoner.—

2 The Sessions Judge concur-
red with the Law Officer in finding
that the Prisoner was not convicted of
the charge, but considering that strong
suspicion attached to the Prisoner of
having by his violence caused the death
of the child directed that he should
furnish two sureties in the sum of 40
Rupees each for his appearance and good
behaviour for the space of one year or
in

in default to be imprisoned for that period

3 The Court of Foujdaree Adaw-
lut consider that this Case has been dis-
posed of in a very unsatisfactory manner.—

4 There does not appear to have
been any reasonable ground for doubting
that the child died from the effects of
a severe beating inflicted upon her by
the Prisoner.—

5 The discrepancy in the State-
ments of the witnesses noticed by the
Mahomedan Law Officer would seem only
to have been as to the number of blows
inflicted by the prisoner and to the
exact parts of the Child's person which
were struck.—

6 These discrepancies were not
of a nature to shake the credit in the wit-
nesses, and the Sessions Judge requiring
security of the Prisoner, has shewn that
he has not considered their statements ab-
solutely untrustworthy.—

7 The Sessions Judge has mis-
used the discretion allowed him in requiring
security. This step is justifiable only where

distinct

days from and after its receipt.—
(Sent following Precpt. No)

Read Calender of Cases No 16 of 1854 on the file of the Sessions Court of Chittoor.—

(Here Enter F. M. C. No 1247 of 1854)

1 The prisoner in this Case charged with the murder of a child of ten years old. whom he had maliciously beaten with a stick, and thereby caused her death on the afternoon of the following day; was acquitted by the Mahomedan Law Officer who considered that the charge was not established against the Prisoner.—

2 The Sessions Judge concurred with the Law Officer in finding that the Prisoner was not convicted of the charge, but considering that strong suspicion attached to the Prisoner of having by his violence caused the death of the child directed that he should furnish two sureties in the sum of 40 Rupees each for his appearance and good behaviour for the space of one year e—

in

default to be imprisoned for that period.

3 The Court of Foujdaree Adawlut consider that this Case has been disposed of in a very unsatisfactory manner.—

4 There does not appear to have been any reasonable ground for doubting that the child died from the effects of a severe beating inflicted upon her by the Prisoner.—

5 The discrepancy in the Statements of the witnesses noticed by the Mahomedan Law Officer would seem only to have been as to the number of blows inflicted by the prisoner and to the exact parts of the Child's person which were struck.—

6 These discrepancies were not of a nature to shake the credit in the witnesses, and the Sessions Judge requiring security of the Prisoner, has shewn that he has not considered their statements absolutely untrustworthy.—

7 The Sessions Judge has misused the discretion allowed him in requiring security. This step is justifiable only where

distinct

distinct grounds of suspicion, the facts of which would not warrant conviction, have been established and is not to be taken as any expedient to save the Judge from determining definitely upon the credibility or otherwise of the evidence brought before him.

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

(Sent on 8th)

Read Calendar in Case No 41 of 1854 on the file of the Sessions Court of Cuddalore.

(Here enter F. No. 125 of 1854)

1 The Prisoner in this Case charged with Perjury was convicted by the Sessions Judge in concurrence with the Mahomedan Law Officer and sentenced to be imprisoned for four years with hard labour in irons.

2 The Prisoner 27th Prisoner in Case No 129 of 1853 before the Principal Sudder Ameen, deposed on oath declaration on the 23d December 1853 having

having seen the 27th Prisoner in the said Case, converse with certain vagrants and make them an offer of 300 Rupees for certain jewels then in the possession of these vagrants who were shewing them to the 27th Prisoner and afterwards on the 23d May, before the Sessions Court solemnly deposed that much facts as stated by him before the Principal Sudder Ameen ever to his knowledge took place. These facts being material to the conviction of the said 27th Prisoner of the charge of Robbery preferred against him.

3 The Court of Sessions & Adalut consider that the question at issue was whether these jewels were the property of the Principal Sudder Ameen (the partly stated to have been robbed) and whether they had been stolen from him?

4 If they were not so, and there does not appear to be evidence as to these points, the fact of this Prisoner having

6th June 1854

having made the Statement to the Sub Amen before the Principal Sudder Ameen and then denied it before the Sessions Court, was not matter as his first statement even if upheld by him before the Sessions Court would not have proved that the jewels he was the property of the Principal Sudder Ameen and it was only regarding property stolen from the Sudder that the trial against the above tioned 27 Prisoners was held.

5 Under these circumstances the Court of Sessions of Calicut to call for the record of this case for such explanation as the Judge of Cuddalore may think necessary to offer thereon.

Ordered, that Calicut these Proceedings be sent to the Judge of Cuddalore by Peon able in 8 days from and of the receipt.

Sent following Peon

Wednesday 7th June 1854

At a Court of the Sessions Calicut

Present

G. A. Hooper Esquire
H. D. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges.

Read Miscellaneous Petition sent by the Sessions Judge of Calicut from Nanoo Singuel Nowroo and two others of the Gallah of Calicut

(Here enter S.W.P. No 98 of 1854)

Mr H. D. Morehead.

The above Petitioners placed by the Magistrate under requisition of Security in default to be imprisoned 3 years upon suspicion of robbery, have petitioned the Sessions Judge, who confirmed the Sentence of the Magistrate.

2 They now pray the Court of Sessions Calicut for the reasons contained in their petition, to order these requisitions of Security to be cancelled, and that they may be released from confinement

3 Before passing any final orders upon this Petition, the Court of Sessions Calicut resolve to direct the Sessions Judge of Calicut to submit for their consideration the proceedings held by him in this case in accordance with the

the provisions of clauses four and five, section VIII Regulation VII of 1827.

Ordered that a Extract from these proceedings be sent to the Sessions Judge of Galle by precept returnable within Days from and after its receipt.

(sent following precept &c

Read Miscellaneous Petition presented on the 6th June 1854 by Sorabarumie of the Village of Combaramma..

(Hereunder & the P. & Rs No of 1854)

Atto G. A. Morhead.

The Court of Enquiry Colombo resolve to direct that the above Petition and enclosures be sent to the Acting Sessions Judge of Combaramma, with reference to their proceedings dated the 1st June 1854..

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

(sent as &c.

Read Criminal Reports for the months of April 1854, submitted by the Acting Sessions Judge of Jaffnapatam..

(Hereunder & the P. & Rs No of 1854)

Case No 34 Theft.

The Prisoner in this case marked with having broken the Prosecutors house and

door of which had been left open, and stolen therefrom a brazen eating plate, of the value of 1 Rupee and eight Annas..

2 The Prisoner was further charged in a 2nd and 3rd count with having been pd Criminal Case No 153 of 1846, sentenced to 6 months Imprisonment with hard labor in irons for the crime of theft, and with having pd Case No 154 of 1846 sentenced to 3 months imprisonment for the crime of escape..

3 The Prisoner was required by the Principal Sudr Amen under clause 1 Section VII Regulation VII of 1822, to find two sureties in the sum of Rupees 20 each, for his future good behaviour and appearance when required for three months, or depositd to be imprisoned for that period..

4 The Court of Enquiry Colombo observe that the previous convictions of this Prisoner not being for crimes of a nature to enhance the punishment attached to the offence with which he is now charged, should not have been entered as counts..

5 The requisition of Security under which the Prisoner has been placed was not under the circumstance of this case necessary.

The Court of Enquiry Colombo resolve therefore to

th June 1954..

to direct the Acting Sessions Judge to call for and
review the proceedings held in the case..

ordered that Rakoud from these
proceedings be sent to the Acting Sessions Judge of Tinnevelly for
his information and guidance..

(Sd) [illegible]

True Copy

[illegible]

F 16

Thursday
6th June 1954

At a Court of the Sanjivarayar Adalut..

Present

G S Cooper Esquire
W A Morehead Esquire
J L Strange Esquire
} Puisne Judges..

Read again Calendar of Case
No 47 of 1954 on the file of the Sessions Court of
Tillai Nagapattinam..

(Here enter F 16 No 970 of 1954)

Read also Return under date
the 27th May 1954 from the Sessions Judge of
Nagapattinam to the precept of the Court of
Sanjivarayar Adalut dated 9th May 1954 directing
the transmission of the records in the foregoing
case..

(Here enter F 16 No 1305 of 1954)

1 On perusal of the records of this
case the Court of Sanjivarayar Adalut cannot attach
any credit to the evidence for the prosecution
which is full of discrepancies on material points
while the allegation that the prisoner attempted
to commit such a crime in the locality
specified is highly improbable..

2 The Court of Sanjivarayar Adalut

accordingly

accordingly resolve to reverse the sentence passed by the Sessions Judge and acquit the prisoner and direct his discharge..

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Madurá Zilpatound by precept returnable within two days from and after its receipt..

(First following Precept &c.

Read letter from the Sessions Judge of Salem dated the 24th May 1854 forwarding correspondence with the Acting Joint Magistrate of Salem, regarding the liability of certain prisoners, viz Nos of the petty Calendars for the 1st quarter of 1854, who are the Head Canjoes and the curnums of a Village to be punished for abuse of authority under the provisions of Section III Regulation III of 1819..

(Here enter P.C. No. 230 of 1854)

1 The Sessions Judge upon examining the above petty Calendar directed the fines imposed by the Acting Joint Magistrate upon the above Pedda Canjoes and Curnums for abuse of authority to be remitted..

2 The Sessions Judge considered the said illegal, these prisoners not being in his opinion Police officers inasmuch as there was no Monsiff in the same village..

3 Before carrying the orders of the Sessions Judge into effect, the Acting Joint Magistrate referred the question to the Court of Foujdaree Adalut, with a view to the Court finding whether or not Pedda Canjoes and Curnums are to be considered Police officers and as such amenable to punishment for abuse of Authority under Section III Regulation III of 1819..

4 The Court of Foujdaree Adalut are of opinion that the Curnum was in the case in question liable to be fined as an officer of Police for abuse of authority.."

5 The Pedda Canjoe there being another person in the Village holding the office of Village Monsiff, was not liable to be fined under Section III Regulation III of 1819..

5 It is only when a Pedda Canjoe holds the office of Village Monsiff that he can be considered as Head of the Village..

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

Read

8th June 1854.

Read letter under date the 18th May 1854 from the Sessions Judge of Tellicherry (Here enter F.C. No. 165 of 1854)

The Court of Sonjdaree Udalut concur in the opinion recorded by the Sessions Judge in the foregoing letter on the several points therein referred to.

1st That in Cases of Cattle killing or maiming where it may be apparent that there was no malicious intent the penalty can only be sought by a Civil action.

2nd That the provisions of Act XIV of 1850 are not applicable to cases punishable by Sections XIII Regulation XIII of 1832. and 3rd That Act XII of 1850 does apply to petty cases of Theft disposed of under Section XIXIII Regulation IX of 1816.

2 The Court of Sonjdaree Udalut observe that the Acting Joint Magistrate's reference might have been disposed of by the Sessions Judge without referring to the Sonjdaree Udalut.

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

(Sent in Apr

9th B.C.

F. 16.

Friday 9th June 1854. } At a Court of the Sonjdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read again Criminal Reports for the month of March 1854, forwarded by the Sessions Judge of Calicut.

(Here enter F.C. No. 131 of 1854)

Read also letter from the Sessions Judge of Calicut dated the 22nd Ultimo submitting copy of a communication from the Subordinate Judge in reply to the observations of the Court of Sonjdaree Udalut under date the 9th Idem on review of the above Reports.

(Here enter F.C. No. 1258 of 1854)

The Court of Sonjdaree Udalut observe that the explanation now furnished by the Subordinate Judge in respect

9th June 1854.

No. 206 of 1853
" 24 of 1854

respect to the delay which has occurred in the disposal of these cases should have been embodied in the above Reports.

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

(Sent in No.)

Read Calendar in Cases Nos. 7 and 8 of 1854 submitted by the Sessions Judge of Trichinopoly.

(Here enter F. No. 1170 of 1854)

1 In these two Cases the prisoners charged with Robbery by open violence were committed to the Sessions Court by the Principal Sudr Ameen.

2 The Sessions Judge considering that there was no evidence against the prisoners to warrant their committal to the Sessions Court remanded the Case for disposal by the Principal Sudr Ameen.

9th June 1854

3 The Court of Foujdaree Udalut observe that the cases Robbery by open violence could not by their nature be tried by any but the Sessions Court.

4 They not being in the opinion of the Sessions Judge any sufficient evidence to convict the prisoners with the crime with which he was charged he should have directed his unconditional release and not have remanded these Cases to the Principal Sudr Ameen.

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

(Sent in No.)

Read Report dated 15th May 1854 submitted by the Sessions Judge of Rajahmundry, of the labour of the Convicts in the Jail at Cocanada for the month of April 1854.

Here enter F. No. 1262 of 1854.

Read Return dated 24th May 1854 from

from the Acting Principal Sudder Ameen in charge of the Sessions Court of Honore, to the Precept of the Tonjdaree Udalut under date the 16th May 1854 conveying observations on the Calendar of Cases Nos 6 of 1854 and directing that the sentence passed upon the Prisoner in this Case be reduced to two years.

(Here enter F. 86. No 1270 of 1854)

Read Return, dated 29th May 1854 from the Magistrate of Trichinopoly, to the Precept of the Tonjdaree Udalut under date the 22nd May 1854, directing him to submit a full explanation of the Proceedings of the Head Assistant Magistrate in the Case of Venkata Row late Jail prosecutor Trichinopoly.

Here enter F. 86. No 1275 of 1854

Read Convict Labour Reports, dated 1st May 1854 submitted by the Magistrate of Salem for the Month of April 1854.

(Here enter F. 86. No 1276 of 1854)

Read Extract dated 29th May 1854 from the Sessions Judge of Cuddalore forwarding

forwarding Calendars Nos 1 to 4 of Petty Cases disposed of by the Magistracy of South Arcot during the 1st Quarter of 1854.

(Here enter F. 86. No 1288 of 1854)

Read Return dated 29th May 1854 from the Sessions Judge of Rajahmundry to the Precept of the Tonjdaree Udalut under date the 15th May 1854 requiring an explanation of the great delay that has occurred in the disposal of Cases Nos 204 25 of 1854 on the Criminal file.

(Here Enter F. 86. No 1291 of 1854)

Read Return, dated 31st May 1854 from the Sessions Judge of Bellary, to the Precept of the Tonjdaree Udalut under date the 16th May 1854, directing certain alterations to be made, and calling for an explanation from the Subordinate Judge in regard to the number of Jail prisoners employed in Escorts, as shewn by the Criminal Reports for the months of March 1854

(Here enter F. 86. No 1294 of 1854)

Read Calendars of Cases Nos

9th June 1854

Nos 25 and 27 of 1854 submitted by the Sessions Judge of Chittoor under date the 4th May 1854.

(Here enter F. Dr. Nos 1297 & 1298 of 1854)

Read Report dated 1st June 1854 submitted by the Sessions Judge of Chittoor of Cases pending on the 31st May 1854 before him for a period in excess of 25 days calculated from the date of Commitment.

4 Ths 11

(Here enter F. Dr. No 1299 of 1854)

Saturday. 10th June 1854

At a Court of the Sunjolaree Adalut.

Present

G S Hooper Esquire
W A Morehead Esquire
J L Strange Esquire
} Puisne Judges.

Read again Miscellaneous Petition presented on the 24th April 1854 by Narrainsawmy Sarick late Sub Pron of Combaconum.

(Here enter F. M. P. No 87 of 1854)

Read also Return to the Precept of the Sunjolaree Adalut under date the 26th May 1854 calling for Report on the Petition of Narrainsawmy Sarick formerly employed as a Sub Pron

(Here enter F. R. No 1301 of 1854)

Mr W A Morehead. From the above Return it would appear that the order against which the Petitioner appeals was passed by the Sessions Judge in January 1851.

2 Under these circumstances the Court of Sunjolaree Adalut resolve to recommend the Petitioners Claim to the attention of the Subordinate Judge should

our

an opportunity occur for so doing hearing him

Ordered that Extract from these

Proceedings be furnished to the Petitioner on

his application..

Read Miscellaneous Petition

presented on the 6th June 1854 by Alamalou and

another of the Taluk of Trichinopoly..

(Here under F.M.P. No. 110 of 1854)

Mr. P. D. Morehead. 1 The Record in the case of the

Prisoner on behalf of whom this Petition is

presented, has already been fully considered

by the Court of Sunjedaree Adalut and our

Vakeel heard on her behalf..

2 The Court being unprepared to differ

from the finding of the Sentence passed by

them resolve to reject this Petition..

Ordered that Extract from these

Proceedings be furnished to the Petitioners on

their application..

Read again Miscellaneous Petition

dated presented on the 25th May 1854 by Deva

Coomar Pillay of the Taluk of Tinnevelly

(Here under F.M.P. No. 105 of 1854)

Mr. L. P. Strange.. 1 The Petitioner with reference

to a matter pending before the Acting Sessions

Judge from the Court of Sunjedaree Adalut

to issue particular orders regarding his / Petitioners / protection, the inspection by the Sessions Judge of certain documents and the reference of all documents and proceedings hereon to the Court of Sunjedaree Adalut..

2 The Court of Sunjedaree Adalut see no necessity for issuing further instructions to the Acting Sessions Judge of Tinnevelly than those already communicated to that officer in the Sunjedaree Adalut's proceedings dated 10th April 1854.. and therefore resolve to reject this Petition..

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

Read Calendar of Case No. 18 of 1854 on the file of the Sessions Court of Chittoor..

(Here under F.M. No. 1295 of 1854)

1 In this Case 12 Prisoners charged with Robbery by open violence were convicted by the Sessions Judge in concurrence with the Mohammedan Law Officer, and Sentenced to 14 years Imprisonment with hard labour in irons and as the 1st and 2nd Prisoners appeared to have taken a prominent part in the

Robbery

robbery and in dividing the Booty they were
sentenced to receive in addition each 15 lashes
under the provisions of Clause 4th Section II
Regulation I of 1825.-

2 The evidence against the Prisoners
from 1 to 4 consisted in their confessions before
the Police, the finding of portions of the property
stolen, identified by the Prosecutor and witnesses
in the possession of these prisoners and the
evidence of the 1st and 2d witnesses to their
having seen the Prisoners on the night before
the robbery took place, assembled for the pur-
pose of attacking the Prosecutor's houses, from
which intention they were dissuaded by the 3rd
witness on account of that particular person
not being propitious for the enterprise..

3 Against the prisoners from 5 to
12 the evidence consisted in their mutual
criminations and confessions before the
Police and the evidence of the 1st and 3d witnesses
who deposed to the presence of these prisoners
as described above, on the evening previous
to the robbery..

4 The cases would appear to have
been brought to light by the information given
by the 3d witness after the robbery took place..

All

5 All the prisoners denied the
truth of their police depositions before the
Subordinate and Sessions Court.

6 The Court of Tangalarre Adalut
not being satisfied as to the sufficiency of the
evidence adduced against the prisoners from
5 to 12 resolve to call for a translation of the
evidence given before the Session Court by the
1st 2d & 3d witnesses..

Ordered that Extract from these
Proceedings be sent to the Session Judge of Chittoor
by precept returnable in 5 days from and
after its receipt.-

Sent following precept &c.

Read letter dated 6th June 1854
from the Session Judge of Cuddapah forwarding
the Records of Case No 9 of 1854 for the final
Judgment of the Tangalarre Adalut.
Here entry of 6th Inst. 332 of 1854

Mr W.S. Morehead
" J.L. Strange.

The Court of Tangalarre Adalut
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.

G Ramiah

is sufficient to convict him of the crime

of

10th June 1854..

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 &c

Read again Miscellaneous Petition presented on the 22d May 1854 by Mahomed Casim and Pulaundoo both of Cuddapah

Vide Proceedings of Sessions Court dated 24th May 1854

Read the letter from the Civil and Sessions Judge of Cuddapah preliminary proceedings of the Court and Sessions Court dated 24th May 1854 on the Case of the above Petitioners..

Vide Proceedings of Sessions Court dated 10th June 1854

Mr H.K. Bordwine

The arrangements at present existing regarding the promotion and employment of the Peons attached to the Civil & Criminal Courts at Cuddapah appears to the Court of Sudder and Foujdaree Adalut very unsatisfactory..

3 These matters could be more properly managed by the said Judge were the responsibility afforded to attach to the duties..

3 The Court of Sudder and Foujdaree Adalut direct the Civil and Sessions Judge of Cuddapah to instruct the Subordinate Judge that he shall be required to have cognizance of all

10th June 1854..

as done regarding the employment of Peons The Book containing the names of Candidates for employment and their claims as well as the person about to be employed should be produced before him previous to the appointment being made..

4 The Court of Foujdaree Adalut observe with regret that the Sessions Judge of Cuddapah did not consider it necessary to enquire into these matters when Petitions were presented to him by these Petitioners, — which were of a nature requiring investigation and redress..

5 The Court of Foujdaree Adalut direct the Sessions Judge to ascertain that the orders contained in para 3 of his Proceedings under date 27th May 1854 are at once carried into effect..

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

Sentence &c

Read

10th June 1854.

Read again Calendar of Cases Nos. 22 and 23 of 1853 of the Sessions Court of Rajahmundry.

(Here enter Nos. 2, and 3 of 1854.)

Read again also Extract from the Minutes of Consultation in the Judicial Department under date the 27th April 1854.

(Here enter No. 1024 of 1854.)

Read also Returns under date the 29th ultimo, made by the Sessions Judge of Rajahmundry to the precept of the Court of Foujdaree Adalut under date the 3d ultimo directing the transmission of an English translation of the Records of the above cases.

(Here enter No. 1290 of 1854.)

Adverting to the Sessions Judge's explanation of the delay in submitting the Records of these cases the Court of Foujdaree Adalut resolve to direct that, that Officer will employ as many additional translators as may be necessary to complete the translation of the same.

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

(Sent in Ex)

Read

10th June 1854.

Read letter dated 26th May 1854, from the Agent to the Governor, at Kurnool, forwarding the Record of Case No. 24 of 1853, for the final judgment of the Foujdaree Adalut.

(Here enter F. D. No. 1281 of 1854.)

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,

Mr. W. A. Morehead
J. L. Stranger.

1st Boya Gungadoo,

and

2nd Boya Gumbadoo,

is sufficient to convict them of the crime of escaping from custody with open violence, for which, according to the Mahommedan Law, as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict them thereof; and, under the provisions of Clause third, Section II, Regulation I of 1825 sentence them to be imprisoned and kept to hard labor in irons on the public roads or other public works, for and during the period of (5)

five

10th June 1854.

five years in addition to any former sentences,
which may be in force against them.

4th Feb. 11

(sent to No.)

Monday
12th June, 1854.

F. H.

At a Court of the Fuigdaree Udalut.

Present

G. L. Cooper, Esqre.,
W. A. Morehead, Esqre.,
F. L. Strange, Esqre.,
} Puisne Judges.

Read Report of cases
pending before the Session Court of Chingleput
for periods in excess of 25 days, dated the
5th June, 1854.

(Here enter F. H. No. 1284 of 1854.)

Case No. 12 of 1854.

The Court of Fuigdaree
Udalut require an explanation of the delay
in disposing of this case in which it is
stated that the trial commenced on the 18th
ultimo.

Ordered, that Extract from
these proceedings be forwarded to the Acting Session
Judge of Chingleput by precept returnable
in II. days from and after its receipt.

(sent following precept No.)

Read Criminal Reports
dated 30th April, 1854. of the Session
Court

12th June, 1854.

Court of Chavacherie for the month of April 1854.

(Vide entry F.H. No. 1220 of 1854.)

Case No. 15. 1. The delay in the disposal of this case requires explanation.

Cases Nos. 14 and 16. 2. The prisoner in these cases was charged with having stolen Rupees 7-14-1, from one Bodah Kidnarrander and with having stabbed one Peroomalla Narraina a female with a dagger in her left elbow and also with having severely beaten her and the 1st prisoner in Case No. 16 with a stick and on conviction of these on both charges was sentenced by the Principal Sudr Ameen to pay a fine of Rupees 15 or in default of payment to be imprisoned for one month.

3. The Court of Tuticorin Udalut requires an explanation of the grounds upon which the very lenient sentence passed upon the Prisoner was considered sufficient as a punishment for the offence charged against him.

Ordered, that these proceedings be forwarded to the Judge

12th June, 1854.

of Chicacole for his information and guidance by precept returnable within V days from and after its receipt.

(Vide following precept No.)

Read returns from the Session Judge of Vizagapatam, dated 3rd June, 1854, to the Precept of the Tuticorin Udalut under date 18th May, conveying observations on the Criminal Reports for March last, and directing the submission of the Reports of certain cases disposed of during that month by the Principal Sudr Ameen.

(Vide entry F.H. No. 1312 of 1854.)

1. With this return the Session Judge has by desire of the Acting Joint Magistrate of Vizagapatam, and with reference to the observations of the Court of Tuticorin Udalut contained in Paras. 1 and 2 of the above Precept, forwarded Report A. of Case No. 5 of 1854, disposed of by the Acting Joint Magistrate, and copy of correspondence between that Officer and the Magistrate relative to the submission of this Report.

2. The Court of Tuticorin Udalut

1854.

12th June, 1854. Udalut have perused this reference A of this case and can see no reason to alter the opinion expressed in Para. 2 of the above precept as to the inadequacy of the sentence therein passed.

3. The evidence used by the prisoners counsel towards the prosecutrix, being of an atrocious and brutal character, it was the Court's consider deserving of a much more severe punishment than that awarded by the acting Joint Magistrate.

Case No. 9 of 1854, on file of Principal Sudr Ameen

4. The requisition of security in this case appears to the Court to have been made on insufficient grounds.

5. The Court of Sudr Ameen Udalut resolve to direct the Session Judge to call for the proceedings of the Principal Sudr Ameen in the case, and to pass such orders thereon as may appear necessary, reporting the same for the information of this Court.

Dr. Dr. Lumsden 6. The Principal Sudr Ameen to hand committed this case for trial. He will not estimate the comparative value of the evidence adduced, in the manner he has

12th June, 1854.

This was properly the province of the higher court.

7. The Court of Sudr Adawlut being of opinion that the half measure of taking security in the case, was not justifiable, resolve to direct the Session Judge to call for the record, and to issue such orders as may seem called for, reporting the same for the information of this Court.

Case No. 50 of 1854. on the file of the Principal Sudr Ameen

8. From the abstract of the evidence contained in Report A of this case, it appears to this Court of Sudr Adawlut that the requisition of security made by the Principal Sudr Ameen against the 3rd and 5th Prisoners was based on insufficient grounds.

9. They therefore resolve to cancel the requisition and to direct the unconditional release of the 3rd and 5th Prisoners.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Nellore by precept returnable in X days from and after its receipt.

(That following precept No.)

Read Criminal Reports submitted by

12th June, 1854.

by the Sessions Judge of Bellary for the month of April, 1854.

(Here enter Fl. No. 1251 of 1854.)

Case No 79

Any delay which has occurred in the disposal of this case requires explanation

Ordered that Extract from the proceedings be forwarded to the Sessions Judge of Bellary, by Circuit returnable in V days from and after its receipt.

(Next following page No.)

Read Calendar of Cases No. 1 on the Supplemental Calendar of the Sessions Court of Nellore for 1854.

(Here enter No. 1314 of 1854.)

1.

In the above case the 1st

2nd Prisoner, being Convicts undergoing sentences of imprisonment with hard labour charged with having effected their escape

custody, and the 3rd, 4th, and 5th Prisoners in charge of the above Convicts, with having and abetted them in effecting their escape.

2.

The Court of Sessions observe that the offence charged against the 4th and 5th Prisoners only, altogether

12th June, 1854.

from that for which the 1st and 2nd Prisoners were tried, and should consequently have been made the subject of a separate trial

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

(Next page No.)

Read Calendar of Cases Nos. 11 and 12, on the file of the Session Court of Trichinopoly

(Here enter Fl. No. 1277 of 1854.)

1.

In case No. 11 four prisoners, convicts under sentence of imprisonment for various periods were charged with having, between the hours of 11 and 12, A. M. on the 24th April, 1854, left their place of work near the jail at Trichinopoly, and escaped from the custody of the Peon who was in charge of them, and on conviction have been sentenced to two years' additional imprisonment and also to receive corporal punishment, the 1st and 4th prisoners to the extent of 100 lashes;

and

and the 2nd and 3rd prisoners who have pled before made their escape from Jail 150 lashes each under the provisions of Clause Second Section V, Regulation VII of 1812.

2. In case No. 12 the same prisoners were charged with having on the same day administered stupifying drugs to the Peon who was in charge of them, and on conviction have been sentenced to 5 years' additional imprisonment under Clause Seventh, Section II, Regulation XI of 1803.

3. The Court of Sudder Adawlut observe that the acts charged against the prisoners should have been entered in two Counts of a single indictment, and be disposed of by a single sentence. The period of imprisonment awarded in Case No. 11 will of course merge in that awarded in No. 12.

4. The Sessions Judge will be pleased to direct the attention of the Jailor to a breach of the rules laid down in the Circular Order of the 21st October, 1831 in regard to the employment of Convicts out of Jail which appears to have been infringed in the Case under consideration.

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

(True Copy)

Read Criminal Reports submitted by the Acting Sessions Judge of Combaconum for the month of April, 1854.

(Referred to Cir. No. 1198 of 1854.)

Cases Nos. 48, 49, 50, 51, 52, 53

The Court of Sudder Adawlut direct that the reports of these Cases in the form A. may be submitted for their consideration together with an explanation of the great delay which occurred in them before the Police.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Combaconum by precept returnable within VII days from and after its receipt.

(True following precept &c.)

Read Miscellaneous Petition

presented

12th June, 1854.

presented on the 15th May, 1854, by Pem-
-gaspah of the zillah of Bellary.

(Here enter S.R. No. 101 of 1854.)

Mr. Nash. Rowland. 1. The record of this case, the
subject of the above Petition, has already on
appeal been gone into by the Sessions Judge
and by the Court of Foujdaree Adalut.

2. This Court declines therefore
again taking the merits of the case into con-
-sideration, and resolves to dismiss this Petition.

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

Exd. Thos. W.

Read Letter dated 10th June
From the Acting Sessions Judge of Cuddapah
Reporting that he has requested the Acting
Subordinate Judge to take steps for the
apprehension of the Prisoner Rungia
was released from the Jail at Jaitheh
on the 1st April last, as the sentence
of 2 years imprisonment passed upon
for escape was not carried into effect

(Here enter F. No. 1300 of 1854)

Read Return dated 27th
1854 from the Sessions Judge of Masulipatam
to the Precept of the Foujdaree Adalut

12th June 1854.

dated the 20th May 1854 requiring "a more
"explicit explanation, than is contained
"in the Calendar (Case No. 52 of 1854 of the
"Sessions Courts file) of the grounds upon
"which the charge preferred in the Case
"was based".-

(Here enter F. No. 1304 of 1854)

Read Report dated 1st June
1854, Submitted by the Sessions Judge of
Nellore, of Cases pending for the Month
of May 1854.-

(Here enter F. No. 1313. of 1854)

Read Return dated 27th May
1854 from the Acting Agent to the Governor
of Fort St. George at Ganjam, to the
Precept of the Foujdaree Adalut under
date the 16th May 1854 informing that
he has reduced the fine as directed.-

(Here enter F. No. 1315 of 1854.)

Read Returns dated 31st
May 1854 from the Magistrate of Rajahmundry
to the precept of the Foujdaree Adalut
under date the 23rd of May 1854 directing
the Sessions Judge to Submit certain
information regarding the Prisoner
Francis Andrew confined in the Police
Cutcherry.-

(Here enter F. No. 1316 of 1854)

Read

12th June 1854.

Read letter dated 1st June 1854 from the Principal Sudder Ameen in charge Tinnevelly reporting that the sentence of death passed on the Prisoner in Sessions Case No. 10 of 1854 was carried into execution on the 1st June 1854

(Herewith Fde. No. 1320 of 1854.)

Read Return dated 6th June 1854 from the Acting Sessions Judge of Chingleput, to the precept of the Sudder Adalut under date the 9th May 1854 containing remarks on the Calendar of Criminal Cases disposed of by the Magistracy for the 4th Quarter 1853.-

(Herewith Fde. No. 1330 of 1854)

Read Report dated 5th June 1854 Submitted by the Acting Sessions Judge of Combaconum, of the Jails under charge of the Magistracy for the Month of April last.

(Herewith Fde. No. 1331 of 1854.)

Tuesday.
13th June, 1854.

F. C.

At a Court of the Foujdaree Adalut.

Present:

G. F. Cotton, Esqre.,
W. A. Morehead, Esqre.,
J. L. Strange, Esqre.,
} Puisne Judges.

Read Criminal Report B. from the Sessions Court of Salem.

(Here enter F. C. No. 1233 of 1854.)

Case No. 12.
Theft, and receiving property knowingly.

1. In this case the charge should have been House-breaking, Theft, and receiving stolen property knowingly, the prisoner having effected an entrance by entering a tatty door.

Case No. 18.
House-breaking with Theft, and receiving stolen property knowingly.

2. The 1st prisoner is further charged in a 2d Count with having been formerly convicted of Theft and sentenced to one year's imprisonment. The Principal Sudder Ameen committed the case for trial before the Sessions Court under Clause II, Section II, Regulation VI of 1822 and Section XXIX, Act VII of 1843.

3. This second Count should not

not have been entered, the finding of
this not being of a nature to affect
diction in the case.

4. The property stolen
ing to 100 Rupees, the Principal
should have himself tried the case

Ordered that the
three preceding be forwarded to the
Sessions Judge of Jaffna for his
guidance.

(Sent in Ms
New Calendar in
No XIII of 1854 on the file of
Court of Vicinity.

(True extract P.R. No 1794

1. The prisoners in this
with robbery by open violence and
the Crime of Robbery by the
Law Officer, but declared liable to
a suspicion.

2. The Sessions Judge
Extract of the Proceedings
and placed the Prisoners under

of security in 2 sureties of 25 Rupees each for
their appearance and good behaviour during
one year, in default to be imprisoned during
that time.

3. The evidence against the pri-
soners was their alleged recognition and iden-
tification by the prosecutor and 1st witness, the
prisoner's brother, as forming part of the
gang who committed the robbery. This re-
cognition however was not mentioned, immedi-
ately after the robbery was committed, to
the Village Moodliyar.

4. The Court of Inquiry
Udaluv approve of the reasons which have
led the Sessions Judge to reject the evidence
in this case, as incomplete and insufficient,
but they consider that no grounds existed
for requiring security from these prisoners
who should have been unconditionally released.

5. The Court of Inquiry
Udaluv therefore resolve to cancel the requi-
sition of security under which the prisoners
in this case have been placed and to order
their unconditional release.

Ordered

13th June, 1854.

Ordered that the Court from the proceedings be sent to the Sessions Judge of Chittagong for his information and guidance.

(Sent in No.)

Read Calendar in Sessions Case No. 25 of 1854 in the file of the Sessions Court of Cuddalore.

(Here enter No. 1286 of 1854.)

Case No. 25 of 1854.

1. The prisoners in this case were charged with Gang robbery, the 1st prisoner being further charged with having had in his possession part of the robbed property knowing it to have been robbed.

2. The Sessions Judge pronounced with the Mahommedan Law Officer in convicting the 1st Prisoner of the crime with which he was charged, and sentenced him having been also convicted of House-breaking and Theft in Calendar No. 26 of 1854 Mr Grant's imprisonment with hard labour

3. The Sessions Judge also concurred with the Mahommedan Law Officer in considering the Case not proved against

13th June, 1854.

2nd Prisoner whom the Sessions Judge accordingly acquitted but seeing that this prisoner was of notoriously bad character, directed that he should find security in two sureties each of 30 Rupees for his good behaviour and appearance when required during the space of three years, or in default to be kept in confinement during that period.

4. The Court of Foujdaree Adawlut observe that the clause under which this prisoner has been placed under a requisition of security is Clause 2, Section X, Regulation VII of 1827, and not Clause 1, Section X, Regulation VII of 1827, as quoted in the Calendar. This clause appears to refer to persons whose release would be dangerous to the community, and the Court consider that when prisoners are placed under requisition of security in accordance with the provisions of this Clause of Section VII, it should be stated what are the grounds which lead the judicial officer to form this opinion of the Prisoner's character.

The

5.

The Court therefore directs the Sessions Judge to state with respect to the 2nd Prisoner in the above case (who evidence was adduced as to his being of a character returned bad and dangerous as to render his release evidently unsafe and improper.

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 precipt No)

Read Miscellaneous Petition sent to by the Acting Sessions Judge of Tinnevelly from Teraummal of the Zillah of Tinnevelly

(Here enter S. C. P. No 1035 of 1854)

W. H. Harland 1.

This is an application on behalf of the Prisoner in Case No 15 of 1854 on the file of the Principal Sudder Ameen's Court of Tinnevelly.

2.

The Petitioner submits that her relatives, the prisoners in the above case

have been convicted of cattle-stealing and sentenced to one years imprisonment upon evidence insufficient for such conviction, and concocted by the enemies of the Prisoners. Further that the 2nd Prisoner is of unsound mind and as such was not accountable for his actions.

3.

The Petitioner states that she has appealed to the Acting Sessions Judge who has not gone fully into the case.

4.

Under the circumstances stated in this Petition, the Court of Judicature (Adalut) resolve to return this Petition to the Acting Sessions Judge of Tinnevelly and to direct that officer to call up the Record of the above case and to submit to this Court a report of the result of his investigation.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Tinnevelly by precipt returnable in V days from and after its precipt

(Sent following precipt No)

Read

13th June, 1854.

Read Criminal Report B.

submitted by the Sessions Judge of Trichinopoly (3)
on the 15th May 1854, for the month of April.

(Here enter F. H. No. 1170 of 1854.)

Case No. 15.
Assault and snatching.

1. The charge in this case should have been Highway Robbery. The manner in which the Robbery took place as stated by Prosecutor not being such as is described by the charge of snatching.

2. The prisoners in this case charged with Robbery by open violence, with aggravating circumstances, and having stolen property in their possession were sentenced by the Principal Sudr Ameen to find good and sufficient security each in two hundred Rupees each for their future good behaviour and appearance (when required) for 3 months, or in default to be confined in Jail for that period.

3. The Court of Sessions Adalut consider that if there was sufficient suspicion against these Prisoners to justify the requisition of security, the proper course

13th June, 1854. the Principal Sudr Ameen to have pursued would have been to commit the case to the Sessions Court.

4. Under these circumstances they resolve to direct the Sessions Judge to call up and review the proceedings.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Trichinopoly (3) for his information and guidance.

(Sent in No.)

Read Report dated the 1st June, 1854 of Cases pending on that date committed for trial during the month of April, 1854 before the Sessions Court of Cuddalore.

(Here enter F. H. No. 1303 of 1854.)

1. With reference to the above Report the Court of Sessions Adalut resolve to call upon the Sessions Judge of Cuddalore to submit for their consideration a list of all cases pending before the Sessions Court of Cuddalore

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

13th June. 1854.

of Custodiam by precept to returnable in V days from and after its receipt

Et Thott

(Seal following precept &c) ~

Read letter dated 20th May 1854 from the Sessions Judge of Cuddalore reporting the death of the Prisoner in Session No 68 of 1853

(Here enter F.C. No 206 of 1854)

(Read Extract dated 18th May 1854, submitted by the Sessions Judge of Tinnevelly, from the the Proceedings of the Court dated the 18th May 1854.

(Here enter F.C. No 209 of 1854)

Read Copy of a Letter dated 20th May 1854 from the Sessions Judge of Cuddalore forwarding the Proceedings of the Court dated 20th May 1854.

(Here enter F.C. No 212 of 1855)

Read Extract from Proceedings dated 10th May 1854 submitted by the Magistrate in charge of the Jail at Vellore for the month of April 1854.

(Here enter F.C. No 218 of 1855)

Read letter dated 20th May 1854 from the Sessions Judge of Cuddalore submitting Copy of a letter from the Magistrate of North Arcot dated 17th May 1854, from which it will be perceived that the Sentence in Case No 2 entered in the Magistrates Report B. was not passed by him but by the Head Assistant Magistrate.

(Here enter F.C. No 1224 of 1855.) ~

13th June 1854.

of Cuddalore by precept returnable in 7 days from and after its receipt

Ext Mott

(Seal following precept No) "

Read letter dated 20th May 1854 from the Sessions Judge of Cuddalore reporting the death of the Prisoner in Sessions No 68 of 1853

(Here enter F.M. No 206 of 1854)

(Read Extract dated 18th May 1854, submitted by the Sessions Judge of Madras, from the the Proceedings of this Court dated the 18th May 1854.

(Here enter F.M. No 1209 of 1854)

Read Copy of a letter dated 20th May 1854 from the Sessions Judge of Cuddalore from the Proceedings of his Court dated 20th May 1854.

(Here enter F.M. No 1212 of 1855)

Read Extract from Proceedings dated 10th May 1854 submitted by the Magistrate in charge of the Jail at Vellore for the month of April 1854.

(Here enter F.M. No 1218 of 1855)

Read letter dated 20th May 1854 from the Sessions Judge of Cuddalore submitting Copy of a letter from the Magistrate of North Arcot dated 17th May 1854, from which it will be perceived that the Sentence in Case No 2 entered in the Magistrates Report B. was not passed by him but by the Head Assistant Magistrate.

(Here enter F.M. No 1224 of 1855.) "

Wednesday
14 June 1854

F.C.

At a Court of the Foujdaree Udalut.

Present:

G. T. Hoopen Esqr.
W. A. Morehead Esqr. } Puisne Judges
T. L. Strange Esqr.

Reads letter under date the 31st May 1854 from the Agent to the Governor of Fort St George at Vizagapatam submitting for the final judgement of the Foujdaree Udalut a report of the trial of Criminal Case No. 8 of 1854 on his file

Here enter F.C. No. 526 of 1854.

W. Morehead. / The Court of Foujdaree Udalut concurring in the conviction of the Prisoner Pondy Venkadoo of the crime of House breaking resolve to confirm the Sentence proposed to be passed upon him by the Agent of (3) Three Years Imprisonment with hard labor in irons under the provisions of Clause 3 Section XXI Regulation VII of 1802.

Ordered that Extract from

these

14th June 1854. these Proceedings be sent to the Agent at Vizagapatam &c

(Sent in &c)

Read again Calendar of Cases No. 43 of 1854 on the file of the Sessions Court of Masulipatam.

(Here enter No 1057 of 1854.)

Read also Return dated 5th May from the Sessions Judge of Masulipatam to the precept of the Court of Foujdaree Adalut directing the submission of an English Translation of the entire Record of the above Case

Here enter F.R. No 356 of 1854

1 The Prisoners in the above Case two in number were charged with having administered some deleterious drug to a female with intent to procure abortion, and with having thereby caused her death

2 Both the Mahomedan Law Officer and the Sessions Judge Concurred in acquitting the Prisoners of the crime charged but the Sessions Judge thought that grave suspicion attaches to them of having caused

14th June 1854.

the death of the deceased by means of certain medicines found in the house of the 2nd Prisoner he held them severally to security in 2 Sureties of 100 Rupees each, for the period of 3 Years, or in default to be imprisoned for that period.

3 The Court of Foujdaree Adalut on a consideration of the Record of this Case resolve to direct that the requisition of security under which the prisoners have been placed be cancelled, there being nothing in the Record that can be found to attach suspicion against the prisoners excepting the evidence of the 1st and 2d witnesses, upon which the Court can place no reliance whatever.

4 The Court observe that the Ingresit paper which accompanies the above Record is a most worthless document, being replete with matter not only of an irrelevant nature but of which the parties who signed the paper must have been altogether incapable of forming an opinion

5 The Court direct that it be pointed out to the Head of Police that with

reference

14th June 1854

reference to the suspicion entertained of the cause of the deceased's death, he should have summoned some party capable, on an inspection of the body to state whether the appearances were such as to indicate that a miscarriage had recently taken place or not.

6 The Court have further to observe that the acts charged against the Prisoners in this Case having Caused death should have been put upon their trial for murder

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

(Sent on 21st)

Read letter under date the 1st May 1854 from the Agent to the Governor in Fort St George at Ramnad submitting the final judgment of the Sessions in the report of the trial of Criminal Cases for 1854 on his file.—

(Here enter No 283 of 1854)

14th June 1854

W. Hooper

The Court of Foujdaree Udalut concurring in the conviction of the Prisoners

1st Chakala Chinnavado

2nd Neelum Timmado

resolve to confirm the sentence proposed to be passed upon them by the Agent of 3 Three Years Imprisonment with hard labor in irons under Clause III Section IV Regulation XV of 1803 and Clauses II and III Section III Regulation I of 1825.

2 The Court of Foujdaree Udalut observe that the charge in this case should have been designated "Highway Robbery" it being stated in the Agent's letter that the Prisoners and two others attacked and robbed the Prosecutrix and her husband on the Highroad

Ordered that Extracts from these Proceedings be sent to the Agent at Ramnad for his information

(Sent in Sr)

Read Criminal Reports for the Month of April 1854 from the

the

14th June 1854 from the Session Judge of Cuddapah.

/ Here enter F.C. No. 1190 of 1854 /

Case No. 89

/ The Court of Foujdaree Udalut direct that the Session Judge will review the proceedings in this case, the sentence passed appearing with reference to the value of the grain stolen to be unnecessarily severe.

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

/ Sent in No. /

/ No return having been received from the Sessions Judge of Cuddapah to the Precept of the Foujdaree Udalut under date the 29th April last directing the submission of an English translation of the proceedings in referred Sessions Case No. 30 of 1853:

Ordered that the Sessions Judge of Cuddapah be required forthwith to make a final return to the precept aforesaid.

(Sent in No)

Read Miscellaneous Petition presented on the 7th June 1854 by Nannia Reddy and another of the Zillah of Cuddapah

/ Here enter Mis. Pet. No. 116 of 1854 /

14th June 1854.
W. Cooper

/ The Court of Foujdaree Udalut direct that a Copy of such part of their proceedings under date the 27th October 1853 as contain the grounds of the judgment passed by them in the Case referred to be furnished to the Petitioners.

Ordered that Extract from these Proceedings be furnished to the Petitioners in their application

Read Calendar of Case No. 2 of 1854 of the Sessions Court of Chittoor

/ Here enter F.C. No. 1206 of 1854 /

1st Chinna Raman
2nd Moneygen.

/ The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment which the prisoners noted in the margin have been adjudged to suffer on their Conviction of the Crime of Highway Robbery be reduced to (3) Three Years Imprisonment with hard labour in irons and they do authorize the Sessions Judge to issue his warrant accordingly

/ The Court of Foujdaree Udalut observe that the fact of an offence being unattended

14th June 1854.

unattended with aggravating circumstances
nues not be stated in the hearing of the charge

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

(Sent in No.)

Read Criminal Reports
submitted by the Agent to the Governor of
Fort St George at Kurnool for the months
of March 1854

Here enter F.C. No. 1194 of 1854.

Case No. 52 of 1852.

This Case having been tried
by the Agent in his Capacity of Sessions
Judge several months previous to the Submission
of these Reports need not have been entered in
the Report

2

The dates on which these
Cases were disposed of should have been stated
in the Report

3

The Court of Foujdaree
Udalut require an explanation of the delay
which has occurred in the disposal of
this Case.

Ordered that Extract
from

Case.		
64 of 1853	14 of 1854	
30 of 1852	15 of -n	
4 of -n	16 of -n	
5 of -n	19 of -n	
13 of -n	22 of -n	

Case No. 11

14th June 1854.

from these Proceedings be sent to the Agent
to the Governor of Fort St George at Kurnool
by precept returnable within X days from
and after its receipt

(Sent following precept No.)

Read letter under date the
26th May 1854 from the Agent to the Governor
of Fort St George at Kurnool submitting
for the final judgment of the Foujdaree Udalut
a report of the trial of Criminal Case No. 30
of 1853 on his file.

(Here enter F.C. No. 1282 of 1854.)

W. Shaw

The Court of Foujdaree Udalut
concurring in the Conviction of the Prisoner

Wudda Vencatagadoo

of the Crime of House breaking attended
with aggravating circumstances, resolve to
Confirm the Sentence proposed to be passed
upon him by the Agent of 3 / Three years
Imprisonment with hard labor in ironsundries
Clause IV Section II Regulation VII of 1822.

Ordered that Extract from
these Proceedings be sent to the Agent

to

14th June 1854

to the Governor of Fort St George at Fort St George for his information

Sent in Ss /

Read Calendar in case No 79 of 1854 on the file of the Sessions Court of Bellary

/ Here enter F.R. No 327 of 1854 /

In this case the Accused charged with the Highway Robbery was acquitted by the Sessions Judge in Chambers with the Fiat of the Mahomedan Law Officer on the ground of the insufficiency of the evidence adduced.

2 It is stated in the petition that when the house of the 1st Accused was searches for the stolen property no fewer than 16 persons entered the house without these persons having been searched and examined among them were the Prosecutor and the 1st 2nd and 3rd witnesses

3 It is remarked by the Sessions Judge as large a number of persons could easily have formed in molasses, the gram, forming the

14th June 1854

of the stolen property stated to have been discovered in the 1st Accuseds house.

4 The Court of Foujdaree Udalut direct the Sessions Judge to point out these irregularities to the Magistrate with a view to that Officer issuing such orders as he may think necessary on the subject.-

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

/ Sent in Ss /

Read Petition presented on the 1st June 1854 by Tylummay and another of the Yellah Cuddalore.

/ Here enter F.R. No 108 of 1854 /

Mr Morehead. / The Petitioner whose Son has been convicted of Gang Robbery and sentenced to 8 years Imprisonment with hard labor in Irons pubmits that the evidence adduced against him was concocted by his enemies and insufficient and prays the Court of Foujdaree Udalut to order his release.

The Court of Foujdaree Udalut

14th June 1854 Udalut seeing no reason to question the justice of the Sentence passed on the Petitioner Do resolve to reject this petition

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

Read Miscellaneous Petition presented on the 10th June 1854 by Arroonachellan Tavan of the Zillah of Combaconum:-

Here enter F. H. P. No 115 of 1854.

W Morehead

The Petitioner states that his Son was sentenced by the Head Assistant Magistrate to 6 months imprisonment and to a fine of 7 Rupees as being convicted of theft

2 That upon the Petitioner appealing against this sentence to the Magistrate he was refused by that Officer to the Sessions Judge but the Sessions Judge refuses to receive his appeal until he should have presented a Vakalutnamah from his Son empowering him to appeal on his behalf: that upon the Petitioner procuring to be appointed the

14th June 1854 the Head Assistant Magistrate refused to allow him access to his Son for the purpose of obtaining a Vakalutnamah from him, under these circumstances the Petitioner prays the Court of Foujdaree Udalut to interfere in his behalf.-

3 The Court of Foujdaree Udalut resolve to send a copy of this Petition to the Acting Sessions Judge of Combaconum for his report thereon, and to direct that Officer to call for a record of the trial held before the Head Assistant Magistrate which is to be submitted to this Court with the report thereon of the Sessions Judge.

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

(Sent following Receipt No)

Read Miscellaneous Petitions sent by the Sessions Judge of Calicut from A. P. Conby Mohideen and Ingonkul Vonien of Zillah of Calicut

Here enter F. H. P. No 112 & 113/1854

The

14th June 1854.

1 The Petitioners who in a charge of wounding have been sentenced the 1st to 4 years imprisonment with hard labor in irons the 2d to 7 years imprisonment with hard labor in irons and to 150 lashes submit that they have been convicted on insufficient evidence and pray the Court of Foujdaree Udalut to reverse the sentence of the Sessions Court

2 The Court of Foujdaree Udalut see no reason to question the justice of the sentence passed upon the Prisoners in this case, and therefore resolve to reject their Petition

3 The Court of Foujdaree Udalut observe that when Petitioners are furnished with a copy of a sentence such copy and not be on stamp paper

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

| Sent in Sc. |

Read Calendar of Petty

14th June 1854

Cases disposed of by the Magistracy of Masulipatam during the 4th Quarter of 1853.

| Here enter Ple No 1196 of 1854 |

Calendar of Persons Punished Case. No 53.

1 In this Case the Head of Police of Ryakalor was charged with having abused and ill-treated the complainant by beating him with a shoe, the 2d 3d Defendants Rms on his establishment being also charged with having under the orders of the head of Police pinioned and beaten the Complainant at the same time

2 The Defendant on conviction were fined by the Magistrate the 1st in the Sum of 10 Rupees the 2d 1 Rupee and the 3d 8 Rs 1-8-- Commutable to 10 days imprisonment.

3 This punishment appears to the Court of Sudder Udalut very inadequate for the offence charged against the Head of Police if the facts stated in the charge were established against him and the Court direct that further explana-

tions

14th June 1854

1 The Petitioners who in a charge of wounding have been sentenced the 1st to 4 years imprisonment with hard labor in irons the 2 to 7 years imprisonment with hard labor in irons and to 150 lashes submit that they have been convicted on insufficient evidence and pray the Court of Foujdaree Udalut to reverse the sentence of the Sessions Court

2 The Court of Foujdaree Udalut see no reason to question the justice of the sentence passed upon the Prisoners in this case, and therefore resolve to reject these Petitions

3 The Court of Foujdaree Udalut observe that when Petitioners are furnished with a copy of a sentence such copy and not be on stamp paper

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

/ Sent in Sc /

Read Calendar of Petty Cases

14th June 1854

Cases disposed of by the Magistracy of Masulipatam during the 4th Quarter of 1853.

/ Here enter F/No 1196 of 1854 /

Calendar of Prisons Punishment Case. No 53.

1 In this Case the Head of Police of Rajahmundry was charged with having abused and ill-treated the complainant by beating him with a shoe, the 2d 3d Defendants Peons on his establishment being also charged with having under the orders of the Head of Police pinioned and beaten the complainant at the same time

2 The Defendant on conviction were fined by the Magistrate the 1st in the sum of 10 Rupees the 2d 1 Rupee and the 3d 8 Rs 1 - 8 - - Commutable to 10 days imprisonment.

This punishment appears

3 to the Court of Sudder Udalut very inadequate for the offence charged against the Head of Police if the facts stated in the charge were established against him and the Court direct that further explana-

tions

14th June 1854.

1 The Petitioners who in a charge of wounding have been sentenced the 1st to 4 years imprisonment with hard labor in irons the 2d to 7 years imprisonment with hard labor in irons and to 150 lashes pretend that they have been convicted on insufficient evidence and pray the Court of Foujdaree Udalut to reverse the sentence of the Sessions Court

2 The Court of Foujdaree Udalut see no reason to question the justice of the sentence passed upon the Petitioners in this case, and therefore resolve to reject their Petition

3 The Court of Foujdaree Udalut observe that when Petitioners are furnished with a copy of a sentence such copy need not be on stamp paper

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

/ Sent in Sc. /

Read Calendar of Petty Cases

14th June 1854

Cases disposed of by the Magistracy of Masulipatam during the 4th Quarter of 1853.

/ Here enter Ffo No 1196 of 1854 /

Calendar of Rems. Punishment Case No 53.

1 In this Case the Head of Police of Rajahmundry was charged with having abused and ill-treated the complainant by beating him with a shoe, the 2d 3d Defendants Rems on his establishment being also charged with having under the orders of the Head of Police pinioned and beaten the Complainant at the same time

2 The Defendant on conviction were fined by the Magistrate the 1st in the sum of 10 Rupees the 2d 1 Rupee and the 3d 8 Rs 1-8-- Commutable to 10 days imprisonment.

3 This punishment appears to the Court of Sudder Udalut very inadequate for the offence charged against the Head of Police if the facts stated in the Charge were established against him and the Court direct that further explana-

tions

14th June 1854

time on this point may be submitted

4 The Court also require an explanation of the great delay which has occurred in the submission of these Calendars which it is observed were not sent to the Sessions Judge until the 27th March last and were not forwarded by that Officer until the 15th Ultimo.-

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

(The following precept No)

1 No final return having been yet received from the Sessions Judge of Chittoor to the precept of the Fouzdaree Adalut under date the 15th February last directing the submission of an English translation of the Record of Case No 5 of 1853 on the Calendar of the Sessions Court

Ordered that the Sessions Judge of Chittoor be required to make a final return to the precept aforesaid without any further delay.

G. of Madras

F. C.

Thursday 15th June 1854 } At a Court of the Fouzdaree Adalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqre
S. L. Strange Esqre
} Puisne Judges

Read again letter under date the 10th May 1854 from the Agent to the Governor of Fort St. George in Vizagapatam, submitting a Summary of the proceedings in Case No 3 of 1854 on the Criminal file of the Agents Court

(Herewith F. C. No 1161/1854)

Read also return under date the 5th June 1854 from the Agent to the Governor of Fort St. George in Vizagapatam to the precept of the Court of Fouzdaree Adalut dated the 25th May 1854, directing the submission of translation of certain depositions connected with the foregoing case.-

Herewith F. C. No 1363/1854.

The depositions submitted with

1 the

the foregoing returns are of a most loose and unsatisfactory nature, and do not contain the information essential to the right understanding of the merits of the Case which the Court of Foujdaree Udalut had expected to find in them. It does not appear whether there was any actual transfer by the prisoners to the prosecutor or his representative of the property the prisoners are charged with having eventually stolen. It is not shown to whom the godown belongs from which the said property was abstracted by the prisoners, or who had custody of the key thereof. Neither is there any detail of the time or manner in which the said abstraction was effected, or whether it occurred at one time or many.

2. The Court of Foujdaree Udalut resolve to direct that the Agent will hold a further investigation to elicit all needful particulars connected with the above subjects, giving the accused an opportunity of saying any thing further upon the defences in relation

to such additional proceedings which they may have to offer, and forward the result to this Court.-

3 The Agent does not state what he has done in pursuance of the instructions given to him to admit the accused to bail. The Court direct that the Agent will make an immediate return on this head.-

Ordered that Extract from these Proceedings be sent to the Agent to the Governor of Fort St. George in Vizagapatam by precept returnable within XX days from and after its receipt

(Sent following precept Sta.)

Read Calendar of Case No. 30 of 1854 of the Sessions Court of Cuddalore.-

Heavenly F.C. No. 1336 of 1854.

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that that the period of Imprisonment to which the Prisoner noted in the margin has been sentenced on his conviction of the Crime of Robbery by open violence be reduced to (3) Three years Imprisonment with

Nellore

with hard labor in irons and they do — authorize the Sessions Judge to issue his warrant accordingly.-

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

(Sent in No)

Read petty Calendars of the Magistracy Submitted by the Acting Sessions Judge of Combaconum under date the 16th May 1854 for the 1st Quarter of 1854.-

(Here enter F. No. No. 1344/1854)

Read return dated the — 5th June 1854 from — the Sessions Judge of Rajahmundry to the precept of the — Foujdaree Udalut under date the 16th May 1854 directing the Submission of an explanation why the prisoner in Case No 7 of 1854 on the Calendar was brought before the Head — Assistant Magistrate and not committed by Head Police officer direct.-

(Here enter F. No. No. 1347 of 1854)

Read Criminal Case No 19 of 1854 Submitted by the Sessions Judge of Guntoor Under date the 7th June 1854 disposed of by the Sessions Judge.-

(Here enter F. No. No. 1349 of 1854)

Read Calendar in Case No 23 of 1854 Submitted by the Sessions Judge of Madura under date the 8th June 1854.-

(Here enter F. No. No. 1357/1854)

Read Calendar in Case No 24 of 1854 Submitted by the Sessions Judge of Madura under date the 8th June 1854.

(Here enter F. No. No. 1358/1854)

Read convict labor of report dated 1st April 1854 Submitted by the Subordinate Judge of Salem for the 1st Quarter of 1854.-

(Here enter F. No. No. 1360/1854)

Read report dated 6th June 1854 Submitted by the Sessions Judge of Tellicherry of Cases pending on the 31st May 1854 and committed for trial during February, April and May 1854.-

(Here enter F. No. No. 1362/1854)

Read letter dated 10th June 1854 from the Acting Sessions Judge of Combaconum reporting that he has issued the necessary order that no steps may be taken against Rengiem, the released Prisoner, as it appears from the communication of the Acting Sessions Judge of Chingleput, that the —

notification

notification of two years additional imprisonment against the said prisoner, was erroneously endorsed on the warrant referred to in his letter of the 12th Instant.-

(Here enter Fde. No. 1366 of 1854)

Read Calendar in Case No. 12 of 1854. Submitted by the Principal Sudder Ameen of Honore Under date the 6th June 1854.

(Here enter Fde. No. 1372 of 1854)

Read return dated 7th June 1854. from the Sessions Judge of Mangalore to the precept of the Foujdaree Adalut under date the 16th May 1854 returning the Calendar in Case No. 7 of 1854 for Amendment.-

(Here enter Fde. No. 1367 of 1854)

Read Calendar in Case No. 12 of 1854 Submitted by the Sessions Judge of Rajahmundry Under date the 9th June 1854.-

(Here enter Fde. No. 1373 of 1854)

4 Thst

F. de.

Friday 16th June 1854. } At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqre
J. L. Strange Esqre
} Puisne Judges

Read Calendar of petty Cases disposed of by the Magistracy of Tinnevelly during the 1st Quarter of 1854.

(Here enter Fde. No. 1223/1854)

The reports of the Cases entered in these Calendars are unnecessarily lengthy a concise Statement of the grounds of conviction or acquittal is all that is required.-

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

(Sent in No.)

Read Calendars of Petty Cases disposed of by the Magistracy of Calicut during the 1st 2 Quarter of 1854.

(Here enter Fde. No. 1318/1854)

Here

Adverting to the number of cases in which persons have been held to security for the period of three years the Court of Foujdaree Udalut desire to be informed whether the proceedings required by Clause fourth Section VIII Regulation XI of 1827 have been held in these Cases.

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

(Sent following precept No)

Read Calendars of Cases Nos 29 and 31 of 1854 of the Sessions Court of Cuddalore.

(Here enter F.C. Nos 1334 and 1335/1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in these Cases that the Imprisonment which the prisoners noted in the margin have been adjudged to suffer be reduced in the Case of the 1st Prisoner to (3) Eight years Imprisonment

1st Pomby in No 29 & 31
2nd Chinnapien
3rd Challangappallan
4th Peralloo
5th Parcapien
6th Pattegaran
7th Chilman

Sentence reduced in No 29

and in that of the prisoners from 2 to 7 to (5) five years imprisonment with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No)

Read Calendar of Case No 12 of 1854 before the Acting Agent to the Governor of Fort St. George in Ganjam

(Here enter F.C. No 1338 of 1854)

Case No 12 of 1854.

In this case the Prisoners 1. charged with House breaking and wounding were acquitted by the Acting Agent, the evidence as to their identity being in his opinion insufficient to warrant a conviction; but as there were circumstances calculated to throw suspicion upon the 1st prisoner he was required to produce securities for his future good behaviour and appearance for one year in two Sureties each of twenty Rupees, or in default

to

10

15th June 1854.

16th June 1854.

to be imprisoned for that period.-

2. The Court of Foujdaree Udalut observe that the charge in this case should have been designated "Gang Robbery attended with aggravating circumstances" as it would appear that the Prosecutors house was attacked at night by an armed gang.-

3 The Court of Foujdaree Udalut consider the requisition of security under which the 4th Prisoner has been placed not warranted by the circumstances of the case.-

4. The Acting Agent should have decided as to the reception or rejection of the evidence adduced against the 4th prisoner By acquitting this prisoner the Acting Agent has virtually rejected this evidence as not being entitled to credit and under these circumstances the 4th prisoner was entitled to an unconditional release.-

5 The Court of Foujdaree Udalut resolve therefore to cancel the requisition of security under which the 4th Prisoner in this Case has been placed and to order his unconditional release.-

Ordered

16th June 1854.

Ordered that Extract from Proceedings be sent to the Acting Agent at Ganjam for his information and guidance.-

(Sent in No)

Read Calendar of Case No 22 of 1854 Submitted by the Sessions Judge of Cuddapah Under date the 10th June 1854.-

(Here enter F. Co. No 1375 of 1854)

Read return dated 8th June 1854 from the Sessions Judge of Tellicherry to the precept of the Foujdaree Udalut under date the 17th May 1854 having reference to the Criminal Reports Submitted by the Sessions Court of Tellicherry for the Months of March 1854.-

(Here enter F. Co. No 1376/1854)

Read Calendar of Case No 37 of 1854 Submitted by the Sessions Judge of Cuddalore under date the 13th June 1854.-

(Here enter F. Co. No 1382/1854)

Read Calendar of Case No 36 of 1854 Submitted by the Sessions Judge of Cuddalore under date the 13th June 1854.-

(Here enter F. Co. No 1383/1854)

16th June 1854.

Read Calendar of Case No. 36 of 1854 Submitted by the Sessions Judge of Nellore Under date the 12th June 1854.-

(Here enter F.C. No. 1387 of 1854)

Read Return dated 12th June 1854 from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 6th June 1854 directing the Sessions Judge to cancel the requisition of Security under which the prisoner in Case No. 10 of 1854 was placed.-

(Here enter F.C. No. $\frac{1390}{1854}$)

Read Calendar of Case No. 23 of 1854 Submitted by the Acting Sessions Judge of Combaconum under date the 12th June 1854.-

(Here enter F.C. No. $\frac{1393}{1854}$)

F. C.

Saturday 17th June 1854. } At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
T. L. Strange Esquire

Read letter dated the 14th June 1854 from the Sessions Judge of Chittoor, referring for the final Judgment of the Foujdaree Adalut, the Record of Case No. 26 of 1854 of the Calendar of the Sessions Court.-

(Here enter F. C. No. 1395 of 1854)

W. G. S. Hooper

The Court of Foujdaree Adalut on a deliberate Consideration of all the circumstances of the Case in evidence before them being of opinion that the proof against the prisoner

Chinna Chengadoo

is sufficient to convict him of the Crime of wounding, for which according to the Mahomedan

Mahommedan Law as declared in Fatwa
of their Law Officers, discretionary pun-
-ishment is awardable, he commit him
thereof and under the provisions of Sect.
XXXIV Act. VII of 1843, and clause third Sect.
VII Regulation XV of 1803, sentence him to
be imprisoned and kept to hard labor
in irons, on the public roads or other
public works for and during the period
of (4) four years.

(Sent in No)

Read Report, dated the
7th June 1854, submitted by the Sessions
Judge of Cuddapah of Cases pending on
the 31st April and committed for trial dur-
the month of may 1854 which have remain
on the file for more than 25 days.

(Here enter F. Vo. No 1351 of 1854)

The Court of Sanjdaree Adawlut
observe that this report should contain
a general list of all Cases pending before
the Sessions Court and direct the Sessions

Judge

Judge to state whether there are any
cases pending for the months previous to
May 1854.

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

(Sent following Precept No)

Read Extract dated 21st January
1854 from the Sessions Judge of Trichinopoly
on review of the Magistrate's Petty Calendar
for the 4th Quarter of 1853.

(Here enter F. Vo. No 425 of 1854)

Read Report dated 4th March
1854 submitted by the Sessions Judge of
Cuddapah, of Cases pending on the 31st
January and committed for trial, during
the months of February 1854 which remained
on the file of the Sessions Court for more
than 25 days.

(Here enter F. Vo. No 601 of 1854)

Read Supplemental Return
dated 2nd March 1854 from the Sessions Judge

of

of Cuttack to Precept of the Foujdaree Adalut under date the 20th January 18
directing the Sessions Judge to submit
orders recorded in Case No. 10 of 1833 on the
Magistrates Report A for November las

(Here enter F. 86. No. 602 of 1834)

Read Return dated 7th
1834 from the Sessions Judge of Cuddapah
precept of the Foujdaree Adalut under
the 4th March 1834 in which their Court
resolve to remove the sentences passed
on the Calendar of this Court for the
year and directing the immediate relea
of the Prisoner in that case.

(Here enter F. 86. No. 656 of 1834)

Read Criminal Repo
dated 1st February 1834 submitted by the
Sessions Judge of Tinnevelly for the Month of

(Here enter F. 86. No. 618 of 1834)

Read Report dated 1st March
submitted by the Acting Sessions Judge of
of Cases pending before him on the 1st
February 1834 in which the trial has
delayed beyond 28 days.

(Here enter F. 86. No. 619 of 1834)

Read Extract dated 14th
March 1834 from the Acting Sessions Judge
of Tinnevelly held on review of the Petty
Calendars for the 4th Quarter of 1833.

(Here enter F. 86. No. 739 of 1834)

Read Criminal Reports dated
17th March 1834 submitted by the Acting
Agent at Ganjam for the Month of February
1834.

(Here enter F. 86. No. 742 of 1834)

Read Criminal Reports dated
17th March 1834 submitted by the Sessions
Judge of Rajahmundry of the labour
of convicts in the Jail at Cocanada under
charge of the Magistrate of Rajahmundry
for the Month of February 1834.

(Here enter F. 86. No. 744 of 1834)

Read Criminal Report
dated 3d March 1834 submitted by the
Sessions Judge of Chittoor, of persons
apprehended in the zillah of Chittoor
and tried by the Magistracy in the Month
of February 1834.

(Here enter F. 86. No. 746 of 1834)

Ent'd Thos W

F. U.

Monday 19th June 1854 } At a Court of the Fouzdaree Adalut

Present.

G. S. Hooper Esqre. —
W. A. Morehead Esqre. — } Puisne Judges
T. L. Strange Esqre. —

Read Miscellaneous Petition presented on the 5th June 1854 by S. Terumalacharry Vakeel on behalf of Cunnamungalum Coonjun Nair of the Zillah of Calicut.

(Here enter F. M. P. No. 109 of 1854)

The Court of Fouzdaree Adalut resolve to refer the Petitioner to the orders passed by them under date the 20th March 1854, on the subject of this Petition.

Mr. G. S. Hooper and Mr. T. L. Strange.

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

Read Calendar of Case No. 21 of 1854, of the Sessions Court of Combaconum.—

(Here enter F. U. No. 1273 of 1854.)

1 The Court of Fouzdaree Adalut approving of the recommendation made by

by the Sessions Judge in this case, the
the period of Imprisonment to which the
Prisoner noted in the margin has been
sentenced on his conviction of the prin
of House-breaking and Theft, be reduc
to (6) six months Imprisonment, with
a dozen lashes with a Cat o nine tails
direct that the Prisoner be kept apart
from the other Prisoners in the Jail, an
worked as suggested by the Sessions
Judge, and that the corporal punishm
awarded be inflicted as recommended by
that Officer.—

2

The Court of Foujdaree
Adalut observes that the 3d Count
charging the Prisoner with having bee
put in the stocks for 6 hours for petty
Theft by the Village Monsiff, was un
-necessary.—

Ordered that Extract from
these Proceedings be sent to the Sessions
Judge of Combaconum for his inform
-tion.—

(Sent in Apr

Read Calendar of Case No
1854 submitted by the

Masulipatam under date the 13th April 1854

(Here enter F. No. No 909 of 1834)

Read Calendar of Case No. 23 of
1854 submitted by the Sessions Judge of Cuddap
under date the 12th June 1854.—

(Here enter F. No. No 1400 of 1834)

Read Extract from the Proceed
-ings of the Sessions Court of Nellore under
date the 14th June 1854 reviewing the
Statements of Heads of Police for the
months of November and December 1853.—

(Here enter F. No. No 1403 of 1834)

Read Criminal Reports dated
the 12th Instant submitted by the Sessions
Judge of Cuddapah for the month of May 1854.—

(Here enter F. No. No 1410 of 1834)

Read letter dated the 16th In
-stant from the Sessions Judge of Chittoor,
offering explanation with reference to certain
remarks of the Foujdaree Adalut on Calendar
Case No. 14 of 1854 on the Sessions Court's file
-

(Here enter F. No. No 1412 of 1834)

Read Calendar of Case No 22 of
1854 submitted by the Sessions Judge of Madura
under date the 14th Instant.—

(Here enter F. No. No 1428 of 1834)

Read Return dated the 12th Instant
from the Sessions Judge of Masulipatam to the
Precept of the Foujdaree Adalut dated 8th Idem
acquitting

19th June 1854.

acquitting the Prisoners in Case No. 47 of 1854 and directing his discharge for reasons therein stated.—

(Herewith F. C. No. 1429 of 1854)

Read Calendar of Cases No. 38 of 1854 submitted by the Sessions Judge of Cuddalore under date the 15th Instant.—

(Herewith F. C. No. 1417 of 1854.)

Read Calendar of Case No. 24 of 1854 submitted by the Sessions Judge of Cuddapah under date the 16th Instant.

(Herewith F. C. No. 1421 of 1854)

Read Calendar of Case No. 6 of 1854 submitted by the Sessions Judge of Guntoor under date the 14th Instant.—

(Herewith F. C. No. 1423 of 1854)

Rs 150

F. C.

Tuesday
20th June 1854 } At a Court of the Fouzdaree Adalut.

Present

G. S. Hooper Esquire
W. A. Morshead Esquire } Puisne Judges.
J. L. Strange Esquire

Read letter from the Sessions Judge of Masulipatam dated 29th May 1854.

(Here Enter F. C. No. 1310 of 1854)

Question 1. Whether a Magistrate can demand Security in a case not punishable by him under the extended powers but punishable by the Sessions Court.

With reference to question 1, the Court of Fouzdaree Adalut consider that a Magistrate has no power to demand Security under the Circumstances of the case quoted. Where nothing appears against a Prisoner but what may subject him to suspicion the only course for the Magistrate to take is to release the Prisoner, placing him if he should think it necessary under the surveillance of the Police.—

2. The Court of Fouzdaree Adalut differ from the view taken by the Sessions Judge

of Masulipatam in pursuance of his letter
under notice. The Court observed that
the Magistrate do not in the districts
there are no Subordinate Court, any
position of Subordinate Judges in the
as Committing Officers. —

3. The Sessions Judges in
districts upon a perusal of the record
mitted by the Magistrate or the Chief
acting in the capacity of the Subordinate
in whose place for the time he stands
as to whether or not a case is of a nature
to render it fit for trial and in case
where he considers that more evidence
procurable he will write a note of addi
such further evidence Communicate with
the Magistrate holding the Prisoner
according to the instructions of Section
Regulation II of 1822 Contained in Sup
Circular Order of 20th July 1829

Question II.

Whether a Committal should
should not be made in a
case where a Prisoner

to the Circular Order

20th June 1854.

me witness only recognizes a
Prisoner in a Committable Case —
required on this subject. —

Question III.

Whether if parts of property ob
tained by open violence be found in the
possession of parties not apprehended such
parts should or should not be sent up
with the records of the case, and other parts
of such property on the Committal of those
of the perpetrators of the robbery who have
been apprehended. —

the 25th February 1829 as
containing all the instructions
transmission is called for. —

5. The Court of
Fouzdaree Adalut con
sider that in ordinary
cases there can be no use
in sending up such property.
It is only where evidence
important to the trial
in hand is to be fur
nished thereby that such

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

Sent in ✓

Read Calendar of Case
No 9 of 1854 of the Sessions Court of Chicacole.
(Here Enter F. C. No 1346 of 1854)

The Court of Fouzdaree
Adalut direct that the requisition of
security under which the Prisoners in this
Case

case have been referred to be reduced to 30 Rupees.

Ordered, that Extract from these proceedings be forwarded to the Sessions Judge of Chicacole by post for receipt returnable within III days from date after its receipt. —

(Sent following precepts &c. /

Read return dated the 5th June 1854 made by the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut dated 27th May 1854 containing observations on the Calendar of Session Case No. 17 of 1854. —

(Here Enter F.R. No. 1337 of 1854)

It appears from the above return that the prisoner in this case was of so formidable an appearance that the parties robbed on the highway by him and others, not withstanding were able to give a description so minute of the Prisoner as strangers to them, that the Jemadar of Trinnumbay two months after wards, when the Prisoner was brought before him as Witness, sent under suspicious circumstances, was able to detect him

as the person described by the parties who had been robbed. —

2. The Court of Foujdaree Adalut consider that the manner in which the identification of the prisoner was established to the satisfaction of the Sessions Judge should have been stated in the Calendar.

3. The Court of Foujdaree Adalut being of opinion that a sentence of 14 years Imprisonment with hard labor in Irons will be a sufficient punishment, resolve to reduce accordingly the sentence of 14 years Imprisonment with hard labor in Irons passed by the Session Court. —

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

(Sent in No. /

Read again Calendar of Case No. 18 of 1854 on the file of the Sessions Court of Chittoor. —

(Here Enter F.R. No. 1295 of 1854)

Read also return under date

dated the 13th June 1854 from the Sessions Judge of Chittoor to the precept of the Court of Fjy: = dauee Adalut dated the 10th June 1854 directing the submission of a translation of the evidence given before the Sessions Court by the 1st 2d and 3d witnesses in the foregoing case.—

(Here Enter F. R. No 1389 of 1854)

The Court of Fjydaree Adalut do not consider the evidence of the 1st and 2d witnesses in this case upon which the Sessions Judge has depended for Corroboration of the Police Confessions of the prisoners to be entitled to any credit. the statements of these witnesses appear to the Court improbable and made up and they accordingly resolve to direct that the 5th 6th 7th 8th 9th 10th 11th and 12th prisoners against whom independently of the testimony thus rejected there is no evidence but their Police confessions be unconditionally released.—

Ordered that Extract of these proceedings be sent to the Sessions Judge

Judge of Chittoor by precept returnable within II days from and after its receipt.

(Sent following precept No 1)

Et Thos W

J. D.

Wednesday
21st June 1854

At a Court of the Tanjolaree Collectorate.

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
} Assistant Judges.
J. L. Strange. Esquire

Read a Miscellaneous Petition presented on the 25th May 1854 by Govinda Row of Cuddalapah.

(Here under J. D. P. No. 150 of 1854)

Mr. Morehead

The Petitioner brings to the notice of the Court of Tanjolaree Collectorate that a female in the Village of Parachalavaradoo Cuddapah Zillah was murdered by certain of the Police authorities of that Village and her jewels robbed. He further states that he has attempted to bring this matter and various other irregularities to the notice of the Joint Magistrate, but that that officer has not made any sufficient enquiry therein and that upon appeal to the Magistrate and to the Sessions Judge, neither of these officers made any effort to bring the offenders to justice.

The Court of Tanjolaree Collectorate resolve to refer this Petition to the Sessions Judge of Cuddalapah for report.

ordered

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Trichinopoly by precept returnable in x days from date of its receipt..

(Extract following precept &c.)

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

Read again Miscellaneous Petition presented on the 27th April 1954 by C. Salmon Esquire Vakeel on behalf of Ramasamy Ammah of Tillai Chidambaram..

(Here under F.M.P. No. 99 of 1954)

Mr. W. L. Morehead.

The Court of Inquiry Adalut direct that, in the event of the portion of the Record of Case No. 42 of 1953 called for by their proceedings of the 20th Ultimo not being yet ready for submission the Sessions Judge will employ additional translators to complete the translation of the same..

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

(Extract &c.)

Read again Miscellaneous Petition presented on the 25th April last by Mathuranayakam

of Trichinopoly..

(Here under F.M.P. No. 31 of 1954)

Read also Return dated the 31st May 1954 from the Sessions Judge of Trichinopoly to the precept of the Inquiry Adalut requiring an explanation of the circumstances that have led to the Petitioners degradation from the situation of Duffadar and his suspension for three months..

(Here under F.M.P. No. 1293 of 1954)

From the above returns it would

Mr. Morehead

appear that the Petitioner a public servant of 45 years standing was degraded from the office of Duffadar by the Sessions Judge on account of decrepitude and his being unable to hear or understand the orders given him. he was further suspended for three months for disreputable behaviour..

Regarding the latter portion

2

of the charge against the Petitioner the Court of Inquiry Adalut are unable to form any opinion except from the statements contained in the above return. they therefore decline interfering with the punishment of suspension inflicted by the Sessions Judge. the three months have now expired..

The Court have summoned the

3

this

this Petitioner before them and have satisfied themselves that he is not disqualified by age or infirmity from the discharge of the duties of a Duffedar to which appointment they direct the Sessions Judge to restore him.-

4 The Court of Sungdarees Wahid have frequently had occasion to order public servants dismissed by Mr. Harris, to be restored to their situations.-

5 They regret to observe that their necessary interference with these hasty and arbitrary dismissals should not have induced Mr. Harris to exercise more discretion in these matters.

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

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

Read letter number dated the 29th May 1954 from the Sessions Judge of Tellicherry

(Here enter F.R. No. 369 of 1954)

1 With the foregoing letter the Sessions Judge has submitted for the consideration of

of the Court a letter from the Joint Magistrate Mr. Ratcliff commenting on the Sentences passed by the Sessions Court in Cases Nos. 29 and 32 of 1954.-

2 In the former of these Cases seven prisoners were charged with having on the night of the 10th January last attacked the Prosecutor and the 1st 2nd 3rd 4th and 5th witnesses all private servants of the Joint Magistrate as they were travelling in a bandy on the road from Ramapadamangalore with having beaten the Prosecutor with sticks and robbed him and the aforementioned witnesses of property belonging to them and to their master to the value of Rupees 82-4-6.-

3 The 9th and 10th prisoners were further charged with having concealed part of the said property valued at Rupees 6-0-0 knowing it to have been obtained by robbery and against the 5th 6th 9th and 10th a further charge was also preferred of having been found in possession of a portion of the plundered property with a guilty knowledge of the manner in which it had been obtained.

The Sessions Judge in concurrence

4 with the Gobernadam Law officer convicted the

the 1st 2nd 5th 8th and 9th Prisoners of the Robbery laid to their charge and Sentenced them to 15 years imprisonment in the hard labor in irons which Sentence has since been mitigated by the Lord Lieutenant to ten years imprisonment.

5 The 9th and 11th Prisoners were convicted of being found in possession of Stolen property and were Sentenced respectively to 10 years imprisonment in the hard labor in irons

6 The Evidence against the 3rd 4th and 6th Prisoners being considered insufficient for their conviction they were acquitted and released.

7 In case No 32 one Prisoner was charged with having taken and actively part in the above Robbery but was acquitted & released by the Superior Court.

8 It is to the unconditional release of the four last mentioned Prisoners that the Joint Magistrate objects in the letter under notice.

9 Against each of these Prisoners the only Evidence adduced was that of a single witness who swore to having identified them during the attack. - and this Evidence was

was Regarded by the Superior Judge on the ground that under the circumstances the alleged identification was improbable and too uncertain upon which, unsupported by other Evidence under the circumstances it would be unsafe to rely.

10 The Joint Magistrate premises his comments on the Evidence in these cases by observing, that "it is incumbent upon Judges whether Subordinate or Superior to take due note of and give full weight to every point Recorded by a Magistrate from their information or so distinctly Specified their reasons should they deem such as deserved of the Latter.

That may be the precise meaning of the concluding portion of the foregoing Sentence, the Court do not very clearly understand, but the gist of the Magistrates observation appears to be that all Remarks recorded by the Committing Officer are entitled to the same weight as the Evidence given before the Court. That this is the Joint Magistrates opinion is abundantly evident from a subsequent para of his letter where he states "that he cannot conceive

"concerne that arose of itself in prosecution of the
"full record of such case the Sovereign Adulat
"should object to the submittal by the Magistrate
"of any special point that might futher escape
"its notice or be of a nature hardly apparent
"upon or inferrible from the face of a mere
"record: and upon which haply the Magistrate
"could throw a new light derived from his
"position, as having primary cognizance of
"and acquaintance with the matter."

12 The Judges are surprized that an officer of Mr Ratcliffs standing in the Magisterial Department, and who has on more than one occasion officiated as a Subordinate Judge should have evinced such an utter ignorance of the first Principles of evidence as the foregoing observations display.

13 It is sufficient for them to observe that any remarks recorded regarding a prisoner behind his back, and not made upon oath, can be admitted as evidence against him and that it is upon the entire record, as Mr Ratcliff designates it, of the evidence delivered upon oath before the Court, and upon that alone that the judge presiding is bound to decide.

For

14 For the decision in the present instance to which the Joint Magistrate has taken exception, the Judges of the Sovereign Adalut consider that the Sessions Judge has assigned most conclusive grounds. The danger of relying upon evidence to identification effected under circumstances such as those which attend the alleged recognition of the 4 prisoners referred to is universally admitted and the course taken by the Joint Magistrate of suspending several Peons with the view of stimulating them to take active measures for the apprehension of the perpetrators of the robbery, which circumstance it appears was proved, in evidence before the Court was naturally calculated to throw discredit on the evidence subsequently adduced and very properly weighed with the Sessions Judge in his decision that it would be unsafe to convict on the unsupported evidence to the identity of four of the accused.

15 It is stated in the charge that a portion of the property plundered belonged to the Joint Magistrate under these circumstances the Joint Magistrate was not justified in taking up the case, but should have left

the

the investigation to the Head of Police un-
whose jurisdiction the crime was committed
The submission of a memoranda and of
notes or Shasahs containing the comments of
the committing officer on the evidence taken
by him, is also an irregularity which has been
more than once prohibited by the Court of
Sessions Adalut.-

18 The Court deems it proper to
observe in conclusion that the Joint Magistrate
evinced considerable want of Judgment in
forwarding to the Sessions Court. The
Calendars of Cases tried by the Sessions Court
are forwarded to the officers of the Magistracy
for their information but not for their
criticism, and it is only under very special
circumstances that any Magisterial officer
is justified in commenting upon the pro-
ceedings of the Sessions Court.-

19 The tone of the Rad Cliffs remarks
is moreover extremely objectionable and
contemptuous towards the presiding Judge by him in
relation to the Sessions Judge.-

Ordered that the extract from these
proceedings be forwarded to the Sessions Judge of Nellore
for his information and for communication
to the Magistrate and Joint Magistrate.-

(sent in Ap

21st June 1854.-

Read letter dated 13th June 1854
from the Sessions Judge of Masulipatam
replying to the precept of the Sungalarce Adalut
under date the 30th April 1854 remarking upon
the Judges return to the precept of the higher
Court of the 22d March 1854 directing the addi-
tional release of the Prisoners in Case No 66
of 1853 on the file of the Sessions Court.-

(Here enter F & A No 1431 of 1854)

Read extract from the Proceedings
of the Sessions Court of Rajahmundry dated
9th June 1854, on review of the Jail Calendars
of the Magistracy for the 1st Quarter of 1854.-

(Here enter F & A No 1434 of 1854)

Read Criminal Reports
for the Month of May 1854 submitted by the
Sessions Judge of Madura under date the
13th June 1854.-

(Here enter F & A No 1443 of 1854)

Read Calendar of Case No 30
of 1854 submitted by the Sessions Judge of
Nellore under date the 17th June 1854.-

(Here enter F & A No 1446 of 1854)

Read Calendar of Case No 140
1854 submitted by the Acting Sessions Judge
of Chingleput under date the 19th June 1854.-

(Here enter F & A No 1450 of 1854)

Read

21st June 1854

Read Calendar of Case No 205 of 1854 submitted by the Sessions Judge of Calicut under date the 17th June 1854

(Here enter F. P. No 1454 of 1854)

Read letter dated the 17th June 1854 from the Sessions Judge of Cuddapah reporting the execution of the Prisoner C Ramiah per Calendar No 190 on the Calendar for 1854.

(Here enter F. P. No 1456 of 1854)

Read Calendar of Case No 204 of 1854 submitted by the Sessions Judge of Rajahmundry under date the 14th June 1854.

(Here enter F. P. No 1469 of 1854)

Read Calendar of Case No 195 of 1854 submitted by the Sessions Judge of Salem under date the 15th June 1854.

(Here enter F. P. No 1401 of 1854)

Thursday
22nd June 1854.

F. P.

At a Court of the Foujdaree Udalut

Present

G. A. Hooper Esquire
W. A Morehead Esquire
T. L Strange Esquire

} Puisne Judges.

Read Petition sent by the Session Judge from Vadayil Kellan of the Zillah of Calicut

(Here enter F. P. No 117 of 1854)

Mr Morehead.

The Petitioner who was lately a jail peon attached to the Calicut Zillah Court complains that he has been required by the Magistrate to furnish a security of 50 Rupees for his good conduct for one year upon a charge of having aided a Prisoner to procure certain sureties required of him.

2. The Petitioner further states that in consequence of their being placed under a requisition of security he has been deprived of his situation.

3. The Petitioner denies the charge preferred against him and submits that even if it were true the act has in itself nothing criminal.

4. He has appealed to the Session Judge of Calicut who has affirmed the decision

of

of the Magistrate.-

5 Under these circumstances the Petitioner prays the interference of the Court of Foujdaree Udalut on his behalf.-

6 With reference to this Petition the Court of Foujdaree Udalut resolve to direct that the proceedings held by the Magistrate in this Petitioners case, which have it appears received the approbation of the Session Judge be submitted for their consideration.-

7 The Court of Foujdaree Udalut observe that copies of orders passed on criminal matters need not be taken on Stamp Papers.

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

(Sent following precept No. /

Read again Miscellaneous Petition presented on the 24th April 1854 by Subbanna of the Pillah of Combaconum.-

(Here enter F. M.P. No. 1286 of 1854)

Read also proceedings passed by on the case of the above Petition by the Joint Magistrate.-

(Here enter F. M.P. No. 1315 of 1854)

Mr. Cooper
and
Mr. Morehead.

Upon a perusal of the above proceedings the Court of Foujdaree Udalut see no reason for interfering in the requisition of security under which the Petitioner was placed; and resolve accordingly to dismiss this Petition.-

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

Read Miscellaneous Petition sent by the Session Judge of Calicut from Kayahe Koolala Kahonny Nair of the Pillah of Calicut.-

(Here enter F. M.P. No. 1167 of 1854)

Mr. Morehead.

The Petitioner prays the Court of Foujdaree Udalut to cancel the requisition of security under which he has been placed by the Head Assistant Magistrate.-

2 The time for which this Petitioner was required to find security has expired.-

3 The Court of Foujdaree Udalut see no reason to interfere in the matter of this Petition which they resolve accordingly by to reject.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Calicut for communication to the Petitioner

(Sent in No.)

22d June 1854

Read Calendars of Cases Nos 20, 21 and 22 of 1854 of the Sessions Court of Calicut.

(Here Enter F. Vo. No 1385 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge, that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer, be reduced to (2) Two years with hard labor in irons, and they do authorize the Sessions Judge to issue his Warrant accordingly.

Koopery Ramen Nair

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

(Sent in No)

Read again Calendar of Case No 3 of 1854 of the Sessions Court of Coimbatore.

(Here Enter F. Vo. No 1229 of 1854)

Read also return under date the 12th June 1854 from the Principal Sudr Ameen in charge of the Sessions Court of Coimbatore to the Precept of the Foujdaree Udalut dated the 25th June 1854 conveying their orders on review of the above Case

(Here Enter F. Vo. No 1396 of 1854)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case, that the period of

22d June 1854.

Imprisonment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime of Highway Robbery, be reduced to (5) five years with hard labor in irons, and that the Prisoners be further sentenced under the provisions of Act XVI of 1850, to pay a fine to the extent of the value of the property stolen by them, to be made over to the Prosecutor and 1st and 2d Witnesses; and they do authorize the Sessions Judge to issue his warrant accordingly.

1 Cauly
2 Caroopoon
3 Conjeeveeran
4 Caloopoor, alias Avanansy, and
5 Ponnon.

Ordered that Extract from these Proceedings be sent to the Principal Sudr Ameen in charge of the Sessions Court of Coimbatore for his information.

(Sent in No)

Read again Miscellaneous Petition sent by the Sessions Judge of Salem from Gengan and others of the Zillah of Salem.

(Here Enter F. Vo. M.P. No 104 of 1854)

Read also Miscellaneous Petitions presented on the 12th and 19th June 1854 by Ramen of Zillah Salem.

(Here Enter F. M.P. Nos 119 & 122 of 1854)

Read also Return from the Sessions Judge of Salem dated 15th June 1854 to the Precept of the Foujdaree Udalut under date the 29th May 1854 directing the Sessions

Judge

22d June 1854.

Judge of Salem to submit translations of the Record in Session Case No 7 of 1854.

(Here enter F. No. No 1437 of 1854)

Mr W. A. Morehead) The Court of Foujdaree Udalut having perused the record of Trial rejects the petition presented on behalf of Cona Gangan, Cona Daisen and Cona Ramen the prisoners in the above Session Case.

2 The robbery, the Court observe, took place in — day light, the robbers are stated to have been without disguise and the three Prosecutors positively swear to the identity of the Prisoners who were, it is remarked, captured and first produced before them on the day after the robbery.

3 The testimony thus adduced against the Prisoners was deemed to afford satisfactory proof of their guilt both by the Judge on the spot and the Mahomedan Law officer, and the Court of Foujdaree Udalut find nothing in the proceedings which can justify them in doing otherwise than confirming the sentence passed by the Session Judge, as mitigated in that officer's recommendation from Fourteen to five years Imprisonment with hard labor in irons.

Ordered that Extract from the Proceedings be sent to the Session Court of Salem for communication to the Petitioner.

(Sent in No)

22d June 1854.

Read Miscellaneous Petition presented on the 27th May 1854 by C. Salmon Vakeel on behalf of N. Ramarow of Zillah Masulipatam.

(Here enter F. M. P. No. 107 of 1854)

Mr G. L. Hooper
" J. L. Strange

1. This is an application for the interference of the Court of Foujdaree Udalut on behalf of the Petitioner's uncle S. Ramanoyo Row late Head Sirishtadar in the District of Masulipatam who having been suspended from his Office in the year 1851 on various charges of corruption preferred against him under the provisions of Regulation IX of 1822 and his property to the value of Rupees 50,000 having been attached, has been summarily adjudged by the late Special Assistant Collector to pay fines to the amount of Rupees 64,000 and pending the decision of the Appeals preferred by him against these judgments is now detained at the Masulipatam under the surveillance of Peons.-

2. The Petitioner states that of the judgments passed against his uncle by the Special Assistant Collector only one has as yet been confirmed by the Commissioner in

in the Northern Circars and that one is now in Appeal before the Civil Court of Masulipatam.

3. The Petitioner prays that the Court will prohibit the enforcement of such judgment against his relative as may be confirmed by the Commissioner till some final decision as to the proceedings shall have been arrived at either by the Court of Sudder Udalut or by the Government or some other competent tribunal and that an order may be issued for the removal of the surveillance under which he is at present placed the whole of his property having been already attached.

4. The Court of Foujdaree Udalut observe that this Petition which has been presented on the Foujdaree side has reference to proceedings taken by a Revenue authority under Regulation IX of 1822 with which this Court cannot interfere unless brought before them on the Civil side and by appeal from the proceedings of a Civil Court.

5 The Court of Foujdaree Udalut are therefore unable to comply with the prayer of this Petition.

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

Read Returns dated 18th June 1854 from

the Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date 25th May 1854 directing the Sessions Judge to submit the translation of certain depositions given in Sessions Case No 47 of 1854 and requiring certain other information.

(Here Enter P. C. No 1142 of 1854)

The Court of Foujdaree Adalut desire that the Sessions Judge will forward for their information the confession of the 6th Prisoner in the above case given before the 19th Witness. his (6th Prisoners) deposition before the Court as well as the depositions of the witnesses summoned in his defence.

2. The Sessions Judge will also submit the list of stolen property given by the Prosecutor immediately after the robbery took place, likewise the list submitted to the Court shewing how much of it had been recovered and also an explanation why the Robbery was not reported to the Tashildar until two days after it was committed.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Cuddalore by precept returnable in V days from date of its receipt by the following precept to (Sent the following precept to)

E Thorn

22nd June 1854.

Read Return dated 17th June 1854
from the Acting Session Judge of Tinnevelly to the
Receipt of the Foujdaree Adalut under date the 16th
May 1854 calling on him to review the sentence
passed in Case No 22 on the Criminal Report
for March 1854.

(Here enter F. No. No 1459 of 1854)

F. No.

Friday 23rd June 1854

At a Court of the Foujdaree Adalut

Present

G. L. Cooper, Esquire
W. R. Morehead, Esquire } Puisne Judges
T. L. Strange, Esquire

Read the Criminal Reports
submitted by the Sessions Judge of Masuli-
patam for the year 1853.—

(Here enter F. No. No 1098 of 1854)

Appendix E to Statement No 1

The Court of Foujdaree
Adalut direct that the Session Judge
will explain in the column of Remarks
in this Appendix the cause of detention
of the persons entered in column "Under
45 days".—

Do D to Statt No 2.
Do B to Statt No 4.

The foregoing remark applies
also to the number of Persons detained
before the Special Assistant Magistrate
Heads of Police and Session Judge
for more than 30 days.—

The

Statement shewing the nature and the result of charges preferred against the Police.—

3 The Court also direct that the attention of the Sessions Judges be called to their proceedings under date the 18th May 1853 in which they have observed that the District Police officers are not competent to dispose of cases of abuse of authority against the inferior officers of Police.

Statement No 10 Bengal form.

4 The 3 persons who were detained in default of furnishing security should be included in Column 2 under head Sessions Judge and the aggregate of the entries in Columns 7 to 27 should be 33 according to the entry in Column 15 of the Statement No 4.

5 The 3 persons who were detained in default of furnishing security and included in Column 7 under head Sudder Ameen should be transferred to Column 8.

Statement No 13 Bengal form.

6 The Columns 27 and 28 of this Statement should exhibit 1220 and 1258 persons and the entries in these Columns will be effected by the remarks in paras 4 and 5.

Statement No 7

7 The foot note required in this

this Courts Circular letter dated 20th January 1853 should also be given in regard to crime No 32.—

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

(Sent following Precept No

Read the Criminal Reports submitted by the Sessions Judge of Cuddapah for the year 1853.—

(Here enter F.R. No 1216 of 1854)

Statement shewing the Cases involving grave injury.—

1 The Court of Foujdaree Adalut observe that entries in Columns 26 and 27 should be 212 and 607 and those in columns 40 to 48 will be affected thereby.—

Statement shewing the nature and the result of charges preferred against the Police.—

2 In this statement the foot note required in para 2 of this Court's circular letter dated 1st April 1853 should be added, and the 7 prisoners on whom the Foujdaree Adalut passed final sentence in Case No

Act 27 of 1832 and the fate of the Sessions Court should be entered in Columns 29 and 30.

Ordered, that Extract from these Proceedings together with the Statements noticed above be sent to the Sessions Judge of Cuddapah by Precept returnable within V days from and after the date of receipt.

/Sent following Precept No.

Read letter under date the 14th Instant from the Sessions Judge of Tellicherry forwarding English translation of the record of Case No 4 of 1854 on the Calendar of the Sessions Court for the final Judgment of the Court of Foujdaree Adalut.—

/Here enter F.R. No 1148 of 1854/

Mr W.A. Inches

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 Punjaya Ambooty 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, do sentence him to suffer death by being hanged at the usual time and place of execution.—

/Sent in No.

Read Calendar in Cases Nos 4 and 5 of 1854 submitted by the Sessions Judge of Tellicherry under date the 2nd February 1854.—

/Here enter F.R. No 832 of 1854/

The Court of Foujdaree Adalut having in their proceedings of this date sentenced the Prisoner in this Case to suffer death for the Crime of Murder of which he has been convicted in Case No 4 on the Calendar of the Sessions Court do not consider it necessary to proceed to a consideration of the Record of this Case.—

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

23rd June 1854

Sessions Judge of Rajahmundry for his information.

(Section No.

Read return dated the 12th June 1854 from the Sessions Judge of Rajahmundry to the precept of the Foujdaree Adalut under date the 26th April 1854 directing that the circumstances of Case No. 4 of 1854 on the Calendar be brought to the notice of the Magistrate in order that he may hold an enquiry into the conduct of the Subordinate Police Officer of Bommuru.

(Here enter F. Uc. No. 1413 of 1854)

Read Calendar of Case No. 24 of 1854 submitted by the Sessions Judge of Cuddapah under date the 16th June 1854.

(Here enter F. Uc. No. 1421 of 1854)

Read Criminal Appeals submitted by the Sessions Judge of Trichinopoly dated the 15th instant for the Month of May 1854.

(Here enter F. Uc. No. 1435 of 1854)

Extract

F. Uc.

Saturday 24th June 1854

At a Court of the Foujdaree Adalut

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire
J. L. Strange Esquire
} Puisne Judges

Read letter dated 16th May 1854 from the Sessions Judge of Rajahmundry referring for the final Judgment of the Foujdaree Adalut, the Record of Case No 11 of 1854 of the Calendar of the Sessions Court.

(Here enter F. Uc. No 1470 of 1854)

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

Vempaly Suttigandoo

is sufficient to convict him of the crime of Culpable Homicide for which the penalty

of

of Deyut is punishable under the Mahomedan Law as declared in Futwas of their Law Officers, to convict him thereof and under the provisions of Clause Second, Section XV Regulation VII of 1802 sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (10) Ten years.

(Sent in No)

Read Calendar in Case No 81 on the file of the Sessions Court of Bellary for 1854.

(Here enter F. 26. No 1803 of 1854)

The Prisoner in this case charged with highway Robbery was acquitted by the Sessions Judge in Concurrence with the Mahomedan Law Officer, on the ground of the contradictory nature of the evidence adduced but was required by the Sessions Judge to find two securities in 50 Rupees each for 18 Months or in default to be imprisoned

imprisoned for that period.

2 The Court of Foujdaree Udalut direct the Subordinate Judge to cancel this requisition of security.

The evidence adduced against the Prisoner was discredited by the Sessions Judge and under these circumstances the Court of Foujdaree Udalut do not see any reason for requiring security from the Prisoner.

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

(Sent following Precept No)

Read Calendar of Case No 24 of 1854 on the file of the Sessions Court of Combaconum.

(Here enter F. 26. No 1141 of 1854)

The Prisoners in this case charged with kidnapping four Children were convicted by the Acting Sessions Judge in

in Concurrence with the Sessions and sentenced to three years imprisonment with hard labor in irons.

2 The Court of Foujdaree Adawlut consider the sentence passed on the prisoners in this Case very lenient and inconsistent with the statement made by the Acting Sessions Judge that the Crime was one in which a severe sentence was required.

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

(Sent in No.)

Read the Criminal Report submitted by the Sessions Judge of Guntoor for the year 1853.

(Here enter F. Ab. No. 1005 of 1854)

Appendix D to Statement No. 2.

The Court of Foujdaree Adawlut observe that the entry of one person in Column 21 of the Statement for having died ought to have been excluded from the Columns in which

it may have been included under head "Head of Police &c." in this appendix.

Statement No. 3 A

2 The Seven persons referred to in the foot note as having been sentenced by the Moosfy Sudr Ameen should be entered in Column 13 of this Statement, altho they were subsequently ordered to be released by the Sessions Judge on review of the Reports.

Appendix A to Statements Nos. 10 & 13 Bengal forms.

3 These Statements will require amendment with reference to the foregoing remarks.

Statement shewing the Cases involving grave injury.

4 The entries in Columns 26. 27 - 36 and 37 should be 193 - 536 - 1 and 1 and those in Columns 40 to 48 will be affected thereby.

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

(Sent in No.)

Read the Criminal Report submitted by the Sessions Judge of Bellary for the year 1853.

(Here enter F. Ab. No. 802 of 1854)

The

24th June 1854

Appendix A to Statement No 2.

1 The Court of Inquiry on the Ulalah observes that the entry of 3 persons as being under trial should be excluded from the kind "Dealt with" under Act IV Act VII of 1843 and entered under the appropriate head "Pending on 31st December" and the entries in Columns 36 37 40 and of the Statement No 2 will consequently require alteration.

Do C to Do 2 The Number of persons inquired and fined and entered in the appendix should also be included in this appendix

Do D to Do No 2 3 The entry of 14 persons in Column 23 of the Statement as being under trial on the 31st December should be excluded from the kind "Heads of Police" &c

Do C to Do No 3A 4 The entry of 3 persons in Column 11 of the Statement as having died should be excluded from this appendix.

Do B to Do No 3B 5 The Number of Cases and persons under head "Trials suspended" &c 63 & 92 and the entries in the following 2 Columns will be affected thereby

Statement showing cases involving grave injury 6 The entries in Columns 38 and 39 should be 367 930 and 7

24th June 1854

7 The entries in Columns 40 to 44 appear to be wrong for in Columns 40 and the number of Cases and persons of other description not specified in this Statement are also included, instead of entering therein only those cases involving grave injury to person or property.

8 The submission of the Duplicate Copies of the proceedings of the Sessions Court and of the report of the Magistrate is hereafter unnecessary.

Statement No 10 Bengal form 9 The aggregate of entries in Columns 6 to 9 under head Subordinate Judge "Viz: 34 is inconsistent with the number of persons convicted and punished by the same officer as entered in the Statement No 3B (35).

10 The total of entries in Columns 4 to 9 under the head "Sudder Ameen" Viz: 98 does not correspond with the number punished by the same officer (97).

Statement No 13 Do 11 The entries in Columns 2 under the heads Nos 39-63.71,85 and 86 do not agree

agree with those of the corresponding number in the Statements to be given in the Memorandum appended to the Circular letter of this Court dated 20th June 1852.

12 The Court finally observe that the number and nature of the errors in the foregoing Statements, many of which are the same as those rectified in the similar returns for the previous years on being pointed out by this Court, exhibit great want of attention on the part of the Ministerial Establishment of the Court, and they therefore direct that the Sessions Judge will cause every Statement to be carefully examined by the Head Native Officer of the Court in order to prevent the delay which is occasioned by the return of the Statements for amendment.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Bellary by Precept returnable within 6 days from and after its receipt.

Sent following Precept No

Read the Criminal Report submitted by the Sessions Judge of Chicacole for the year 1853.

Here enter T.C. No 175 of 1854

Appendix C. to Statt. No 1 Vizagapatam Judge

The Court of Sudr Adawlut direct that the Sessions Judge will explain in the Column of Remarks in these appendices the Cause of detention of the persons entered in Column "under 45 days"

Do B to Do Do 2 The 4 Cases including 12 persons committed to the Sessions Court should not be included from this appendix.

Do C to Statt. No 3 & Vizagapatam P. Statt.

Do C to Statt. No 4

This appendix should exhibit 21 persons.

Statt. Shewing the Nature and the result of Charges preferred against the Police at Vizagapatam

The one person in Column 26 under head 1 of the Statement No should be entered in Column 15 of this Statement and the foot note required in Para 2 of this Courts letter dated 1st April 1853 should be added.

Comparative Abstract Vizagapatam & Ganjam

5 In Columns 22 and 23 under head "1853" the 8 Cases including 24 persons Viz. 4 Cases and 15 persons pending before the Moosify Sudr Ameen at Chicacole and

and 4 Cases including 6 persons before the Subordinate Judge at Chicacole at the Commencement of the year and 3 Cases including 3 persons entered as primarily Cognizable by the Principal Sudr Ameen at Vizagapatam should be included.

6 The foregoing remark applies also to the Entries in Columns 22 and 23 under head "in 1852."

In 1853 Two Prisoners in Cases Nos 27 of 1852 & 9 of 1853 on the file of the Sessions Court.

In Columns 34 35 and 36 under heads "1853" and "1852" the number of persons on whom the Tonjdaree Abolition Law passed final sentence should be entered.

Statement showing the Cases involving grave injury

8 The Entries in Columns 8 9 22 23 26 27 34 and 35 under head "Wounded" should be 4 22 9 31 18 164 23 and 270 and those in Columns 40 to 48 will be affected thereby.

Nos Bengal form. Ganjam & Vizagapatam

9 The preparation of the Statement No 13 noted in the margin as form for the Districts of Ganjam and Vizagapatam is not necessary they should be blended together in one Statement.

10 The Number of persons entered in Column 2. as Charged with the Crime of "Assault with wounding" in the Districts of Ganjam and Vizagapatam should be 65 according to the Statement No 1 to 4, and not 69.

11 The Nos of persons entered in Column 2 as Charged with the Crime of "Petty Assault" in the two Districts should be 9462 and not 9458, and those Charged with Dacoity unattended with aggravating Circumstances" should be 19 not 18.

12 The total Entries in Columns 2-27-28-and 29 of the two Districts should be 10572 - 3978 - 4659 - and 93.

Nos Bengal form Ganjam & Vizagapatam 13 The Remark in Para 9 applies, also to the Statement No 10 noted in the Margin.

Ordered that Extract from these Proceedings together with 11 Enclosures be sent to the Sessions Judge of Chicacole by Precept returnable within 5 days from and after its receipt.

Read

24th June 1835

Read Criminal Reports
dated 1st June 1854 submitted by the Subordinate
Judge of Salem for the Month of May 1854.
(Here enter F. C. No 1471 of 1854)

Read Criminal Reports
dated 17th June 1854 submitted by the 4th Sessions
Judge of Combaconum for the Month of
May 1854.
(Here enter F. C. No 1476 of 1854)

Read Return dated 21st June
1854 from the Sessions Judge of Cuddalore, to
the Precept of the Pungdaree Moolut under
date the 13th June 1854, calling upon the Sessions
Judge to submit for the Consideration of
the Judges a list of all the Cases pending
before him

(Here enter F. C. No 1470 of 1855)

E. Thorn

Monday
26th June 1854.

F. C.

In Court of the Pungdaree Adalut

Present

G. S. Hooper Esqre
W. A. Morehead Esqre
T. L. Strange Esqre
} Puisne Judges

Read Case No 34 of 1854 on
the Calendar of Prisoner committed for trial
before the Sessions Court of Cuddalore.
(Here enter F. C. No 1384.)

1. In this Case the Prisoners are
charged with having in company with seven
others not apprehended assembled for the
purpose of perpetrating a Gang Robbery."

2. The Sessions Judge concurring
with the Futwah has directed the release of
Prisoners 4th 5th and 6th and convicting the remain-
ing Prisoners of "attempt at Gang Robbery" has
sentenced them under Clause 3 Section IV of
Regulation XV of 1803 - Recommending at the
same time, in the case of Prisoners 2 and 3, a
mitigation of the punishment prescribed by
that enactment to a sentence of imprisonment
with hard labor in Irons for 5 Years.

The

3.

The Court of F.W. observe that the Indictment laid in this Case by reference for the purpose of committing a Gang Robbery constitutes an Offence altogether distinct from the Crime of "attempt at Gang Robbery" of which the Sessions Judge in Concurrence with the Mahomedan Law Officer convicts the Prisoners 1 & 3 and they have further to remark that so far as may be judged from the Summary made by the Sessions Judge, there is nothing to show that the convicted Parties if guilty of the first co mentioned Charge, have in any way incurred the more serious penalties attached to the second

4.

The Judges resolve therefore before taking into consideration the recommendation of the Sessions Court to direct the suspension of that Courts sentence in the present Case, and to call for the record, in order that they may determine whether Prisoners convicted of liable to the punishment specified in Clause 4. Section IX. Regulation XX of 1803.

Ordered that the Sessions Judge be directed, by Precept returnable within 3 days to forward the whole of the record in the case

Review In the present instance, a transportation is not called for.

(Sent following Precept &c)

Read Return dated the 16th June 1854 from the Acting Session Judge of Combaconum to the precept of the Foujdaree Udalut dated the 12th June 1854 directing him to submit the Reports of Cases from No 48 to 53 on the file of the Criminal Court in the form A, together with an explanation of the delay which occurred in their Case before the Police.

(Here enter F.W. No 14 16–1854)

1. The Court of Foujdaree Udalut consider both the Charges and Sentences in the Report A defective.

2. The Sentences in report A should unvariably set forth in detail the grounds on which such Sentences are founded so as to afford the Sessions Court means of judging of their propriety

3. The Court of Foujdaree Udalut are unable to discover the grounds upon which the Prisoners in Case 50 were placed under a requisition of Security, and therefore resolve to direct

the

26th June 1854.

the Acting Sessions Judge's explanation from the Sub Judge upon this point and to submit the answer of that officer to this Court for their consideration.

4. The Court of Foujdaree Udalut desire to be informed by the Acting Sessions Judge if the Reports B submitted by the Sub Courts are usually drawn up in the same meagre and unsatisfactory manner as this now under notice and direct by Acting Session Judge in future to return these Reports to the Sub Court, when they exhibit such deficiencies.

Ordered that Extracts from the Proceedings be sent to the acting Session Judge by prompt returnable in 7 days.

(Sent for Warning Report No. 32)

4th Feb 55

F. Co.

Tuesday 27th June 1854 } At a Court of the Foujdaree Udalut

Present:

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges
J. L. Strange Esquire

Read Calendar in case No. 62 on the file of the Session Courts of Bellary for 1854.

(Reference F. Co. No. 1409 of 1854)

1 In this case the charge is "Suppression of Highway Robbery". The Prisoner, the headman of his Village was charged with having, after sending up a case of Robbery to the Head of Police, recalled the case before it had reached the Head of Police and suppressed it, the party charged with the Robbery being his own brother-in-law.

2 The Court of Foujdaree Udalut are of opinion that the charge should have been "Misdemeanour". The Mahomedan Law Officer acquitted the Prisoner of the crime with which he was charged the evidence against him being contradictory and insufficient.

3 The Session Judge concurred in acquitting the Prisoner, but being of opinion that

that strong suspicion attached to him required him to find two sureties of 50 Pagodas each for 18 months, or to be imprisoned for that time.—

The Court of Fouzdaree Adalut are not of opinion that this was a case calling for the requisition of security from the Prisoner and accordingly direct the Session Judge to cancel the requisition under which the Prisoner has been placed.—

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

(Sent in A°

Read Calendar of Case A° 9 of 1854 of the Session Court of Rajahmundry.—

(Hereenter F. C. A° 1435 of 1854)

The Court of Fouzdaree Adalut approve of the recommendation made by the Session Judge in this Case that the period of Imprisonment which the Prisoners noted in the margin have been adjudged to suffer be reduced to (7) seven years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.—

1st Lotah Rajapah
2d Davaraze Summapy
3d Chenka Somadoo
4th Canesingoo Yeradoo
5th Nabotla Chinnyadoo
6th Gunla Tummiah
7th Pamoo Bheemana
8th Caurem Tummaya
9th Comara Somanah

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

(Sent in A°

Read letter dated the 20th Instant from the Sessions Judge of Nellore submitting for the final judgment of the Fouzdaree Adalut the Record in Case A° 27 of 1854 on the Calendar of the Session Court.—

(Hereenter F. C. A° 1482 of 1854)

Ordered that Extract from these Proceedings be sent to the Subordinate Judge in charge of the Session Court of Rajahmundry.—

(Sent in A°

Read Calendars of Cases Nos 9, 10 and 11 of 1854 of the Session Court of Honore.—

(Hereenter F. C. A° 1371 of 1854)

The Court of Fouzdaree Adalut approve of the recommendation made by the Session Judge that the period of Imprisonment to which the Prisoners noted in the margin have been sentenced be reduced to (8) Eight years with hard labor in irons, and they do authorize the Session Judge to issue his Warrant accordingly.—

1st Moosha
2d Bidrea
3d Bidrawaddy Yellaya
4th Comaroo Yellaya
5th Boddu Bomdeda
6th Mazalla Appa
7th Bhaeem Baka
8th Bhaeem Rao
9th Sinjeeva

} See A° 10.

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

(Sent in A°

Read letter dated the 20th Instant from the Session Judge of Nellore submitting for the final judgment of the Fouzdaree Adalut the Record in Case A° 27 of 1854 on the Calendar of the Session Court.—

(Hereenter F. C. A° 1482 of 1854)

The

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

Shipparamy Vencamma,

is sufficient to convict her of the crime of Perjury, do convict her thereof, and under the provisions of Clause First Section III Regulation XI of 1811 and Section XXXIII Act VII 1843 do sentence her to be imprisoned and kept to labor suitable to her sex for and during the period of (6) Six months.—

(Sentence No

Read Criminal Reports dated 31st Ultimo submitted by the Sessions Judge of Chicacole for the month of May 1854.—

(Here enter F. Dr. No 1485 of 1854)

Read Calendars of Cases No 21 of 1854 submitted by the Sessions Judge of Guddapah under date the 22d Instant.—

(Here enter F. Dr. No 1492 of 1854)

Read Calendars of Case No 26 of 1854 submitted by the Sessions Judge of Cuddapah under date the 21st Instant.—

(Here enter F. Dr. No 1494 of 1854)

Read Calendar of Case No 27 of 1854 submitted by the Sessions Judge of

F. Dr.
27th June 1854

Cuddapah under date the 22d Instant.—

(Here enter F. Dr. No 1495 of 1854)

Read Return dated the 22d Instant from the Sessions Judge of Cuddapah to the Precept of the Fouzdaree Adalut under date the 17th idem directing him to inform the Court whether there are any Cases pending for the months previous to May 1854.—

(Here enter F. Dr. No 1496 of 1854)

Read Calendar of Cases No 27 of 1854 submitted by the Sessions Judge of Guntoor under date the 21st Instant.—

(Here enter F. Dr. No 1498 of 1854)

Entered

F. U.

Wednesday
28th June 1854.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
W. A. Morehead Esquire } Puisne Judges.
J. L. Strange Esquire

Read Calendar of Case No. 10 of 1854 of the Sessions Court of Chingleput.

(Here enter F. U. No. 1488/1854)

The Court of Foujdaree Udalut do not consider it necessary that the original Record of this case should be translated and they direct that the same be forwarded with the translations of the other trials with which it is connected.

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

(Sent in No.)

24 Feb 1854

F. C.

At a Court of the Foujdaree Udalut.

Thursday
29th June 1854.

Present

G. S. Hooper Esquire
W. K. Morehead Esquire
} Puisne Judges
J. L. Strange Esquires

Read letter dated the 14 June 1854 from the Sessions Judge of Masulipatam
Herewith F. C. No. 1432 of 1854

The Court of Foujdaree Udalut see no objection to the designation of the crime charged in the two cases referred to in the foregoing letter being altered from Murder to Culpable Homicide in the annual statement submitted by the Magistrate and the Sessions Court.

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

Sent in &c.

Read letter under date
the

29th June 1854. the 15th June 1854 from the Session Judge of Bellary.

Herewith F.C. No 140 of 1854.

In the foregoing letter the Session Judge reports that he has postponed the trial of two Cases of Robbery by open violence on the ground that the prisoners who were assisted by a Thug Jemadar (two of them having been criminated by certain Thuggee Approvers as the perpetrators of a robbery in the Dharwar Zillah) have admitted that they have committed various robberies and theft in the Zillah of Bellary and Dharwar and that therefore with reference to the ruling of the Court of Sunjdaree Udalut in their proceedings of the 18th July 1840 in the case of Bundoodah and others that a Thug cannot be brought to trial under Act XXX of 1836 (extended to Dacoity under Act XXIV of 1843) while liable to be indicted for murder, it was necessary

29th June 1854. to ascertain whether or not there were any charges of murder forthcoming against them before the Superintendant of the Thuggee Department or any other authorities in the Dharwar Zillah.

The Court of Sunjdaree Udalut are of opinion that in the absence of any charge of murder having been preferred against the prisoners in question, it was the duty of the Sessions Judge to proceed with their trial upon the charges on which they have been committed to the Sessions Court.

The Court direct that the Sessions Judge will proceed with the trial without further delay.

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

Sent the following precept etc.

F. 116.

Friday 30th June, 1854

At a Court of the Foujdaree Adalut

Present

G. L. Cooper, Esquire
W. A. Morehead, Esquire
J. L. Strange, Esquire
} Puisne Judges.

Read again Miscellaneous Petition prevented on the 27th April 1854 by E. Salmon Esquire Vakeel on behalf of Ammance Ammah of Zillah Cuddalore.—

(Here Enter F. M. D. No. 89 of 1854.)—

Read also return under date the 21st June 1854 from the Sessions Judge of Cuddalore to the precept of the Court of Foujdaree Adalut dated the 20th May 1854 directing the submission of such portion of the record of Case No. 42 of 1854 on the Calendar of the Sessions Court as relate to the 14th prisoner.—

(Here Enter F. 116. No. 1497 of 1854.)—

The

30th June, 1854

Mr. W. A. Marchand

1.

The 14th prisoner in Case No. 42 of 1854 on whose behalf the Petition above recorded was presented has been convicted by the Assizes Court of having purchased certain property obtained by Gang Robbery knowing it to have been so obtained and has been sentenced to 14 years' Imprisonment with hard labor in irons.

2.

The grounds of the said prisoner's conviction were a confession which it was asserted had been made by him before the Police and his alleged delivery of the plundered property.

3.

The Court of Assizes Adalat observed that this prisoner when first examined before the Police denied the charge. Many days after wards when again examined he confessed that he had purchased some gold ornaments but did not know them to be stolen that he knew them to have been obtained by Gang Robbery.

30th June, 1854

Before the Court he retracted the confession made by him in regard to the purchase.

4.

The property said to have been given up by him was not such as could be identified.

5.

The testimony of the 14th witness who deposed to having witnessed the purchase by the 14th prisoner of the gold bangles which are said to have formed a part of the plundered property is, in the opinion of the Court clearly false. Had the witness stated this fact under the circumstances stated by him it is clear that the 26th and the 27th witness the informers would have carried the investigation of the property and would not have waited until it was matched by all chances of its identification lost.

6.

Taking this view of the evidence the Court of Assizes Adalat see no reason to reverse the sentence passed upon

upon the Petitioner and to direct his unconditional release.

7. The Court of Sujidaree Adalut disapprove of the system which appears to be pursued by the Native Police Officers in the Zillah of Cuddalore of employing persons whom they style informers to assist them in tracing out the robberies that are committed. The system appears to the Court to lead to false charges and to the connection of false evidence and consequently in a considerable number of the trials held in that Zillah which have recently come under the observation of the Court of Sujidaree Adalut the evidence has borne marks of having been concocted by the Police and their employées.

8. The Court direct that the Magistrate will take measures to suppress a system which is so manifestly prejudicial to the administration of justice.

Order &

30th June, 1854.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Cuddalore by precept returnable within 11 days from and after its receipt.

Sent following Precept No 1

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

Read Miscellaneous Petition sent by the Sessions Judge of Calicut from Cherria Kahoony Nair of the Zillah of Calicut.—

Here Enter F. M. P. No 118 of 1854.

Mr. W. A. Morehead. 1. The Petitioner complains that he was without reason and in a manner contrary to the established practice held to security by the Head Assistant Magistrate and that he failed in obtaining redress from the Magistrate or from the Sessions Judge until the time for which he was required to find security had expired. further that this delay, which

presented

30th June, 1854.

presented him obtaining the redress
which was his due - was a Tahsildar
to the Sessions Court and the Magistrate

2. Further the Petitioner
states that he and others were tor-
tured and ill treated by the Tahsildar
of Palghat and that no notice was
taken by the Sessions Judge upon
their complaining of such illusage
of the conduct of the Tahsildar.

3. The Court of Foujdary
Adalut before passing final order
on this Petition resolve to refer it
to the Sessions Judge of Calicut for
report.

Ordered, that Extract
from these Proceedings be sent to the
Sessions Judge of Calicut by Parcel
returnable in 15 days from and date
of its receipt.

(Sent following Parcel No. /
Read Calendar of Case
No. 34 of 1854 of the Sessions Court
N. Arcot.

(Here Enter F. No. No. 1386 of 1854)

30th June, 1854.

The Court of Foujdary
Adalut are of opinion that the sen-
tence awarded to the Prisoners in the
1. Cavoti Venkatigada. 2. Amavassia Timmadu.
case may with propriety be mitigated
to four years, and they direct that
the Sessions Judge will reduce the
sentence accordingly.

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

(Sent in No. /

Read Calendars of Cases
No. 21-22-23 and 24 of 1854 submitted
by the Sessions Judge of Chittoor under
date the 29th April last.

(Here Enter F. No. No. 1461 of 1854)

The Court of Foujdaree
Adalut approve of the recommendation
made by the Sessions Judge in regard
× Meeroogutty Asadee-gadoo. to the 2d prisoner in Case No. 22 and
° Chelamoogadoo. 5th prisoner in Case No. 23, that the
periods of imprisonment to which
they have been sentenced, be reduced
in

30th June, 1854.

in the case of the former to (1) one year
and in that of the latter to (4) four years
with hard labor in irons - and they do
authorize the Sessions Judge to issue his
warrant accordingly -

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

/Sent in No. /-

Read Calendar of Case
No. 37 of 1854 of the Sessions Court of
Nellore -

/Here enter F.R.C. No. 1466 of 1854/
The Court of Foujdaree
Adalut are of opinion that the
1st Chatla Ristanda } gated sentence proposed to be passed
2nd Gogulapally Ven- } upon the prisoners in this case
-gala Condala } with propriety be further reduced
3rd Ayula Condala } (7) seven years imprisonment with
5th Mekala Nagadu } hard labor in irons, and they do
authorize the Sessions Judge to issue
his warrant accordingly -

Ordered, that Extract

F.R.C.

30th June, 1854.

from these Proceedings be forwarded to
the Sessions Judge of Nellore for his
information -

/Sent in No. /-

Read Calendar of Case
No. 83 of 1854 of the Sessions Court of
Bellary -

/Here enter F.R.C. No. 1474 of 1854/
The Court of Foujdaree
Adalut approve of the recommendation
1st B. Niragawadoo -
2nd B. Madalategadoo -
3rd Koracha Nagah -
4th —"— Rungah -
5th J. Boya Sunjewah
6th K. Achalagah -
made by the Sessions Judge in this
case, that the period of imprisonment
which the prisoners noted in the margin
have been adjudged to suffer, be re-
-duced to (5) five years with hard
labor in irons, and they do authorize
the Sessions Judge to issue his war-
-rant accordingly -

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

/Sent in No. /-

Read

30th June, 1854.

Read the Report of Persons apprehended in the Taluk of Mangalore and delivered to the Subordinate Judge and tried in the month of May 1854.

Have entered Alle. No. 1445 of 1854.

Case No. 24.

1. In this case the 1st Prisoner was charged with having entered Premises house by an opened door and stolen therefrom a box containing ornaments to the value of Rupees 141—6—8.

2. Adverting to the very inconsiderable punishment to be awarded to the prisoner on his conviction, the Court of Sessions would desire to be informed with reference to the value of the property stolen the charge was found as laid—and if so, what were the circumstances which induced the Sudder Ameen to deal so lightly with the principal offender.

30th June, 1854.

3. The Court observe that the signature of the Acting Subordinate Judge, as appended to the present Calendar and to the other reports requiring his signature and forwarded to this office, is altogether illegal. They desire that the Sessions Judge will instruct that Officer so to affix his signature in future as that his name may be at once deciphered.

4. Ordered, that the Sessions Judge of Mangalore do direct the Sudder Ameen to furnish the information called for in Para. 2 and that he submit the same for the consideration of this Court, by Precept returnable within X days from and after its receipt.—

Sent following Precept No. 14

Exd
J.H.S.