276

1142



385

F. C.

Monday
1st January 1855. At a Court of the Fojdaree Udalut.

Present.

G. S. Harper, Esqre. }
W. A. Morshead, Esqre. } Puisne Judges.
T. L. Strange, Esqre. }

Read letter dated 21st December 1854, from the Sessions Judge of Nellore, submitting for the final judgment of the Fojdaree Udalut the Record of Trial in Case No. 72 of 1854 of the Calendar of the Sessions Court.

(Here enter F. C. No. 3191 A of 1854.)

The Court of Fojdaree 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 "Doopulate Venkatigada" 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.

Mr. G. S. Harper
Mr. T. L. Strange.

1st January, 1855. 1

In the foregoing case, the Prisoner, Vasapalate Vukatigadu, was tried for the wilful Murder of Pidda Anki, his wife; their daughter, a child of three (3) years of age, and a male infant aged (6) six months, by beating them with a bullock yoke.

2.

The Court of Sujdaree Adalut concur with the Sessions Judge and the Law Officer in the conviction of the Prisoner. By his confession before the Police, Prisoner's motive in committing these awful crimes, appear to have originated in jealousy, arising from some imputations that had reached his ears regarding a want of chastity in his wife. It does not seem that valid grounds existed for these assertions; on the contrary, they arose, apparently, from idle words spoken in anger by some women in the family, the evening before the triple murder.

3.

The Session Judge has recommended, for reasons that are by no means clearly enunciated by him, that the Prisoner should be exempted from the extreme penalty of the Law, and be sentenced to transportation for life. The Court of Sujdaree Adalut are unable to see

1st January, 1855.

any grounds whatsoever for mitigation in the present case, and resolve to award against the Prisoner sentence of death.

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

(Sd) [illegible]

1860

Tuesday
2d. January 1855.

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 again Letter dated the 10th November 1854 from the Session Judge of Chicacole

(Here enter F. U. No. 2801 of 1854)

Read also Return dated 7 December 1854 made by the Session Judge of Chicacole to the Precept of the Court of Foujdaree Udalut under date the 24th November 1854 reducing the sentence passed by the Principal Sudder Ameen of Viza=-gapatam in Case No. 28 of 1854 on the Criminal file

(Here enter F. U. No. 3064 of 1854.)

1. Adverting to the remarks recorded by the Session Judge in the foregoing Return, the Court of Foujdaree Udalut deem it necessary to point out to that officer that it is at all times competent to the Foujdaree Udalut to exercise their discretion in mitigating any sentence recorded by

by the lower Courts in such manner as they may see fit, by either shortening the term of imprisonment awarded, or by directing the omission of labor, or of irons - or of both.

2 In the present instance, upon a further consideration of all the circumstances of the Case it appears to the Court of Foujdaree Udalut that the award of labor may also be cancelled, and they resolve to direct that an intimation be issued to the Principal Sudr Ameen of Vizagapatam to carry out the sentence accordingly.

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

/Send the following Precept No. 3/

Read Criminal Reports submitted by the Session Judge of Mangalore for the month of November 1854.

Case No. 87

/Here enter F. C. No. 3128 of 1854/

1. The Court of Foujdaree Udalut require further explanation in respect to the circumstances of this case, which from his statement of the charge does not appear to the Court to have been within the legal jurisdiction of the Subordinate Judge.

In

2. In submitting this explanation the Subordinate Judge will at the same time be pleased to report whether the Prisoner has been in confinement since the 17th July 1853 the date of his arrest.

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

/Sent following Precept No. 4/

Read return under date the 4th December 1854 from the Sessions Judge of Masulipatam to the Precept of the Court of Foujdaree Udalut dated the 24th November 1854 calling for information as to the course followed in the Jail at Masulipatam in respect to the supply of Curry Stuff &c. to the Prisoners.

/Here enter F. C. No. 3014 of 1854/

Adverting to the approaching appointment of an Inspector of Jails the Court of Foujdaree Udalut do not deem it necessary to issue any orders on the proposition submitted in the foregoing return.

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

/Sent in No. 5/

Read Calendars of petty cases dis=
=posed of by the Magistracy of Nellore during the
3rd Quarter of 1854.

/Here enter F. U. No. 3016 of 1854./

Calendar No. 4

1.

The prisoner in this case was charged with a misdemeanor in having improperly entered the prosecutor's house during the night of the 29th August 1854. and has been placed by the Acting Head Assistant Magistrate under a requisition of security under Clause first Section V Regulation VI of 1827.

2.

The Court of Foujdaree Udalut observe that the requisition of security made in this case was irregular the provisions of the Law quoted having reference to requisition of security to keep the peace. It is not competent to Officers of the Magistracy except when exercising the extended powers vested in them by Act VII of 1843 to make requisition of security on suspicion of a specific offence unless it be on the ground that the person under trial is a vagrant or suspicious character possessing no ostensible means of livelihood in which cases security may be required under Section III Regulation II of 1822.

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

of Nellore for communication to the Magistrate

/Sent in No. 6

Read Criminal Reports submitted by the Session Judge of Salem, for the month of November 1854.

/Here enter F. U. No. 3098 of 1854./

No. 160

1.

The Court of Foujdaree Udalut observe that the mode by which the Prisoner in this case effected an entrance into Prosecutor's house, should have been stated in the charge, to enable the Court to determine whether, such entry was sufficient to constitute the offence of breaking.

No. 165

2.

The Court observe that the Heading of the charge in this case should have been "Bribery"

No. 164 & 170

3.

The Court concur with the Session Judge in his opinion that the Heading of the charge in these cases should have been House=breaking and Cattle Stealing.

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

/Sent in No. 7/

Read Criminal Report dated the 14th December 1854 submitted by the Session Judge of Calicut for the month of November 1854.

/Here enter F. U. No. 3114 of 1854./

Magistrate Criminal Report 1.
Case No. 48.

It is not stated in the report how this case was disposed of the Magistrate must be called upon for explanation on the point.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Calicut for communication to the Magistrate by precept returnable within 7 days from and after its receipt.

/Sent following Precept No. 8./

Read Return dated 23d December 1854 from the Acting Session Judge of Honore to the Precept of the Foujdaree Udalut dated 18th December 1854 requiring transmission of the record of trial in Calendar No. 19 of 1854.

/Here enter F. U. No. 10 of 1855./

Read Letter dated 28th December 1854 from the Session Judge of Masulipatam reporting the transfer of 2 Convicts to the Zillah of Guntoor for the benefit of their health.

/Here enter F. U. No. 11 of 1855/

Read Convict labour Report dated 1st December 1854 submitted by the Sessions Judge of Salem for the month of November 1854.

/Here enter F. U. No. 15 of 1855/

Read Return dated 29th December 1854 from the Session Judge of Chicacole to the precept of the Foujdaree

Foujdaree Udalut under date the 19th December 1854 directing to make a return without delay to the Precept of the Foujdaree Udalut dated 27th Ultimo.

/Here enter F. U. No. 43 of 1855./

Read Letter dated 30th December 1854 from the Acting Sessions Judge of Honore reporting his having visited the Jail at Sirsy on the 26th December having been absent from the Bench from that date to the 29th Idem.

/Here enter F. U. No. 46 of 1855/

Read Return dated 28th March 1854 from the Sessions Judge of Trichinopoly to the Precept of the Foujdaree Udalut under date the 20th March 1854 in the matter of the Jail Peons Cossoge Row and Rungappa Naick.

/Here enter F. U. No. 805 of 1854./

Read Extract from the Proceedings of the Sessions Judge of Bellary dated 25th March 1854 held in reviewing the Petty Calendars Vo. for the 4th Quarter of 1853.

/Here enter F. U. No. 819 of 1854./

Read Return dated 27th March 1854 from the Sessions Judge of Chicacole to the precept of the Foujdaree Udalut under date the 20th March 1854 &c. directing to reduce the amount of security and the period for which it has been demanded from the Prisoner in Case No. 2

of 1854 on the Calendar.

/Here enter F. U. No. 821 of 1854./

Read letter dated 27th March 1854 from the Acting Agent to the Governor in Ganjam submitting copy of the Acting Principal Assistant Agents supplemental Report in Criminal Case No. 17 of 1853 together with a copy of an Extract confirming his sentence in the said case.

/Here enter F. U. No. 822 of 1854./

Read letter dated 23d May 1854 from the Session Judge of Cuddapah informing that the only Jail Peon sent in pursuit of the Convicts who effected their escape from the Jail has been suspended from his situation for 3 months, and that the Jailor OConnor resigned his situation on the 10th March last and that none of the escaped convicts have been yet apprehended.

/Here enter F. U. No. 1240 of 1854./

Read letter dated 21st June 1854 from the Session Judge of Chicacole forwarding the B Report of the Acting Magistrate of Ganjam for the month of May last.

/Here enter F. U. No. 1524 of 1854./

Read Supplemental Return dated 20th June 1854 from the Subordinate Judge in charge of the Sessions Court of Rajahmundry to the precept of the Court of Foujdaree Udalut dated the 26th April 1854 calling for certain information connected with

2d January 1855. with Case No. 4 of 1854 on the Calendar.

/Here enter F. U. No. 1526 of 1854./

Read Return dated 22d June 1854 from the Sessions Judge of Bellary to the precept of the Foujdaree Udalut under date the 12th June 1854 requiring an explanation regarding the delay which has occurred in the disposal of Case No. 79 of the Criminal Reports for April 1854.

/Here enter F. U. No. 1534 of 1854./

Read Return dated 26th June 1854 from the Sessions Judge of Chittoor to the precept of the Foujdaree Udalut under date the 20th June 1854 directing that the 5, 6, 7th 8th 9th 10th 11th and 12th Prisoners in Calendar No. 18 of 1854 should be unconditionally released.

/Here enter F. U. No. 1537 of 1854./

Read Extract of the Proceedings dated 15th August 1854 from the Sessions Judge of Madura reviewing Magistrates Petty Calendars for 2d Quarter of 1854.

/Here enter F. U. No. 2024 of 1854./

Read Return dated 18th August 1854 from the Sessions Judge of Cuddalore to the precept of the Foujdaree Udalut under date the 24th July 1854 directing the restoration of the Property to the 14th Prisoner in Sessions Case No. 42 of 1853.

/Here enter F. U. No. 2038 of 1854./

Read letter dated 22d August 1854

from

from the Acting Sessions Judge of Chingleput reporting the safe arrival of 3 Convicts under sentence of transportation from Bellary.

/Here enter F. D. No. 2057 of 1854./

Read Return dated the 4th September 1854 from the Sessions Judge of Bellary to the precept of the Foujdaree Udalut under date the 30th August 1854 calling upon the Sessions Judge of Bellary to give a short history of the steps which led to the apprehension of the prisoners in Case No. 111 of 1854.

/Here enter F. D. No. 2193 of 1854./

Read letter dated 1st November 1854 from the Officiating Agent to the Governor of Fort Saint George at Kurnool returning the death Warrant issued by the Judges of the Foujdaree Udalut in Case No. 77 of 1854 on the File of the Agent to the Governor at Kurnool.

/Here enter F. D. No. 2709 of 1854./

Read Return dated 14th November 1854 from the Sessions Judge of Salem to the precept of the Foujdaree Udalut under date the 21st October 1854 directing him to communicate the Foujdaree Udalut's orders to the Magistrate in the matter of the petition presented by Veemaren and others

/Here enter F. D. No. 2804 of 1854./

Read letter dated 14th November 1854 from the Acting Agent to the Governor of Fort Saint George

Ganjam

Ganjam informing the escape of 4 Prisoners.

/Here enter F. D. No. 2877 of 1854./

Read letter dated 21st November 1854 from the Acting Subordinate Judge of Combaconum reporting the transfer of 6 sick Convicts to the Jail at Negapatam according to the accompanying Zillah Surgeon's certificate.

/Here enter F. D. No. 2890 of 1854./

Read Convict labor Report dated 1st November 1854 submitted by the Sessions Judge of Salem for the month of October 1854.

4 of them

/Here enter F. D. No. 2899 of 1854./

F.M.C.

Wednesday 3d. January, 1855.

At a Court of the Foujdaree Udalut.

Present.

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

Read letter, dated the 28th. ultimo from the Session Judge of Mangalore submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 22 of 1854 of the Calendar of the Session Court.

/Here Enter F.M.C. No. 22 of 1855./

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,

"Soobra"

is sufficient to convict him of the crime of wounding with intent to

Kill,

Bill, for which, according to Futwa of their Law Officers, Discretionary Punishment is awardable under the Mahomedan Law, do convict him thereof - and in conformity with the Provisions of Clause third, Section VII Regulation XV of 1803, and Section XXXI Act XVII of 1843, sentence him to be im prisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (14) fourteen years.

/Sent in No. 9/

Read Calendar of Cas No. 76 of 1854 on the file of the Sessions Court of Cuddapah.

/Here Enter Fld. No. 3034 of 1854/

The Court of Foujdaree Udalut resolve to direct that the Magistrate will institute an Enquiry in regard to the individual named Chentsu to whom reference is made in the remarks recorded by the Sessions Judge on this case, with the view

of ascertaining how he earns his live. lihood.—

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

/Sent following Precept No. 10/—

No Dis[illegible] X

Read Calendars of petty cases disposed of by the Magistracy of Tinnevelly during the 3d quarter of 1854.—

/Here Enter Fld. No. 3111 of 1854/—

Calendars of persons released. Case No. 41

As the Native Police Officers are not competent to dispose of charges of abuse of authority pro. posed against their Subordinates, the reference of this case to the Head of Police for preliminary investigation was irregular and occasioned much unne. cessary delay.—

Ordered, that Extract from

23d. January, 1855.

from these Proceedings be sent to the Sessions Judge of Tinnevelly for communication to the Magistrate.

/ Sent in No. 11 /

Read return dated the 10 September 1854 from the Sessions Judge of Madura, to the precept of the Foujdaree Adalut under date the 11th. idem, calling for explanation upon the Criminal Reports for July 1854.

/ Here enter F.R.C. No. 2257 of 1854 /

Read a Memorandum dated the 27th. September 1854 from the Agent to the Governor of Fort St. George at Ganjam, requesting an alteration to be made in the copy of his B Report submitted with his Criminal monthly reports due for last month.

/ Here enter F.R.C. No. 2426 of 1854 /

Read Extract from the Proceedings of the Sessions Court of Calicut under date the 22d. November 1854. held on review of the Statements of Cases disposed of by the Heads of Police

F.R.C.

3d. January, 1855.

Police in the 3d. Quarter of 1854.

/ Here enter F.R.C. No. 2918 of 1854 /

Read letter dated the 24th. November 1854 from the Sessions Judge of Chicacole, transmitting B Report of the Ganjam Magistracy for the month of October 1854.

/ Here enter F.R.C. No. 2943 of 1854 /

Read letter dated the 30th. November 1854 from the Acting Sessions Judge of Chingleput, forwarding the Statement to be appended to the record in Sessions Case No. 10 of 1854, as requested in his letter of the 25th. Instant.

/ Here enter F.R.C. No. 2944 of 1854 /

Read letter dated the 24th. November 1854, from the Sessions Judge of Tinnevelly, reporting that the sentence of Death passed upon the 1st. Prisoner in Case No. 34 of 1854 was carried into execution.

/ Here enter F.R.C. No. 2946 of 1854 /

Read letter dated the 1st. ultimo

ultimo from the Acting Sessions Judge of Chingleput, forwarding list of Convicts under sentence of transportation in this Jail up to the 30th. ultimo November 1854.-

/Here Enter F.No. 2948 of 1854/-

Read return dated the 27th. November 1854 from the Sessions Judge of Cuddalore, to the precept of the Fouzdaree Udalut under date the 20th. idem, calling for the original Records in Session Case No. 74 of 1854.-

/Here Enter F.No. 2951 of 1854/-

Read return dated the 27th. November 1854 from the Sessions Judge of Cuddapah, to the precept of the Fouzdaree Udalut under date the 15th. May 1854, directing the review of the Proceedings in Case No. 41 on the file of the Subordinate Court for 1854 and to determine whether the sentences of the 1st. and 3d. Prisoners should not be cancelled.-

/Here Enter F.No. 2972 of 1854/-

Read

Read Criminal Report A. dated the 30th. November 1854 submitted by the Sessions Judge of Guntoor for the month of November 1854.

/Here Enter F.No. 2973 of 1854/-

Read return dated the 28th. November 1854 from the Sessions Judge of Madura, to the precept of the Fouzdaree Udalut under date the 9th. idem, directing the release of the Prisoners in Calendar Case No. 44 of 1854.-

/Here Enter F.No. 2974 of 1854/-

Read Extract from the Proceedings of the Sessions Court of Tellicherry under date the 25th. November 1854, held on review of the Magistrate's Petty Calendars for the 3d. quarter of 1854.-

/Here Enter F.No. 2984 of 1854/-

Read return dated the 30th. November 1854 from the Sessions Judge of Mangalore, to the precept of the Fouzdaree Udalut under date the 23d. idem, reversing the sentence passed upon Krishnaya

Prisoner

3d January, 1855.

Prisoner in Case No. 31 of 1853 on the file of the Sessions Court, and directing his unconditional release.

(Here Enter F.M.C. No. 2991 of 1854.)

Read Report dated the 1st ultimo submitted by the Sessions Judge of Chittoor, of Cases pending on the 30th November 1854 before the Sessions Court for a period in excess of 25 days calculated from the date of commitment.

(Here Enter F.M.C. No. 2992 of 1854.)

Read return, dated the 1st December 1854 from the Sessions Judge of Cuddapah, to the precept of the Fouzdaree Adalut under date the 7th July 1854, observing on the remarks of this Court in Case No. 19 of 1854 wherein Soobbanah and Lakmanka were Prisoners on a charge of perjury the Prosecutor's son Soobbadoo.

(Here Enter F.M.C. No. 2993 of 1854.)

Ex M.C.

Thursday 4th January 1855.

F. M. C.

At a Court of Fouzdaree Adalut

Present.

G. S. Hooper Esqr 1st
W. A. Morehead Esqr 2nd
T. L. Strange Esqr 2nd
} Puisne Judges

Read Calendars of Case No. 73 of 1854 of the Sessions Court of Nellore.

(Herewith F.M.C. No. 3042 of 1854)

1. The Sessions Judge recommends that the period of Imprisonment which the Prisoner has been adjudged to suffer on his conviction of Perjury may be reduced to 2 years.

2. Under the circumstances of this Case, the Court of Fouzdaree Adalut are of opinion that Imprisonment for (6) Six Months will meet all the requirements of justice, 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 Nellore for his information.

(Sent in No. 14)

The

4th January 1855.

The Calendars of petty Cases disposed of by this Magistracy during the 3d Quarter of 1854 not having been received from the Sessions Judge of this office is directed to forward the same without any further delay.-

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

(Sent in No. 15)

Read Calendar of Cases No. 3 of 1854 of the Sessions Court of Chittoor.-

(Vide enter F. Rec. No. 3032 of 1854)

The Court of Foujdaree do 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 Robbery by open violence be reduced to (8) Eight 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

"Bellary
Chingleput
Chittoor
Coimbatore
Cuddapah
Guntoor
Honore
Mangalore
Masulipatam
Salem.-

1st Malanasem
Gungadoo
2d Malabundula
Venkatasoogadoo
3d Malasoobbadoo

4th January 1855.

Judge of Chittoor for his information.-

(Sentin No. 16)

Read Calendar in Case No. 198 of 1854 on the file of the Sessions Court of Bellary.-

(Hereenter F. Rec. No. 3120 of 1854)

In this Case two Prisoners

1.

have been convicted of Highway Robbery. The Sessions Judge in passing sentence upon them under Clause 3d Section IX Regulation XX of 1803, has recommended that the prescribed penalty be mitigated to (4) four years imprisonment with hard labour in irons.-

The Court of Foujdaree

2.

do not observe that the crime of which the Prisoners have been found guilty is very ripe in the Zillah of Bellary, and they do not deem it expedient, in the present Case, to award a less severe punishment than (7) seven years penal servitude, to which the Sessions Judge is authorized to amend his Warrant.-

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

of Bellary for his information and guidance

(Sent in No 17)

Read Calendar of Case No 74 of 1854 of the Sessions Court of Nellore.

(Vereenton F. Dc. No 3070 of 1854)

1.

The Prisoner in this Case were charged with house breaking and theft and on conviction were sentenced to 7 years imprisonment with hard labor in irons which the Sessions Judge recommends may be reduced in the Case of the 1st Prisoner to (4) four years.

2.

The 2d Prisoner being stated to be an old and notorious offender no mitigation of his sentence is recommended

3

The Court of Foujdaree Adalut are of opinion that the sentence of the 1st Prisoner may with propriety be further reduced to (2) two years imprisonment with hard labor in irons and they direct that the Sessions Judge will issue his warrant accordingly.

4.

With regard to the 2d Prisoner the Court have to observe that his previous conviction of wounding should not have

been cited as an enhancement of the charge, the offence not being of an analagous nature.

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

(Sent in No 18)

Read Calendar of Case No 75 of 1854 on the file of the Sessions Court of Nellore.

(Vereenton F. Dc. No 3095 of 1854)

The Court of Foujdaree Adalut direct that the Principal Sudder Ameen be called upon for an explanation of the delay in respect to the Committal of this Case, which they observe reached the Criminal Court on the 31st October but was not forwarded on to the Sessions Court until the 8th December.

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

(Sent following Precept No 19)

Read Calendar of Case No 14 of 1854 on the file of the Sessions Court of

Chicacole

Chicacole.-

(Here enter F. C. No. 2862 of 1854)

Read also return dated 8th December 1854 from the Session Judge of Chicacole to the precept of the Foujdaree Adalut under date the 30th November 1854 directing him to suspend the Sentence in Case No. 14 of 1854 and to forward an English translation of the Record to this Court.-

Here enter F. C. No. 3076 of 1854

In the above Case 13 Prisoners were charged with Gang robbery and with having in their possession part of the plundered property knowing it to be stolen.-

2. The Sessions Judge acquitted the 11th and 13th Prisoners of the Crimes charged, and convicting the remainder sentenced the first ten Prisoners to 11 years Imprisonment with hard labor in irons and to receive 195 lashes and the 12th to seven years Imprisonment with hard labor in irons and to receive 150 lashes

3. The grounds on which the Sessions

Session Judge based his conviction of the said prisoners were their Police Confessions and the alleged discovery in their possession of Certain articles of ordinary description and trifling value claimed by the Prosecutor as his property.-

4 On review of the Calendar the Court of Foujdaree Adalut seeing reason to question the propriety of the Prisoners' Conviction called for the entire record and on its perusal they find that no property was found in the possession of the 1st 2d 5th 7th 8th & 9th Prisoners there is therefore nothing in evidence against them but their Police confessions and this the Court of Foujdaree Adalut not considering sufficient to warrant their conviction direct their immediate release.-

5. The Court further acquit the 3d 4th 6th and 12th but as suspicion attaches to them the Court of Foujdaree Adalut resolve to direct that they be held to security in two sureties

each

each in 20 Rupees for a period of two years failing to give such security to be imprisoned for a like period.-

6. The grounds of suspecian against the above prisoners are as follows.-

In the respective houses of the 3rd and 4th Prisoners one article of small value proved to be Prosecutors was discovered - as the aforesaid Prisoners were not however present when their houses were searched and as the usual precautions required by the Circular Order when houses are searched were not observed no conviction Can be admitted.-

8. The 12th Prisoner allows in his statements that he purchased some articles for a price considerably below their value these articles were delivered up by him and have been proved to be the prosecutors. The Court conviders that he has therefore exposed himself to suspicion of having purchased stolen articles with a guilty knowledge.-

9. The Court of Foujdaree Adalut

Concurr

4th January 1855.

concurr with the Sessions Judge in convicting the 10 Prisoners, but being of opinion that a Sentence of Imprisonment for 7 years with hard labor in irons will suffice they desire the Sessions Judge to Modify his Sentence accordingly.-

10 The Court of Foujdaree Adalut direct the Sessions Judge to point out to the Magistrate that the lists sent up in this Case of the stolen property found and of the property actually taken by the robbers have not been prepared in accordance with the Circular Orders of this Court and that the attention of the Police should be especially Called to Circular Order 27th September 1824.-

Ordered that Extract from these Proceedings be Sent to the Sessions Judge of Chicacole for his information (Sent in No. 20)

Ed R.D.

Read

Jan

4th January 1855.

Read letter dated 13th December 1854 from the Session Judge of Honore submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 19 of 1854 of the Calendar of the Session Court.

(Here enter F. Cs. No. 3148 of 1854)

Mr. G. S. Hooper 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 Syed Kadir

and

2d Syed Raja.

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

Sent in No. 21

F. C.

Friday 5th January 1855

At a Court of the Foujdaree Adalut

Present.

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

Read Calendar of Case No. 25 of 1854 of the Session Court of Coimbatore

(Here enter F. Cs. No. 3088 of 1854)

1. The Court of Foujdaree 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 on their conviction of Gang Robbery by open violence, be reduced in the case of the 2d Prisoner to (7) Seven years, and in that of the 3d to (2) two years imprisonment with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

2d Paroopen.
3d Naugon.

2. It appears to the Court of Foujdaree Adalut that the evidence in this case was sufficient for the conviction of the

5th January 1855.

the 1st Prisoner, the 1st Witness recognition of him having been corroborated by the discovery of a part of the stolen property in his possession.

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

Sent in No. 25.

Read Calendar of Case No. 23 of 1854 of the Sessions Court of Mangalore.

(Here enter F.C. No. 3198 of 1854)

The Court of Foujdaree Adawlut approve of the recommendation made by the Sessions Judge in this Case, that the period of imprisonment which the Prisoner noted in the Margin has been adjudged to suffer on his conviction of Robbery with wounding, be reduced to 7 years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

1st Christian Sorepa

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

Sent in No. 26

Read

F.C.

5th January 1855.

Read Calendar in Case No. 80 of 1854 on the file of the Sessions Court of Cuddapah.

(Here enter F.C. No. 3157 of 1854)

1 Adverting to the length of the Sessions Judge's remarks in this Case, the Court resolve to point out to that officer the necessity of compressing his sentences.

2 The Court do not think it necessary that the Sessions Judge should set forth therein all that has been laid before him during the trial, or exhibit the balancing of his own mind. It is sufficient that he should notice in the sentence that material to the Case which may tell for or against the accused. In the present instance the contradictory statements made by the 1st Prisoner in regard to the possession of property identified by the Prosecutor as his, the alleged recognition of the 2d Prisoner, at the time of the robbery by torch light, and the unlikelihood of the 3d Prisoner's means to enabling him to purchase the bullock referred to, all set forth by the Sessions Judge in Para 10, this is all that it was necessary to exhibit in

in the Sentence.

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

/Sent in Dc 27/

Read letter under date the 9th Ultimo from the Acting Agent to the Governor of Fort St. George at Ganjam, Submitting for the final Judgment of the Foujdaree Adalut a report of the trial of Criminal Case No. 50 of 1854 on his file.

(Here enter F.D. No. 3138 of 1854)

The Court of Foujdaree Adalut concurring in the conviction of the Prisoner "Jaya Haraiah Bhoonjoo" of the crime of "Arson", resolve to confirm the sentence of (2) two years imprisonment with hard labor in irons, proposed to be passed upon him by the Acting Agent, under Clause Seventh, Section II Regulation XX of 1803.

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 Dc 28./

Read

F.D.

5th January 1855

Read letter under date the 14th Ultimo from the Acting Agent to the Governor of Fort St. George at Ganjam, Submitting for the final Judgment of the Foujdaree Adalut a report of the trial of Criminal Case No. 58 of 1854 on his file.

(Here enter F.D. No. 3176 of 1854)

In the above case the Acting Agent convicts the Prisoners

1st Nitta.
and
2d Chokra.

of "Highway Robbery", and proposes that they be Sentenced, under Clause fourth, Section II, Regulation XX of 1803, to (3) three years imprisonment, and to receive 50 lashes each.

The Court of Foujdaree Adalut concur in the conviction of the Prisoners

1st Nitta
2d Chokra.

of the crime laid to their charge, but being of opinion that under the circumstances of the case a punishment of a less severe nature than that recommended by the acting Agent will be Sufficient to meet the ends of Justice, the Court resolve to confirm the sentence

5th January 1855.

in the Sentence.

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

/Sent in No 27/

Read letter under date the 9th Ultimo from the Acting Agent to the Governor of Fort St George at Ganjam, submitting for the final Judgment of the Foujdaree Adalut a report of the trial of Criminal Case No 58 of 1854 on his file.

(Here enter F.H.C. No 3138 of 1854)

The Court of Foujdaree Adalut concurring in the conviction of the Prisoner "Jaya Narainah Bhoonjia" of the crime of "Arson", resolve to confirm the Sentence of (2) two years imprisonment with hard labor in irons, proposed to be passed upon him by the Acting Agent, under Clause Seventh, Section II Regulation XX of 1817.

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 No 28./

F.H.C.

5th January 1855

Read letter under date the 14th Ultimo from the Acting Agent to the Governor of Fort St George at Ganjam, submitting for the final Judgment of the Foujdaree Adalut a report of the trial of Criminal Case No 58 of 1854 on his file.

(Here enter F.H.C. No 3176 of 1854)

In the above case the Acting Agent convicts the Prisoners

1st Nitta.
and
2d Chokra.

of "Highway Robbery", and proposes that they be Sentenced, under Clause fourth, Section II, Regulation XV of 1803, to (3) three years imprisonment, and to receive 50 lashes each.

2 The Court of Foujdaree Adalut concur in the conviction of the Prisoners

1st Nitta
2d Chokra.

of the crime laid to their charge, but being of opinion that under the circumstances of the case a punishment of a less severe nature than that recommended by the acting Agent will be sufficient to meet the ends of Justice, the Court resolve to sentence

5th January 1855.

Sentence thereon to (2) two years imprisonment with hard labor in irons.

Ordered that Extract from these Proceedings be sent to the Acting Agent to the Governor at Ganjam for his information

/Sent in No. 29/

Read Report A of Case No. 837 of 1854 on the Calendar of the Magistrate of Masulipatam.

(Here enter F.C. No. 8005 of 1854)

The Court of Foujdaree Adalut concur with the Sessions Judge that the prosecution of the persons charged in this case should have been left to the Tahsildar the detention to which the parties were subjected by the Magistrate was altogether unnecessable.

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Masulipatam for his information and for communication to the Magistrate.

/Sent in No. 30/

Read letter under date the 8th December 1854 from the Sessions Judge Calicut.

(Here enter F.C. No. 3069 of 1854)

F.C.

5th January 1855.

1. The Court of Foujdaree Adalut concur in the opinion of the Sessions Judge that "the Members of a Punchayet constituted "under Act XXI of 1841 are at liberty to take "what steps may appear to them sufficient "and proper to arrive at their decision, and that "it is not open to the Magistrate to call in ques- "tion the propriety of their Judgment on "the ground that those steps were of an incomplete "or unsatisfactory character, and to direct the "Constitution of a second Punchayet."

2 The Court at the same time deem it proper to observe, that the reference of the question for their opinion was unnecessary. The Magistrate applied to the Sessions Judge for his opinion on the subject, and this the Sessions Judge was competent to communicate without reference to the Foujdaree Adalut.

3. The Original enclosures are herewith returned.

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

/Sent in No. 31/

Read letter under date the 13th December 1854 from the Sessions Judge

of Nellore

(Here enter F.D. No. 3096 of 1854)

/

The Court of Foujdaree Adalut resolve to direct that the case of the prisoner referred to in the foregoing letter be reported for the orders of Government.

2

The evidence of the zillah Surgeon should have been taken on the trial and a report of the case in the form A with the special verdict prescribed by Act IV of 1849, should have been forwarded to the Foujdaree Adalut for Submission to Government.

Ordered that Exctract from these Proceedings be sent to the Judge of Nellore for communication to the Principal Sudr Ameen for that officer's future guidance.

/Sent in No. 32

/

Read Calendar of Cases in No. 200 of 1854 on the file of the Sessions Court of Bellary.

(Here enter F.D. No. 3185 of 1854)

The Court of Foujdaree Adalut direct that the Magistrate be called upon to institute an enquiry into the character and mode of living of the 1st Witness, whom the

the Court see reason to suppose to have been the actual perpetrator of the robbery

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

/Sent in No. 33.

/

Read Calendar in Case No. 88 of 1854 on the file of the Sessions Court of Cuddapah.

(Here enter F.D. No. 3159, 3160, 3161 & 3162 of 1854)

/

In the foregoing case, the Prisoner an old offender, was tried on a charge of larceny from a dwelling house.

2

The Mahomedan Law Officer acquitted him. the Sessions Judge however Sentenced him to find two (2) Securities in 25 Rupees each for his good behaviour during (1) one year or to be imprisoned &c during that period, on the ground that there is enough against the Prisoner, in conjunction with the other charges brought against him, to raise great Suspicion.

3

The Court of Foujdaree Adalut observe that the Sessions Judge has distinctly rejected whatever evidence was adduced in the case. The call for Security must

therefore

therefore be cancelled and the Prisoner released.

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

/Sent following precept No. 34/

Read Calendar of Case No. 19 of 1854 on the file of the Session Court of Coimbatore.

(Here enter F.C. No. 3087 of 1854)

1

The Charge in this case is badly framed. The fact of the Prisoner having accused the deceased of having set fire to the premises when the murder is said to have been committed, was altogether irrelevant to the Charge of Murder and the wording of the Charge in other respects should have been corrected by the Sessions Judge.

2.

It should have been stated in the second count, in what respect the 1st Prisoner was an accessary after the fact.

Ordered

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

/Sent in No. 35/

Read again Calendar of Case No. 36 of 1854, on the file of the Session Court of Cuddapah.

(Here enter F.C. No. 2719 of 1854)

Read also return under date the 11th December 1854, from the Sessions Judge of Cuddapah, to the precept of the Fouzdaree Adalut dated the 16th November 1854, directing the Sessions Judge to call upon the Magistrate to enquire fully into the Conduct of the Head of Police and Village Officers in connexion with the above case, and to submit his report on the subject.

(Here enter F.C. No. 3092 of 1854)

1

From the report submitted with the foregoing return, the Head of Police referred to would seem to be unfit for his situation. Before passing final orders, the Court desire to be informed how long the Head of Police has been employed in that capacity.

The

2

The rules referred to in the 10th para of the Magistrate's return, are not in force, and have never been promulgated.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah for his information and for communication to the Magistrate by Receipt returnable within V days from and after its receipt.

(Sent following Receipt No 36)

Read letter dated 16th December 1854 from the Agent to the Governor of Fort St. George at Vizagapatam, submitting for the final Judgment of the Foujdaree Adalut the record of case No 20 of 1854 on the Calendar

(Here enter No 3203 of 1854)

Before Gl Hooper
J. L. and 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 Dwarapooreddy Potayah
2d Dwarapooreddy Vencanah
3d Dwarapooreddy Bauparayah
and
4th Dwarapooreddy Erkayah

is sufficient to convict them of the crime of homicide

5th January 1855.

homicide, do convict them thereof, but considering that the imprisonment they have already undergone is sufficient punishment, do accordingly direct that they be set at liberty.

The Court of Foujdaree Adalut have viewed the foregoing Case as one of homicide and not of Murder. The prosecutor had been as it is deposed assailed by certain of the Prisoners and shortly returned with his father the deceased and others, when according to the evidence a fight arose in the course of which the deceased met with blows from sticks which occasioned his death. The deceased they observe was an old man. The Prosecutor and the 1st and 2d Witnesses attribute his death blow to the 1st Prisoner, but the Court cannot place confidence in their testimony as to this, considering it to be coloured and partial. The evidence which in the opinion of the Court is most to be relied on, is that of the 4th 5th and 6th Witnesses, who show that there was a confused fight in

which

which Several were engaged, and that it could not be distinguished by whose blow the deceased fell &c.

2.

The Court of Foujdaree Adalut are therefore unable to convict any one of the Prisoners in particular of the homicide, and adverting to the fact that the Prosecutor's party appear to have been the aggressors, the court consider the Prisoners sufficiently punished for the assault in which they engaged, by the detention they have undergone, and have accordingly directed their release.

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

Sent in No. 37

Read return dated 12th December 1854 from the Session Judge of Trichinopoly, to the precept of the Foujdaree Adalut under date the 8th December 1854, directing the reduction of the Sentence passed on the 4th and 5th Prisoners in

in Calendar Case No. 34 of 1854 on the file of the Session Court of Trichinopoly to 5 years imprisonment.

(Here enter F.C. No. 3074 of 1855)

Read return dated 9th December 1854 from the Session Judge of Bellary, to the precept of the Foujdaree Adalut under date the 2d December 1854, directing the immediate release of the 5th Prisoner in Case No. 131 of 1854 on the file of the Session Court of Bellary.

(Here enter F.C. No. 3075 of 1854)

Read return dated 13th December 1854 from the Session Judge of Cuddapah, to the precept of the Foujdaree Adalut under date the 7th December 1854, containing observations and remarks on the Criminal Reports for the month of September last.

(Here enter F.C. No. 3081 of 1854)

Read return dated 11th December 1854 from the Session Judge of Mangalore, to the precept of the Foujdaree Adalut under date the 23d November 1854, on review of Petty Calendars of the Magistrate of Canara for 3d Quarter 1854.

(Here enter F.C. No. 3082 of 1854)

Read

Read letter dated 12th December 1854 from the Agent to the Governor at Vizagapatam, forwarding the warrant issued to his Assistant Agent for the execution of "Vankalapaty Ragavarauzo" together with his letter.

(Here enter F.No. 3112 of 1854)

Read Extract dated 14th December 1854 from the Acting Session Judge of Tinnevelly, submitting the Proceedings held on review of the Monthly reports of the native officers of the Police for the 2d Quarter of 1854, together with the explanation furnished by the Magistrate.

(Here enter F.No. 3152 of 1854)

Read return dated 9th December 1854 from the Session Judge of Trichinopoly, to the precept of the Foujdaree Adalut under date the 6th December 1854, calling for the Calendar of Petty Cases disposed of by the Magistracy during the 2d Quarter of 1854.

(Here enter F.No. 3055 of 1854.)

Read return dated 21st December 1854 from the Session Judge of Cuddalore, to the precept of the Foujdaree Adalut under date the 13th December 1854, calling for the further return to the precept of the Foujdaree Adalut of the 24th July 1854.

(Here enter F.No. 3166 of 1854)

Read return dated 15th December 1854 from the Acting Session Judge of Tinnevelly to the precept of the Foujdaree Adalut under date the 9th December 1854, directing the Acting Session Judge to bring to the notice of the Magistrate the conduct of the Peon referred to in Calendar of Case No. 41 of 1854.

(Here enter F.No. 3168 of 1854)

Read letter dated 19th December 1854 from the Session Judge of Calicut, Submitting with reference to Foujdaree Courts Proceedings dated 13th Instant, copy of a communication from the Magistrate in the case of Kalara Oony Mahomed.

(Here enter F.No. 3172 of 1854)

Read return dated 16th December 1854 from the Agent to the Governor in Ganjam, to the precept of the Foujdaree Adalut under date the 6th December 1854, informing the aggravated circumstances in Case No. 23 of 1854.

(Here enter F.No. 3177 of 1854)

Read

Read letter dated 18th December 1854 from the Acting Session Judge of Honore, Returning the death Warrant in case No 16 on the Calendar for 1854, duly executed.

(Here enter F. C. No 3179 of 1854)

Read return dated 14th December 1854 from the Session Judge of Combaconum, to the precept of the Foujdaree Adalut under date the 30th November 1854, conveying their observations and orders on the Criminal Reports for October last.

(Here enter F. C. No 3090 of 1854)

Read letter, dated 15th December 1854 from the Sessions Judge of Chicacole, &c forwarding the Petty Calendars, of Cases disposed of by the Magistracy during the 3d Quarter of 1854.

(Here enter F. C. No 3190 of 1854)

Read return dated 21st December 1854 from the Session Judge of Trichinopoly, to the precept of the Foujdaree Adalut under date the 2d December 1854, submitting a Petition presented by two Convicts in the Jail at Trichinopoly for report.

(Here enter F. C. No 3169 of 1854)

Read Extract dated 21st December 1854 from the Session Judge of Bellary, held

held on review of the Magistrate Petty Calendars for the 3d Quarter of 1854 on the 21st December 1854.

(Here enter F. C. No 3196 of 1854)

Read return dated 21st December 1854 from the Session Judge of Trichinopoly, to the precept of the Foujdaree Adalut under date the 2d December 1854, forwarding a Petition presented by Veeramala Ammaul for perusal.

(Here enter F. C. No 3170 of 1854)

Read return dated 27th December 1854 from the Session Judge of Chittoor, to the precept of the Foujdaree Adalut under date the 22d December 1854, requiring the Session Judge to send up the record in Calendar No 149 of 1854 and also to explain why the same had not been earlier submitted.

(Here enter F. C. No 3204 of 1854)

Ex 180

Saturday ....
6th January 1855. } At a Court of the Fouzdaree Adalut.

F. H.

Present

G. L. Hooper Esquire
H. A. Morrhead Esquire } Puisne Judges.
T. L. Strange Esquire.

Read Calendar of Case No 65 of 1854 of the Sessions Court of Madura.
(Here Enter F. H. No 3110 of 1854)

The Court of Fouzdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of House breaking and Theft, be reduced to two 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 sent to the Sessions Judge of Madura for his information.
(Sent in No 42)

x 1st Chinnan.

Read Calendar of Case No 67

of

6th January 1855.

of 1854 on the file of the Sessions Court of Nellore.

(Here enter F. R. No. 3031 of 1854)

1. The 1st Prisoner in this case charged with rape and robbery has been acquitted by the Sessions Court, but on the ground that he admitted having had Criminal intercourse with the Prosecutrix on former occasion, and to prevent a repetition of similar misconduct, as also a future probable breach of the peace he has been placed under a requisition of security.

2. The Court of Fouzdaree Adalut resolve to cancel the requisition of security under which the prisoner has been placed, the grounds assigned by the Sessions Judge do not justify a requisition of security under Clause Sixth Section III Regulation XV of 1803 and it is not competent to a Sessions Judge to hold parties to security for the preservation of the peace.

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

(Sent in No. 43)

Read

6th January 1855.

Read Calendar of Case No. 62 of 1854 of the Sessions Court of Calicut.

(Here enter F. R. No. 3125 of 1854)

The Court of Fouzdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of attempt at Robbery with violence, be reduced to seven years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

Valia Paramkil Penkolen Mohi: deen

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

(Sent in No. 44)

Read Calendar in case No. 45 of 1854 on the file of the Sessions Court of Salem

(Here enter F. R. No. 3146 of 1854)

1. In this case (6) six Prisoners were tried, on a charge of "Gang Robbery with aggravated circumstances".

2. The Futwah of the law officer acquitted all the prisoners but the 1st who

6th January 1855.

of 1854 on the file of the Sessions Court of Nellore.—

(Here enter F. R. No. 3031 of 1854)

1. The 1st Prisoner in this case charged with rape and robbery has been acquitted by the Sessions Court, but on the ground that he admitted having had Criminal intercourse with the Prosecutrix on former occasion, and to prevent a repetition of similar misconduct, as also a future probable breach of the peace he has been placed o under a requisition of security.—

2. The Court of Sujdaree Adalut resolve to cancel the requisition of security under which the prisoner has been placed, the grounds assigned by the Sessions Judge do not justify a requisition of security under Clause Sixth Section II Regulation XV of 1803 and it is not competent to a Sessions Judge to hold parties to security for the preservation of the peace.—

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

(Sent in No. 43)

Read.

6th January 1855.

Read Calendar of Case No. 62 of 1854 of the Sessions Court of Calicut.

(Here enter F. R. No. 3125 of 1854)

The Court of Sujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of attempt at Robbery with violence, be reduced to seven years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.—

x Valia Parambil Pentholen Mohi: deen.

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

(Sent in No. 44)

Read Calendar in Case No. 45 of 1854 on the file of the Sessions Court of Salem

(Here enter F. R. No. 3146 of 1854)

1. In this case (6) six Prisoners were tried, on a charge of "Gang Robbery with aggravated circumstances".

2. The Futwah of the law officer acquitted all the prisoners but the 1st who

who, as lying under Threat or Suspicion, was declared liable to Sandit, punishment or release. —

3. In this finding the Sessions Judge concurred and sentenced the prisoner to furnish (2) two securities of 15 Rupees each for his good behaviour and appearance for one year, or, in default, to be imprisoned for that period. —

4. The Court of Foujdaree Adalut resolve to direct the Sessions Judge to cancel his security and to release the Prisoner unconditionally. The demand of security in the present case, where the Sessions Judge has been unable to admit the evidence to the Prisoners' identification, is directly at variance with the principle laid down by this Court in their Circular Order of the 3d October last. No. 204. —

Ordered that Exctract from these proceedings be sent to the Sessions Judge of Salem for his information by precept returnable within III days from and after its receipt. —

Sent following precept No. 45

Read Calendar of Case No. 46 of 1854 submitted by the Sessions Judge of Salem under date the 15th December 1854.

(Received F. H. No. 3147 of 1854)

1 The Court of Foujdaree Adalut are of opinion that a sentence of 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 Sessions Judge to reduce his sentence 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 case for their consideration. —

3. The Sessions Judge observes that the evidence of the prosecutor and the 1st, 2d and 3d witnesses clearly proves the prisoner's guilt. He should have specified what the facts established in evidence against the prisoner were,

without

who, as lying under Thumut or suspicion, was declared liable to Sundit punishment or release.—

3. In this finding the Sessions Judge concurred and sentenced the prisoner to furnish (2) two securities of 15 Rupees each for his good behaviour and appearance for one year, or in default, to be imprisoned for that period.—

4. The Court of Foujdaree Adalut resolve to direct the Sessions Judge to cancel his security and to release the Prisoner unconditionally. The demand of security in the present case, where the Sessions Judge has been unable to admit the evidence to the Prisoners' identification, is directly at variance with the principle laid down by this Court in their Circular Order of the 3d October last. No 204.—

Ordered that Ecstrack from these proceedings be sent to the Sessions Judge of Salem for his information by precept returnable within III days from and after its receipt.—

Sent following precept No 45

Read

Read Calendar of Case No 46 of 1854 submitted by the Sessions Judge of Salem under date the 15th December 1854.

(Received F. A. No 3147 of 1854)

1 The Court of Foujdaree Adalut are of opinion that a sentence of 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 Sessions Judge to reduce his sentence 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 case for their consideration.—

3. The Sessions Judge observes that the evidence of the prosecutor and the 1st, 2d and 3d witnesses clearly proves the prisoner's guilt. He should have specified what the facts established in evidence against the prisoner were,

without

6th Jan

6th January 1855

without which his sentence is defective
as to the grounds of the conviction of
the prisoner.

Ordered that Extract
from these proceedings be sent to the
Session Judge of Salem by precept re-
=turnable within X days from and
after its receipt.

(Sent following precept No. 46.)

Read Criminal Reports
submitted by the Session Judge of Madura
for the month of November 1854.

(New enter F.H. No. 3173 of 1854)

Case No. 187. 1. The Court of Foujdaree Adalut
direct that the Session Judge will review
the proceedings of the Acting Subordinate
Judge in this case which, from the state-
=ment of the charge, it appears to the
Court, should have been committed for
trial before the Session Court.

2 The heading to 188 should
be Assault.

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

6th January 1855.

Judge of Madura for his information
by precept returnable within X days
from and after its receipt.

(Sent following precept No. 47.)

Read Criminal Reports
submitted by the Session Judge of Cuddapah
for the month of November 1854.

(New enter F.H. No. 3106 of 1854)

Case No. 339. 1. The Court of Foujdaree Adalut
require to be informed whether any enquiry
has been instituted by the Magistracy
into the alleged ill-treatment sustained
by the Prisoner in this case at the hands
of the Village authorities.

Case No. 351. 2. The Court observe that the
Charge in this case should have set forth
that the prisoner did through malice kill
the buffaloes of the Prosecutor; as proof
of the malicious intent would alone
render the Prisoner liable to punishment
under the provisions of the Regulation quoted.

3. The Session Judge will ac-
=cordingly be pleased to look into the
Proceedings of the Moosfee Sudr Ameen

and

and determine whether with reference to the foregoing remark the sentence against the Prisoner can be upheld.

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

(Sent in No. 48)

Read Criminal Reports submitted by the Acting Sessions Judge of Honore for the month of November 1854.

(Here enter F. H. No. 3141 of 1854)

Case. No. 54.

The separate count against the 5th Prisoner does not constitute a charge of "accessory after the fact". It forms a distinct offence

Case No. 59. 2. "Culpable Homicide". The Court resolve with reference to the offence here alleged, to bring to the notice of the Acting Sessions Judge, for communication to the Principal Sudr Ameen, the following extract from their proceedings marginally noted. Circulated to all the Courts. "Whenever a prisoner is charged with "having procured the death of another and "there exists any doubt as to the exact "degree of the offence he shall invariably be

× Para 11 Ext. F. H. 7th October 1853. No. 25 in Calr Sessions Court of Calicut for 1853.

"be charged with Murder. No injustice or in-
"-convenience can possibly result from this
"course, for it will always be open to a
"Prisoner on his defence to shew the existence
"of mitigating circumstances".

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Honore for his information and guidance.

(Sent in No. 49.)

Read letter under date the 30th December 1854 from the Sessions Judge of Combaconum forwarding English translation of the record of Case No. 54 of 1854, on the Calendar of the Sessions Court, for the final Judgment of the Court of Foujdaree Adalut.

(Here enter F. H. No. 35 of 1855)

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

1st Arumoogasa do Jean
2d Tanamoorty do Caputtan
3d Coolanda Caputtan and
4th Masoda pandia puttalum

are

and determine whether with reference to the foregoing remark the sentence against the Prisoner can be upheld.—

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

(Sent in No. 48)

Read Criminal Reports submitted by the Acting Sessions Judge of Bonore, for the month of November 1854.—

(Were enter F. N. No. 3141 of 1854)

Case No. 54.

The separate count against the 5th Prisoner does not constitute a charge of "accessory after the fact". It forms a distinct offence

Case No. 59. 2. "Culpable Homicide". The Court resolve with reference to the offence here alleged, to bring to the notice of the Acting Sessions Judge, for Communication to the Principal Sudr Ameen, the following extract from their proceedings marginally noted, circulated to all the Courts. "Whenever a prisoner is charged with "having procured the death of another and "there exists any doubt as to the exact "degree of the offence he shall invariably

* Para 11 Ext. F. N. 7th October 1853. No. 25 in Calr. Sess. Court of Calicut for 1853.

"be charged with Murder. No injustice or in-
"convenience can possibly result from this
"course, for it will always be open to a
"Prisoner on his defence to shew the existence
"of mitigating circumstances".—

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Bonore for his information and guidance.—

(Sent in No. 49.)

Read letter under date the 30th December 1854 from the Sessions Judge of Combaconum forwarding English translation of the record of Case No. 34 of 1854, on the Calendar of the Sessions Court, for the final Judgment of the Court of Foujdaree Adalut.—

(Were enter F. N. No. 35 of 1855)

The Court of Foujdaree Adalut on a deliberate Consideration of all the circumstances of the Case in evidence before them, being of opinion that the prisoners,

1st Arounoogasa dofsan
2d Sanamoonyade kaputtan
3d Coolanda kaputtan and
4th Masoodapandia puttalun

are

are not convicted on presumptive proof or on the evidence of credible witnesses or on their own confession of the crime charged do acquit them thereof and direct that they be set at liberty.—

(Sent in No. 50 / 5

Encd
J. W. S

J. No. 116.

Monday 2 / 8th January 1855 } At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
W. A. Morrhead Esquire } Puisne Judges
J. Le. Strange Esquire

No return having been received from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Udalut dated the 9th Ultimo calling for a translation of the Record in Case No. 17 of 1854

Ordered that the Sessions Judge of Rajahmundry be required to make a return to the above precept without delay and to explain why he had not earlier conformed to its exigency.

Precept returnable in two days.

(Sent following Precept No. 51.)

Read Calendars of Petty Cases disposed of by the Magistracy of Chingleput for

6th January 1855.

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.—

(Sent in No. 50 / 5

Monday 8th January 1855. At a Court of the Foujdaree Adalut.

No. 16.

Present

G. S. Hooper Esquire
W. A. Morehead Esquire
J. Le. Strange Esquire
} Puisne Judges

No return having been received from the Sessions Judge of Rajahmundry to the Precept of the Foujdaree Adalut dated the 9th Ultimo calling for a translation of the Record in Case No. 17 of 1854

Ordered that the Sessions Judge of Rajahmundry be required to make a return to the above precept without delay and to explain why he had not earlier conformed to its Exigency.

Precept returnable in two days.

(Sent following Precept No. 51.)

Read Calendars of Petty Cases disposed of by the Magistracy of Chingleput

for

for the 3d Quarter of 1854.

(Here enter F.No. N.S. of 1855)

Calendar N.I
Case N.34.

1 "Cattle Wounding" - In charges of this nature, malice, must be alleged.

Calendar N.II
Case N.2.

2 It appears that the Defendant here was charged with the assault jointly with the Defendant in Case N.20 Calendar N.I. The Court have to point out that it is alleged irregular to make two cases out of one charge. Where one Defendant is convicted and another released, the case should be entered in the Calendars but once viz. in Calendar N.I as now being appended specifying the acquittal of the 2nd Defendant - It is only where the charge breaks down against all the Defendants that a case can be entered in Calendar N.II. The Sessions Judge will bring this remark pertinently to the notice of the Magistrate; it applies to the next case also.

Calendar N.III
Cases 22d & 23d.

3 The Security in these cases has been demanded under Section VI Regulation VI of 1827 which does not authorize a requisition for appearance - but for good behaviour only and

8th January 1855.

Vagrants cannot be proceeded against at one time both under this Regulation and that Clause 1st Section III Regulation II of 1822 authorizing security for appearance.

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

(Sent in N.52)

Read again Calendar of Case N.57 of 1854 on the file of the Sessions Court of Nellore.

(Here enter F.No. N.2414 of 1854)

Read again also Miscellaneous Petition presented on the 30th November 1854 by P. Ramalshamma of Nellah Nellore.

(Here enter F.No. P. N.261 of 1854)

Read also return under date the 28th December 1854 from the Sessions Judge of Nellore to the Precept of the Foujdaree Adalut, dated the 7th December 1854 directing the submission of an English Translation of such portions of the record of the foregoing Case in preference to the 12th Prisoner.

(Here enter F.No. N.120 of 1855)

On

8th January 1835

On perusal of the record of this case the Court of Foujdaree Udalut are unable to concur with the Sessions Judge in considering the evidence sufficient for the conviction of the 12th prisoner.

2 The evidence on which his conviction is based is confined to his alleged identification, at the time of the robbery by the Prosecutor and three witnesses; no property whatever having been found in his possession. The alleged identification is said to have taken place whilst the 12th Prisoner was inside the house and under such circumstances of difficulty as entirely to preclude the Court from accepting it, uncorroborated by other evidence, as sufficient for the conviction of the accused.

3 The Court accordingly direct his unconditional release.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Nellore by Precept returnable within 15 days from and after its receipt.

(Sent in No. 53)

Ordered also that Extract from these

8th January 1835

these proceedings be granted to the Petitioner on her application.

Read Criminal Reports submitted by the Sessions Judge of Combaconum for the month of November 1834.

(Were Enter. T. Do. No. 3102 of 1834)

Magistrate Report B Case No. 38.

The Court of Foujdaree Udalut direct that the Magistrate be called upon to explain in respect to this case the circumstances which were deemed by him sufficient to justify the issue of the warrant to search the houses in the Pittora pondy Talook, the nature of that warrant and the Regulations under which it was issued.

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

(Sent following Precept No. 54)

Read Criminal Reports submitted by the Sessions Judge of Nellore for the month of November 1834

(Were enter. T. Do. No. 3103 of 1834)

The

Case Nos 13 & 14.

The offence charged in these cases should have been designated as an assault.

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

(Sent in No. 55)

Read letter under date the 18th December 1834 from the Acting Agent to the Governor of Fort St. George at Ganjam submitting for the final judgment of the Foujdaree Adalut, a report of the trial of Criminal Case No 26 of 1834, on his file

(Here enter F. R. No 3207 of 1834)

The Court of Foujdaree Adalut concur in the conviction of the Prisoner

2nd Sayraka Patro

of Gang Robbery and Arson and resolve to confirm the sentence proposed to be passed upon him by the Acting Agent Viz (14) Fourteen years imprisonment with hard labor in irons under Clause third Section IV Regulation XV of 1803.

Ordered

8th January 1835.

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

(Sent in No. 56)

Read Criminal Reports submitted by the Acting Sessions Judge of Tinnevelly for the Month of November 1834

(Here enter F. R. No 3149 of 1834)

Case No 119. 1

Where an "assault" is perpetrated in the commission of "Robbery" it is not necessary to charge it separately. The ownership of the property is not laid.

Case No 122. 2

A felonious entry into a house effected "through a gap between the roof and the wall" has been ruled by this Court to constitute a Breaking" - The heading of the charge will be amended accordingly.

Case No 125 3

The charge against the 17th Prisoner, who, it is observed, was released is vague. If he was alleged to have been present aiding and abetting" he should have been indicted as a principal, otherwise according to his complicity, as an accessory either

either before or after the fact.

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

(Sent in No. 57)

Read Calendars of Petty Cases
disposed of by the Magistracy of Masulipatam
for the 3rd Quarter of 1854.

(Here enter P.C. No. 351 of 1854)

Calendar No I
Case 54
"Abuse of authority"

It is not clear that the trespass
in this case was committed by the Defendants
under the show of their authority as Public
servants. If it was so, it is obvious that
the other Defendants, for the most part peons
made the forcible entry, ousting the complain
solely under the orders of the 1st Defendant
the Head of Police. Their lawful superior
who alone was responsible. The Sessions
Judge will point out to the Special Assistant
Magistrate that it is altogether irregular
to receive a defence in the form of an
Urzee. The Defendants must attend to the
summons either in person or by Vakeel
this Course would have obviated the delay

noticed in the Columns of "Remarks".

Case No. 58
"Fraud"

2 The Assistant Magistrate was
not justified in adjudicating, as he has done
in this matter. If the case was cognizable
criminally at all, which is not clear, it was
a theft and as such was not punishable
by a fine.

Calendar No II
Case No 59

3 The charge here, which is one
of Murder, has been headed Assault. The
Sessions Judge will call the attention of the
Special Assistant Magistrate, to this Courts'
Circular Order of the 5th August 1829. It is
erroneous to head a charge Assault while
the Indictment is for Murder - where the charge
brought is for Murder and the actual offence proved
is something altogether different, a marginal
note should be made to such effect.

Calendar No III
Case No 63.

4 The Security here taken must
be cancelled and the Prisoners if in Jail, released.
The charge was one of Petty Trespass and
the Assistant Magistrate was not empowered,
on failure of adequate proof for Conviction
of the specific offence to take security
from the Defendants - and that too not because

they

they lay under strong suspicion of the act complained of; but under Regulation VII of 1827 Section VII Clause I which applies only to the case of parties apprehended by the Magistrate as vagrants.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Masulipatam for his information and guidance and for communication to the Magistrate by Precept returnable within V days from and after its receipt.

(Sent following Precept No 58)

Read Calendars of Petty Cases disposed of by the Magistracy of Cuddapah for the 3d Quarter of 1854.

(Here enter Ft Ltr No 3156 of 1854)

Cal No 1.
Case 28.

The value of the Counterfeit pieces found with the Prisoner is stated to be Rupees 16. The fine imposed should therefore, under the terms of the Regulation quoted, have been addressed at four times such amount or Rupees 64. The Prisoner, however, was not liable to punishment at all. It is clear that by the terms Cumbo

Coin

8th January 1855

Coin of the realm is indicated - but "Mitto pagodas" are not Current. The term of Prisoner's imprisonment has, it is observed, expired.

Calendar No II
Case No 48.
"Assault & Snatching"

2. The Error in the heading in this Case has been noticed by the Sessions Judge.

Case No 49

3 - It does not appear what reasons induced the Magistrate to take this paltry Case out of the hands of the Police.

4 The following Case, numbered apparently erroneously No. 30 is the same Case as No 15 in Calendar No I. The Court desire that it may be distinctly understood that a charge, in the investigation of which one Prisoner is punished and another acquitted is not to be divided into two Cases. Such a Charge should be entered in Calendar No I and a Memo furnished marginally thus Note. The 2nd Prisoner was released" - It is only where all the Defendants are acquitted that entry should be made in Calendar No II.

5 The foregoing remark applies also

also to the case next after No. 52 which is numb

32 - The Sessions Judge will direct the Magistra
to provide against the recurrence of these
irregularities in Entry.

Case No. 53. 6 The Separate Count against
"Housebreaking the 2nd & 3rd Prisoners is obscure It would
and Theft." appear from what is said about the
document drawn up by a Punchayet and
alleged to have been sent for by the Head
Assistant Magistrate that the Charge is
rather of the nature of a trespass than
Case No. 54. a Larceny

7 The forcible appropriation
of the Prosecutors property mentioned in the
body of the charge is not set out in the heads

8 Calendars III and IV appear
to call for no remarks.

Ordered that Extract from
these Proceedings be sent to the Sessions
Judge of Cuddapah for his information
and for communication to the Magistrate.
(Sent in No. 59)

Read Petition presented on the
7th December 1854 by Anlewshyengar of Gillah
Tinnevelly.
(Here enter F. Mo. D. No. 278 of 1854)

This

1 This is an appeal from an
order of the Acting Session Judge who under
date 14th September last, rejected Petitioner's
application for the Criminal prosecution
of Moosty Sudr Ameen for charges of alleged
corruption in the carrying out of a certain
Decree, on the ground that the matter
had been enquired into and disposed of
on the Civil side of the Court.

2 The Court of Foujdaree Adalut
resolve to reject this petition - the Petitioner
if he sees fit can appeal against
the orders referred to by the Civil Judge
in the usual manner.

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

Read again Calendar of Case
No. 51 of 1854 on the file of the Session Court
of Combaconum.

Here enter F. Mo. No. 2838 of 1854

Read also Miscellaneous
Petition presented on the 8th January 1855

by

also to the case next after No. 52 which is in

32 - The Sessions Judge will direct the Ma
to provide against the recurrence of these
irregularities in Entry.

Case No. 53.
"Housebreaking
and Theft"

6 The Separate Count against
the 2nd & 3rd Prisoners in abeyance. It would
appear from what is said about the
document drawn up by a Punchayet a
alleged to have been sent for by the As
Assistant Magistrate that the charge
rather of the nature of a trespass tha
a Larceny

Case No. 54.

7 The forcible appropriation
of the Prosecutors property mentioned in
body of the charge is not set out in the
8 Calendars III and IV appear
to call for no remarks.

Ordered that Extract from
these Proceedings be sent to the Sessions
Judge of Cuddapah for his information
and for communication to the Magistrate
(Sent in No. 59)

Read Petition presented on
7th December 1854 by Anthwodyengar of Gylla
Tinnevelly.
(Here enter Petn. Dy. No. (1854)

1 This is an appeal from an
order of the Acting Session Judge who under
date 14th September last, rejected Petitioner's
application for the Criminal prosecution
of Mooftey Sudr Ameen for charges of alleged
corruption in the carrying out of a certain
Decree, on the ground that the matter
had been inquired into and disposed of
on the Civil side of the Court.

2 The Court of Foujdaree Adalut
resolve to reject this petition - the Petitioner
if he sees fit can appeal against
the orders referred to by the Civil Judge
in the usual manner.

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

Read again Calendar of Case
No. 51 of 1854 on the File of the Session Court
of Combaconum.

Here enter S. Us. No. 2838 of 1854

Read also Miscellaneous
Petition presented on the 8th January 1855

by

8th January 1855

by E. Salmon Esqre Vakeel on behalf of
Balagoora Monty Chetty of Zillah Combacon

Here enter F.H.C. No 7 of 1855

Before disposing of this
Petition the Court of Foujdaree Udalut
resolve to direct the Sessions Judge to
forward an English translation of the
records of the above case without delay.

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

Sent following Precept No 709

Examined
W.A.S.

F.H.C.

Wednesday
10th January 1855.

At a Court of the Foujdaree Udalut.

Present.

G. A. Hoopen Esqre
W. A. Morehead Esqre
T. L. Strange Esqre
} Puisne Judges

Read the Magistrate's Criminal
Report B for the month of November 1854, sub-
mitted by the Sessions Judge of Mangalore.

(Here enter F.H.C. No 3199. 1854.)

Case No 9. 1. The Court of Foujdaree Udalut
require further explanation in respect
to the circumstances of this Case, which
from the Statement of the charge, does
not appear to the Court to have been
within the legal jurisdiction of the
Magistracy.

2. In submitting this explan-
ation, the Magistrate will at the same
time be required to report whether the
Prisoner has been in confinement since
the 7th May 1854, the date of his arrest.

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

of Mangalore by Precept returnable in V
from and after its receipt.-
(Sent following Precept No)

Read again Criminal
Reports submitted by the Sessions Judge of
Madura for the Months of October 1854.
(Here Enter F. No. No 2878 of 1854.)

Read also Return dated 21st
December made by the Sessions Judge of
Madura, to the Precept of the Fouzdaree
Adalut under date the 11th December 1854,
directing that officer to review the Proceed
held in Case No 160 entered in the above
Report.-
(Here enter F. No. No 3167 of 1854)

The explanation afforded in
the foregoing Return being deemed satis-
factory, no further Orders appear called for
from the Court of Fouzdaree Adalut.-

Ordered that Extract from
these Proceedings be sent to the Sessions Judge
of Madura for his information.-
(Sent in No)

Read again Calendars of
Cases Nos 70, 71, and 72 on the file of the Sessi
Court

10th January 1855.

Court of Cuddalore.-
(Here enter F. No. Nos 2854, 2855
& 2856 of 1854.)

Read also returns dated the
29th December 1854 from the Sessions Judge
of Cuddalore, to the Precepts of the
Fouzdaree Adalut under date the 5th idem,
conveying their orders on the foregoing
Calendars.-
(Here enter F. No. No 29 of 1855.)

The Court of Fouzdaree
Adalut consider the Head of Police of
Ellavanapoor to have acted most im-
properly throughout his investigation
of these Cases, and they direct that it be
intimated to him that, conduct of
a similar nature, will undoubtedly
lead to his dismissal from office.-

Ordered, that Extract from
these Proceedings be sent to the Sessions
Judge of Cuddalore for his information
(Sent in No)

Read Calendars of Cases
Nos 39 & 40 on the file of the Sessions Court
of Salem.-
(Here enter F. No. No 2981 of 1854.)

The

The Court of Fouzdaree Adawlut
deeming the mitigated sentence passed
in these cases insufficient to meet the
ends of Justice, resolve to direct that a
sentence of 4 years imprisonment with
suitable labor be recorded against the Prisoner
named in the margin; and that the
Session Judge will amend his warrant
accordingly.

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

Read Calendar of Cases Nos 199
of 1854 on the file of the Session Court of
Bellary.

(Here enter F. Gc. No. $\frac{3184}{1854}$)

The Court of Fouzdaree
Adawlut approve of the recommendation
made by the Session Judge in this Case,
that the sentence of imprisonment
recorded against the prisoner on his
conviction of the charge of House breaking
with Theft, be mitigated to two years with
hard labor in irons.

2.

The Court direct that the
full number of Lashes which the Prisoner

had

* Mungaub (a female)

has been adjudged to receive be inflicted at
one time, and not at different periods.

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

(Sent in No)

Read Calendar of Case No 42
of 1854 of the Session Court of Chingleput.

(Here enter F. Gc. No 4 of 1855.)

The Court of Fouzdaree Adawlut
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 on their conviction of the crime
of Highway Robbery, be reduced to (3) three
years 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 Chingleput for his information

(Sent in No)

Read Calendar of Case No 41

of

* 1. Varaden and 2. Ponnen

The Court of Foujdaree Adawlut
deeming the mitigated sentence proposed
in these cases insufficient to meet the
ends of Justice, resolve to direct that the
sentence of 4 years imprisonment with
suitable labor be recorded against the Prisoner
named in the margin; and that the
Sessions Judge will amend his warrant
accordingly.-

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

Read Calendar of Cases Nos 99
of 1854 on the file of the Sessions Court of
Bellary.-

(Here enters F. Rc. No. 3 1854/1854)

The Court of Foujdaree
Adawlut approve of the recommendation
made by the Sessions Judge in this Case,
that the sentence of imprisonment
recorded against the prisoners on his
conviction of the charge of Housebreaking
with Theft, be mitigated to two years with
hard labor in irons.-

2.

The Court direct that the
full number of lashes which the Prisoner

* Mungaul (a female)

has been adjudged to receive be inflicted at
one time, and not at different periods.-

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

(Sent in No)

Read Calendar of Cases No. 42
of 1854 of the Sessions Court of Chingleput.-

(Here enters F. Rc. No. 4 of 1855.)

The Court of Foujdaree Adawlut
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 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 Chingleput for his information

(Sent in No)

Read Calendar of Cases No. 41

of

* 1. Varaden and 2. Ponnen

of 1854 of the Sessions Court of Chinglepet
(Here enter F. No. A° 3 of 1855.)

The Court of Foujdaree Adalut are of opinion that the mitigated sentence of one year's imprisonment proposed by the Acting Sessions Judge is insufficient for the punishment of the prisoner noted in the margin, and they accordingly see to direct that she be sentenced to (+) two years imprisonment with labor suitable to her sex.-

+ Coopsee

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Chinglepet for his information.
(Sent in A°)

Read Calendars of Case A° 387 of 1854 of the Sessions Court of Chinglepet.-
(Here enter F. No. A° 1 of 1855)

The Court of Foujdaree 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 Robbery by open violence be reduced to (7) seven years

+
1. Daseegan
2. Govindun
3. Timmun
4. Cannatty Coollen
5. Vencalaswamy
6. Lutcheegan
7. Mooneyan
8. Lennun
9. Pandy Coollun
10. Pedrun.

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 Acting Sessions Judge of Chinglepet for his information.
(Sent in A°)

Read Calendars of Case A° 202 of 1854 on the file of the Sessions Court of Bellary.-
(Here enter F. No. A° 3195 of 1854)

1 The Court of Foujdaree Adalut consider the infliction of the first twenty five lashes awarded in this Case to be sufficient, and accordingly direct the remission of the remainder.-

2. They also resolve to point out to the Sessions Judge that the practice of awarding Corporal punishment at intervals, is objectionable, and they direct its discontinuance.-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary for his information.-
(Sent in A°)

Read

Read letter dated 4th January 1855 from the Session Judge of Cuddapah Submitting for the final Judgment of the Foujdaree Adalut the record of Case No 68 of 1854.-

(Here enter G. C. No 55 of 1855)

M.s G. L. Hooper
and
W.m H. A. Morehead

The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the Case in evidence before them, being of opinion that the proof against the Prisoner.-

V. M. Soobbadoo.

is sufficient to convict him of the crime of Murder, do convict him thereof and under the provisions of Section X Regn 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 Case No of 1854 on the file of the Sessions Court of Rajahmundry-

(Here enter F. C. No 13 of 1855)

1. The Prisoner in this Case is charged with "Gang Robbery" further with having assisted the Rebels against the

Circr

Circr- There should have been a separate charge for this second offence.- The Court must remark, however that this phrase "the rebels against the Circr" is extremely indefinite, it not appearing who these Rebels are, or with what object they set themselves in rebellion against the state.-

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

(Sent in No)

do

do

F. D.

Thursday
11th January 1855. At a Court of the Foujdaree Adalut.

Present

G. S. Hoopes Esquire —
W. A. Morshead Esquire — } Puisne Judges.
T. L. Strange Esquire —

Read Extract from the Proceedings of the Sessions Court in the Zillah of Combaconum under date the 7th December 1854.

(R Enter F. D. No 3050 of 1854.)

In the above Proceedings the
1 Sessions Judge refers for the opinion of the Court of Foujdaree Adalut. the question whether the extended powers of the Magistracy under Sec LIV. Act VII of 1843 are to be held applicable to cases of false complaints made before themselves.

It appears that this reference
2 has been made in consequence of a difference of opinion on the point at issue between the Magistrate, and the Joint Magistrate, the former of whom considers that section VII. Regulation

F. D.

Thursday
11th January 1855. At a Court of the Faujdaree Adalut.

Present

G. S. Hooper Esquire — Puisne Judges.
W. A. Morshead Esquire —
T. L. Strange Esquire —

Read Extract from the Proceedings of the Sessions Court in the Zillah of Comba: commencing under date the 7th December 1854.

(Enter F. D. No. 3050 of 1854.)

In the above Proceedings the Sessions Judge refers for the opinion of the Court of Faujdaree Adalut. the question whether the extended powers of the Magistracy under Sec. LIV. Act VIII of 1843 are to be held applicable to cases of false complaints made before themselves.

It appears that this reference has been made in consequence of a difference of opinion on the point at issue between the Magistrate, and the Joint Magistrate, the former of whom considers that section VII. Regulation

Regulation X of 1816, which gave the Criminal Courts power to enhance the punishment authorized under Sections XXXII and XXXVII Regulation IX of 1816 did not grant the same power as regards Section XXXV of that Regulation:-

3. The Sessions Judge on the other hand to whom the question was also submitted coincides with the Joint Magistrate and is of opinion that the Judicial Powers authorised by Section VII Regulation X of 1816 are applicable to Section XXXV Regulation IX of the same year, and that under their extended powers offences of ——— that nature are punishable by the Magistracy.

4. The Court of Foujdaree Adalut concur with the Magistrate deeming his exposition of the law on the point at issue to be correct.

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

/ Sent in Ac /

Read Criminal Reports submitted by the Sessions Judge of Rajahmundry for the month of November 1854.

/ Here enter F. R. No 3193 /

Cases Nos 107 & 109. Gang Robbery. Treason. and Rebellion

1. The two latter charges are not borne out by any thing in the Indictments.

Case No 111. Breach of Trust.

2. The indictment in this case is not sufficiently definite. there must be two distinct facts alleged to which the Prisoner can plead. as the charge now stands, it is worthless.

By the Magistracy.

3. This Calender does not call for any remark.

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

/ Sent in Ac /

Read Calender of Case No 170 of 1854, submitted by the Acting Sessions Judge of Tinnevelly, dated 26th December 1854.

/ Here Enter F. R. No 19 of 1855. /

/ The Court of Foujdaree Adalut approve of the recommendation made by the Acting Sessions Judge in this case, that the punishment, to which the Prisoners were amenable on their conviction of the crime charged, be reduced to 3 years imprisonment with hard labor in irons, and 70 lashes, and the Acting Sessions Judge is hereby authorized to

11th January 1855.

to issue his warrant accordingly.

2 The Court deems it proper to point out to the Acting Sessions Judge that he erred in omitting to record against the Prisoners the sentence to which they had rendered themselves liable under the Regulations:- and further that, as no act of violence was charged against the Prisoners, the heading of the case should have been gang robbery, and not Robbery by open violence.

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

/ Sent in A. /5

Rs 180

Tuesday 16th January 1855 } At a Court of the Foujdaree Adalut

Present

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

Read Criminal Reports Submitted by the Subordinate Judges of Chittoor for the month of November 1854.

(Here enter F.H.C. Nos 3202 of 1854)

Cases Nos 200, 201, 204, 205, 206, 207, and 208.

1 The Court of Foujdaree Adalut observe that when a Prisoner is charged with two or more offences in different numbers, his conviction or acquittal should be distinctly recorded in each case. In the cases now under notice reference is simply made to the sentence recorded in two of the numbers.

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

/ Sent in Rs /

Read Calendar of Petty Cases disposed of by the Magistracy of Salem for the

3d

3d Quarter of 1854

(Here enter J.M. No 50 of 1855)

Case No 57. 1

On conviction of so brutal an assault as that here detailed, the Prisoner should not have been allowed the option of a fine.

Case 55. "Fraud & Pty" 2

In this case it appears that the Defendant a Tailor had a certain piece of cloth intrusted to him out of which he was to make up certain Jackets for the Prosecutor and he was convicted of having appropriated to himself about one fourth of the whole piece. As the charge was deemed entertainable criminally, the case was one of Theft & the joint Magistrate was not empowered to dispose of it by fine. The second clause in the Indictment is difficult of comprehension.

Case No 65 3

For "Misdemeanour" read "Trespass"

Calendar No II Case No 71. 4

The Defendants in this case and the Defendants in case No 63 of Calendar No I were jointly charged with assaulting one & against all the Defendants at one and the same time has been divided into two cases. Gibson. The charge which was disposed of one having reference to those of the Defendants who were convicted and fined (Calendar No I) and

another to those who were acquitted (Calendar No II) This mode of entry is altogether erroneous. The Court desire it may be distinctly understood that a case is not to be entered twice in the same Calendars. It is only where a charge altogether breaks down against all the Defendants, that it can be properly entered in Calendar No II. In other cases the entry should be made in Calendar No I a note being appended intimating the release of such parties as may be acquitted. The Sessions Judge will bring this remark prominently to the notice of the Magistrate.

Case No 73. 5

The Court do not understand the purport of the remark annexed to this case, exculpatory of the "omission" to take a deposition from the Prisoner. They are loth to suppose that it is the practice with the Magistracy even in cases, where as in this, the Defendant is entitled to his discharge from "want of proof" against him to detain him until he shall have given a deposition. It is obvious that this course is altogether superfluous; nothing has been established against him of which he should furnish

a

16th January 1855.

a refutation. he should therefore be released forthwith.

Case Nos 3. 6

Great delay is observable in the disposal of more than one of these Vagrancy cases.

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

/Sent in Dft

/s

Wednesday 17th January 1855

No 16.

At a Court of the Tondaree Udalute

/Present

G. L. Hooper Esquire
H. A Morehead Esquire
J. L. Strange Esquire
} Puisne Judges.

Read Criminal Reports submitted by the Sessions Judge of Cuddalore for the Month of November 1854.

/Here enter No 23 of 1855./

The Court of Tondaree Udalute observe that the usual Criminal Abstract of Cases disposed of and pending has not been appended to these reports.

2 This omission must be now supplied.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddalore for communication to the Principal Sudder Ameen by precept returnable within 11 days from and after its receipt.

/Sent following precept No 1

Read

Read letter dated the 5th Instant from the Sessions Judge of Madura.

/ Here enter F.C. No. 58 of 1855. /

1. In the above Communication the Sessions Judge refers for the opinion of the Court of Foujdaree Udalut the question whether Act XXX of 1841 is applicable to Heads of Police.-

2 The Court of Foujdaree Udalut concur with the Sessions Judge in his opinion that it was not the intention of the legislature that the provisions of the enactment in question should be held to apply to Heads of Police.-

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

/ Sent in No. /

Read letter under date the 5th Instant from the Agent to the Governor of Fort St George at Hurnool, submitting for the final judgment of the Foujdaree Udalut a report of the trial of Caminati Case.

Case No. 104 of 1854 on his file.-

/ Here enter F.C. No. 83 of 1855 /

The Court of Foujdaree Udalut concurring in the Conviction of the Prisoner Lutchmundeng.

of the crime of "Assault and wounding", resolve to confirm the sentence proposed to be passed upon him by the Agent under the provisions of Section II Clause 7 Regulation XV of 1803, namely, "One year's imprisonment with hard labor in irons.-

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

/ Sent in No. / -

Ded. R.D.

F. U.

Thursday
18th January 1855. At a Court of the Foujdaree Udalut.

Present

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

Read again Calendar of Case
No 188 of 1854 of the Session Court of
Bellary.

(Here enter F. U. No 3068/1854)

Read also Return from the
Session Judge of Bellary dated 6th January
1855 to the Precept of the Foujdaree Udalut
under date the 21st December 1854 directing
the submission of an English translation
of the Record of the above case.

(Here enter F. U. No 92/1855)

The Court of Foujdaree Udalut
having carefully perused the entire record
of the foregoing Case see no valid reason
for objecting to the view taken thereof
by the Session Judge — No further

orders

18th January 1855. orders therefore are called for.

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

Sent in Sr.

Read Calendar in Case No 1 of 1855 before the Sessions Court of Trichinopoly.

(Here enter F. R. No 89 of 1855)

1 In this case the Prisoner, a convict, has been found guilty of having effected his escape from custody, and a sentence has been passed against him of six (6) months additional imprisonment with hard labour in irons.

2 Under view of the peculiar circumstances of the Prisoner's escape and his subsequent voluntary return, the Court resolve to mitigate the foregoing sentence to one (1) months' imprisonment.

3 The Court have to point out to the Sessions Judge that a Futwah was not called for in this Trial. The Sessions Judge as the Officer in charge of the Zillah Jail, was sitting with the powers of a Criminal Judge under Section V Regulation VII of 1822.

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

Sent in Sr

18th January 1855.

Read Calendar of Case No 89 of 1854 of the Session Court of Cuddapah.

(Here enter F. R. No 37/1855)

The Court of Foujdaree Adalat approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of Highway Robbery be reduced to (7) seven years, with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

† B. Ramoodoo

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

Sent in Sr.

Read Calendar of Petty Cases disposed of by the Magistracy of North Arcot for the 3d Quarter of 1854.

(Here enter F. R. No 73 of 1855)

1 Calendar No 1 Case 23. The sentence of the Joint Magistrate in this case has been reversed by the Sessions Judge, who has commented on the highly improper conduct of the complainant, Mr Overseer Lincoln. The Magistrate will report to the Sessions Judge for the information of this Court, what notice has been taken by the Overseer's superior Officer of his misbehaviour on this occasion.

By

18th January 1855. 2 Case 26- By the same Officer- The sentence in this case is set down by the Session Judge as very inadequate- the Defendants, it is observed by that Officer, should have been discharged from the public service- The Court resolve to call for a copy of the Joint Magistrate's sentence in the case, as recorded under C. O. № 201 of the Tanjore Adalut.

3 The Court of Tanjore Adalut observe that, owing to the irregular Heading given to Calendars III & IV on the Criminal Calendars, much confusion in entry has taken place- The proper heading to Calendar № III is as follows- "Calendar of Persons "apprehended under the provisions of Clause "I Section III Regulation II of 1822 & Section "VI- Regulation VII of 1827 by the Magistrate "and his Assistants from— to— "and released"- and under this form should be alike entered a statement (vide C. O. 25th February 1824) of Prisoners released on security or parties discharged as shown not to lie under such Circumstances- The remaining Calendar № IV is of the same form as the preceding with the substitution of the words "still in confinement" in lieu of "released"- This Calendar will of course contain the cases of such parties

of

18th January 1855. of the foregoing description, as have been detained in custody from inability to provide the recognisances they have been adjudged to furnish-

4 The Sessions Judge will be pleased to bring to the notice of the Magistrate the remarks on the erroneous mode of entry adverted to above, for his guidance in future.

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

Sent following Precept №

Read Report of Cases pending on the 1st January 1855 before the Sessions Court of Rajahmundry, for a longer period than 25 days.

(Here enter F. R. № 48 of 1855)

1 The Court of Tanjore Adalut do not consider the reason assigned in the foregoing report viz: the difficulty of procuring Jurors, a satisfactory ground for the postponement of the two trials referred to.

2 The Court presume that from among the Vakeels practising in the Sessions and

Court

18th January 1855 Court and Subordinate Court, persons competent to serve as jurors might be selected.

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

Sent in Sr 15

Saturday 20th January 1855

F. D.

At a Court of the Foujdaree Udalut

Present

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

Read letter dated 5th January 1855 from the Sessions Judge of Mangalore, submitting for the final judgment of the Foujdaree Udalut the record of Case No. 19 of 1854 of the Calendar of the Session Court.

(Here enter F. D. No. 102 of 1855)

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 Prisoners,

1st. Antony
2d. Bastiao - and
3d. Dher Panjee,

is sufficient to convict them of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mahomedan Law,

as

18

as declared in fatwas of their Law Officers, do convict them thereof, and under the provisions of Clause second, Section XV Regulation III of 1802 and Section XVIII Regulation VIII of 1802, sentence the prisoner,

1st Antony,

to be transported to such place or places beyond sea as the Governor and 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 his natural life. the prisoner,

2d Bastiao,

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (3) three years - and the prisoner,

3d Dher Panjee,

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (5) five years.

1 The Court of Foujdaree Udalut have concurred with the Mahomedan Law Officer in convicting the Prisoners of Culpable Homicide, as they do not consider it to have been the intention of any of the Prisoners to cause the death of the deceased Appoy. With reference however to the brutal nature of the treatment sustained

sustained by deceased at the hands of the 1st Prisoner and to which his death must be considered as mainly attributable, the Court have deemed it their duty to sentence that individual to transportation for life.

2 In the case of the 2d and 3d Prisoners a sentence of 3 and 5 years imprisonment with hard labor in irons has been held by the Court to be sufficient. The Court have seen no reason to distrust the evidence of the 13th witness, who deposes to the fact that deceased was so tied upto the tree as that his feet did not reach the ground. Had it not been for this fact a more lenient sentence would have been passed by the Court on these Prisoners.

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

Sent in No.

L. S.

Certificate of Pardon

to

Somaya

1 Whereas under date the 7th November

November 1854, the Court of Foujdaree Udalut were pleased to authorize the Session Judge of Mangalore to tender an offer of Pardon to Sonaya, on condition of his making a full disclosure of every circumstance (within his knowledge), relative to the Murder of Appoo, committed on the night of the 22d September 1854 in the village of Permaday in the Zillah of Mangalore.

2. And whereas the Court of Foujdaree Udalut are of opinion that the condition of the said grant of pardon have been sufficiently fulfilled.

3. Now these are to certify and declare that in consideration thereof, the Court of Foujdaree Udalut have been pleased under the provisions of Section ~~xx~~ Regulation ~~VIII~~ of 1802, to confirm the pardon conditionally tendered as aforesaid to the said, Sonaya, in so far as regards the act therein referred to.

4 And the Court do hereby confirm the said pardon accordingly.

Given under our hands and the Seal of the Court this 20th day of January 1855.

(Sent in No.

Read Miscellaneous Petition presented 6th October 1854 by Mottamah mother

of

of Gurunadee Chetty, 33d Prisoner in Case No. 21 of 1854 on the Calendar of the Session Court of Salem.

(Here enter F. M. C. No. 215 of 1854.)

Mr. Morehead for Petitioner. 1. This is an Appeal against the sentence of the Session Judge, passed on Petitioner's son on his conviction in the foregoing case of the crime of feloniously receiving property procured by Gang Robbery.

2. The Court of Foujdaree Udalut reject this application - on view of the record of trial they are of opinion that there is no ground for their interference.

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

Read Miscellaneous Petition presented on the 4th Instant by Ramasawmy Naiken and others of Zillah Combaconum.

(Here enter S. M. C. No. 3 of 1855.)

Mr. Morehead for Petitioners. 1. The Petitioners seek the interference of the Court of Foujdaree Udalut to reverse the orders of the Civil Court of Combaconum rejecting the Petition presented by them, complaining of their dismissal from the office of Batta Peons by the District Moonsif of Sheally.

The

2

The Court of Foujdaree Udalut decline to interfere in the matter of this Petition, the orders appealed against being correct and proper.

Petition dismissed.

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

Read Miscellaneous Petition presented by Cunteeravadharry Vakeel on behalf of Goda Vurdaraja swamy Pentulu of Zillah Ganjam.

(Here enter F. M. P. No. 4 of 1855)

Mr. Morehead. 1

Petitioner states that the period within which this Petition should have been filed, expired 15 days ago, and prays that his default may be overlooked.

2.

This application requires no order of the kind asked for, there not being any limit laid down in the Regulations for the presentation of appeals in Criminal cases.

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

Read Miscellaneous Petition presented 4th January 1855 by G. Kunteeravadharry, Vakeel

20th January 1855.

Vakeel on behalf of Goda Vurdaraj swamy Pentulu of Zillah Ganjam.

(Here enter F. M. P. No. 5 of 1855)

Mr. Morehead. 1

Petitioners father, a Carkoon in the Mohery Talook, Ganjam, was convicted in case No. 25 of 1854, on the Agent's file as accessary before the fact in a charge of Torture, and sentenced by the Agent to six months imprisonment with hard labor in irons, and a fine of 30 Rupees and against this conviction Petitioner now appeals.

2

The Court of Foujdaree Udalut reject this application - seeing no grounds to question the propriety of the Agent's Proceedings.

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

Read Miscellaneous Petition presented on the 4th Instant by Coollapa Moodely and others of Zillah Chingleput.

(Here enter F. M. P. No. 6 of 1855.)

Mr. Morehead.

The Court of Foujdaree Udalut direct that the Petitioner be informed, that before they can pass any orders upon his Petition, he must file an authenticated copy of the order passed by the Acting Session Judge of Chingleput in the

the matter to which his Petition relates.

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

Read Miscellaneous Petition presented on the 4th Instant by V. Rungiah of Zillah Nellore, praying for the release of the 1st Prisoner in Case No. 63 of 1854 on the Calendar of the Session Court of Nellore.

(Here enter T. M. P. No. 7 of 1855)

Mr. Morehead.

The Court of Fouzdaree Udalut observe that there is nothing urged in this Petition to lead them to question the correctness of the sentence passed by them upon the aforesaid prisoner, after a due consideration of the record of trial connected with the case. They therefore resolve to reject this Petition.

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

Read Miscellaneous Petition of Dasary Timmah, received on the 4th Instant from the Sessions Judge of Salem.

Mr. Morehead.

(Here enter T. M. P. No. 8 of 1855)

The Petitioner is first Prisoner in Cases Nos. 43 and 44 of 1854 of the Session Court of Salem, and appeals from the sentence passed

F. M.
20th January 1855.

by the Session Judge upon him of one year's imprisonment with hard labor in irons.

The Court of Fouzdaree Udalut see no reason to question the propriety of the sentence appealed against, and they accordingly resolve to reject this Petition.

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

Read Miscellaneous Petitions presented on the 8th Instant by Moottummal and Mungatoy of Zillah Chingleput praying for the release of the 1st and 4th Prisoners in Case No. 13 of 1854 of the Session Court of Chingleput.

(Here enter T. M. P. Nos. 14 and 15 of 1855)

Mr. Morehead.

The Court of Fouzdaree Udalut see no reason to question the justness of the sentence passed upon the Prisoners, the evidence addduced against them being most satisfactory. They accordingly resolve to reject these Petitions.

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

Read Miscellaneous Petition presented on this 8th Instant by Sadayan and others

others of Zillah Chingleput.

(Here enter T. M. P. No. 17 of 1855.)

Mr. Morehead.

The Court of Tonjdaree Udalut see no reason to question the propriety of the sentence passed by them upon the Prisoners in Case No. 53 of 1854 of the Session Court of Chingleput, and they accordingly resolve to dismiss the Petition.

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

Read Miscellaneous Petitions presented on the 8th Instant by B. Condadoo, B. Chinniah and P. Peeriah of Zillah Cuddapah, praying for the release of the 2d, 4th, 6th, 7th, 8th, 9th, 13th, 14th, 15th, 16th, 28th and 29th Prisoners in Case No. 56 of 1854 of the Session Court of Nellore.

(Here enter T. M. Ps. No. 10. 11 and 12 of 1855)

Mr. Morehead

Before finally disposing of the above Petitions, the Court of Tonjdaree Udalut resolve to forward them to the Session Judge of Nellore and to call upon that Officer with reference to the sentence passed by him in the aforesaid case, to set out the facts established against each of the above Prisoners, to enable the Court of Tonjdaree Udalut to judge of the propriety of the sentence he has

has recorded.

2. The Court of Tonjdaree Udalut further call the attention of the Session Judge to the vague manner in which his sentence in this case has been recorded, which renders it impossible for the Court to determine, whether or not it has been passed upon sufficient grounds.

Ordered that Extract from these Proceedings be sent to the Session Judge of Nellore by Precept returnable in 8 days from and after its receipt.

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

(Sent following Precept No. 3.

E. O'Hanlon

Campbell

F. U.

Monday,
22nd January 1855. At a Court of the Foujdaree Udalut.

Present

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

Read letter under date the 13th January 1855 from the Session Judge of Chittoor forwarding English translation of the record of Case No. 60 of 1854 on the Calendar of the Session Court for the final judgement of the Court of Foujdaree Udalut.

(Here enter F. U. No. 109 of 1855.)

W. G. Hooper
W. 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

"Yada Cunnagan"

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

The

The Court of Foujdaree Udalut have been unable to concur with the Session Judge in the Conviction of the Prisoner in this case, the only evidence against him being his Police confession. The Court have therefore directed his release.

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

(Sent in No)

Read letter under date the 11th January 1855 from the Session Judge of Chittoor.

(Here enter F.U. No 93 of 1855.)

1.

With the foregoing letter the Session Judge has submitted Copies of letters from the Subordinate Judge and Zillah Surgeon, having reference to the female prisoner Lutaby now under sentence of death, who on the sentence being Communicated to her, represents that she is six months advanced

advanced in pregnancy.

The Zillah Surgeon having been requested to examine the prisoner

2

-ing has reported that from the results of his Examination "it is impossible she can be "six months advanced in pregnancy and "that from the size and weight of the "Womb and the form of its mouth it is "his belief that she is not pregnant, "though it is difficult to speak with abso- "lute certainty in the very earliest period "of pregnancy."

3.

Under the opinion of the Zillah Surgeon, the Court of Foujdaree Udalut see no reason to deferring the execution of the prisoner which they direct may be carried out forthwith.

Ordered that Extract from these proceedings be sent to the Session Judge of Chittoor by precept returnable within iii days from and after its receipt.

(Sent following Precept &c)

Ed 18 Ld.

F. Ct.

Tuesday 23d January 1855. } At a Court of the Tanjadore Adalut.

Present.

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

Read letter dated the 15th Instant from the Session Judge of Coimbatore, referring for the final judgment of the Tanjadore Adalut the record of Case No. 19 of 1854 of the Calendar of the Sessions Court.

(Here enter F. Ct. No. 134 of 1855.)

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

The Court of Tanjadore 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 Maaroaga Gounden Monigar
2nd Valuppa Gounden
3rd Mootoo Gounden
4th Chinnia Gounden
5th Rajah Gounden
6th Varooppa Gounden
7th Chinnay Gounden
8th Palany Gounden
and
9th Ammasay Gounden

is

F. Ct.

Tuesday 23d January 1855. } At a Court of the Tanjadore Adalut.

Present.

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

Read letter dated the 15th Instant from the Session Judge of Coimbatore, referring for the final judgment of the Tanjadore Adalut the record of Case No. 19 of 1854 of the Calendar of the Sessions Court.

(Were Enter F. Ct. No. 134 of 1855.)

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

The Court of Tanjadore 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 Moorooga Gounden Monigar
2d Valuppa Gounden
3d Mootoo Gounden
4th Chinnia Gounden
6th Rajah Gounden
7th Varooppa Gounden
8th Chinnay Gounden
9th Palany Gounden
and
10th Annasay Gounden

is sufficient to convict them of the Crime charged do Convict them thereof and sentence the prisoners,

1st Moroogo Gounder Monigar

to suffer death by being hanged at the usual time and place of Execution and the prisoners

2nd Valuppa Gounder

3d Mattoo Gounder

4th Chinnia Gounder

5th Rajah Gounder

7th Carcappa Gounder

8th Chinnay Gounder

9th Palany Gounder

and

10th Annamalay Gounder

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.

The Court of Tinjadare Walut resolve to direct that the person Madarkhan who gave evidence as 7th witness in this Case be dismissed from his situation. It is clear that he gave false evidence before the Sessions Court.

Court.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Coimbatore for communication to the Magistrate by Precept returnable within x days from and after its receipt.

(Sent following Precept No.)

Read letter dated 6th Instant from the Acting Sessions Judge of Honore referring for the final Judgment of the Tinjadare Udalut the record of Case No. 24 of 1854 of the Calendar of the Sessions Court.

Here enter F. No. No. 100 of 1835.

Mr. G. S Hooper and Mr. J. L. Strange

The Court of Tinjadare Walut on a deliberate consideration of all the Circumstances of the Case in evidence before them, being of opinion that the Prisoners

1st Ayamany

2nd Ramany

3d Ganapalmany

4th Ally

and

5th Munja Vegade

are not Convicted on presumptive proof or on the evidence of Credible witnesses or on their own Confession of the Crime charged

do

do acquit them thereof, and direct that they
be set at liberty

1 The first four prisoners
in this case were indicted for the Culpable
Homicide of the deceased Timma, husband
of the Prosecutrix in having assaulted him
in the forenoon of the 21st September last,
and struck him with their hands and kicked
him, from the effects of which illusage the
said Timma died at about 10 Oclock on the
evening of the same day - The 5th Prisoner a
Potail was charged with having neglected
his duty in omitting to report the foregoing
act of the Prisoners and the subsequent death
of Timma, though well Cognizant of such
particulars.

2 The Futwah of the Law
Officer acquitted all the Prisoners - the Sessions
Judge being unable to concur in this verdict
has referred the case.

3 The Court of Foujdaree
Udalut are of opinion that the Mahomedan
Law Officer has given sound and Cogent
reasons for distrusting the evidence for the

Prosecution

prosecution - The assault upon the deceased
is said to have been committed in the forenoon
of the 21st September 1834 - The 1st and 2nd witnesses
profess to have witnessed it and depose that
it was committed by the Prisoners from
1 to 4. The 3rd and 4th witnesses depose that
they saw the 1st and 2nd Prisoners conveying
the deceased (after being disabled) and deposit
him in a field - Their information is said
to have been given to the Prosecutor and the
5th witness without delay, and also on the
same evening to the 6th witness The Tahsildar
held Examinations on the 25th and 26th but
nothing was elicited to criminate the Prisoners
on the 27th the information of the 3rd and 4th
witnesses was brought out and on the
28th that of the 1st and 2nd witnesses - The
Court cannot believe that during all
this interval, facts known to so many
parties, all of whom eventually proved
most ready to give their evidence, would
have been suppressed and they think
the reasons given by them severally
for such suppression very unsatisfactory.

The

The statements of the 1st 2nd 3rd and 4th witnesses in crimination of the Prisoners appear to the Court furthermore of an improbable nature and the impression left on the mind of the Court is that the evidence has been Concocted. The Court therefore acquit the Prisoners and direct their release.

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

(Sent in No)

Read again Calendar in Case No 95 of 1854 on the file of the Sessions Court of Nellore.—

(Here enter F. No. No 3095 of 1854)

Read also Return dated the 9th January 1855 from the Sessions Judge of Nellore to the precept of the Tanjore Adalut under date the 4th January 1855 calling for an explanation of the delay in respect to the Committal of the foregoing Case.—

1 (Here enter F. No. No 81 of 1855)

This Case reached the Criminal Court on the 31st October last but by reason

of

of the crowded state of his file the Principal Sudr Ameen was not able to enter upon an Examination of it until the 16th of the following month and it is stated that the committal was further delayed to the 8th December owing to the non appearance until the 5th of that month, of an additional witness who had been sent for from the Talook

2 The Court observe that it was altogether unnecessary to stay further progress in the Case pending the arrival of the said witness The proper Course was to summon him and his evidence which have been available to the Sessions Court if required

Ordered that Extract from these proceedings be sent to the Sessions Judge of Nellore for communication to the Principal Sudr Ameen.

(Sent in No)

Read letter (No 3 dated 5th January 1855) from the Joint Magistrate of Malabar in charge of the Jail at Palghaut.

Here enter F. No. No 67 of 1855.

1 Adverting to the Circular order

of

23rd January 1855.

1 R. Key

of this Court to Officers in charge of Jails under date 29th November last, and conveying the orders of Government under instructions from the Honorable Court of Directors, to the effect that an extra Cumbly should be invariably furnished to each working Prisoner. the Joint Magistrate of Malabar has stated that the Convicts under his charge are already provided each with two Cumblies, it being the practice of the Jail authorities at Palghaut in serving out the new Cumbly annually furnished, to permit the Convict to retain the Cumbly of the previous year for his use as a Covering at night. Under these circumstances the Joint Magistrate enquires whether it is necessary in the present instance to carry out the order referred to.

2. The Court concur with the Joint Magistrate in considering that under the arrangements detailed by him the extra Cumbly need not be supplied at Palghaut.

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

(Sent in No.)

23rd January 1855.

Read Calendars of Petty Cases disposed of by the Magistracy of Coimbatore during the 3d Quarter of 1854.

Here enter F. Cb. No. 3171 of 1834

Calendar No. 1 Case No. 53. 1 The Sessions Judge will point out to the Acting Joint Magistrate that under Column No. 7 is to be entered the sentence only and not the grounds thereof which are to be drafted in the manner indicated in Circular Order Fouzdaree Adalut No. 201 the draft being retained into the record.

Case No. 54 2 The same officers attention should be called to Circular Orders of the 4th July 1826 and 5th August 1829.

Case No. 57 3 The irregularity of the procedure in this case has been noticed by the Sessions Judge in Para 2 of his proceedings.

Case No. 58 4 The heading here must be altered from "Misdemeanour" to "Theft"

Case No. 68 5 By the Joint Magistrate of Ootacamund. A conviction on a charge of using "False weights" is punishable by the Magistracy under Section XIV Regulation XI of 1816, not under the enactment quoted.

This

of this Court to Officers in charge of Jails under date 29th November last, and conveying the orders of Government under instructions from the Honorable Court of Directors, to the effect that an extra Cumbly should be invariably furnished to each working Prisoner. The Joint Magistrate of Malabar has stated that the Convicts under his charge are already provided each with two Cumblies, it being the practice of the Jail authorities at Palghaut in serving out the new Cumbly annually furnished, to permit the Convict to retain the Cumbly of the previous year for his use as a covering at night. Under these circumstances the Joint Magistrate enquires whether it is necessary in the present instance to carry out the order referred to.

2. The Court concur with the Joint Magistrate in considering that under the arrangements detailed by him the extra Cumbly need not be supplied at Palghaut.

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

(Seal in Mr)

Read Calendars of Petty Cases disposed of by the Magistracy of Coimbatore during the 3d Quarter of 1854.

Here enter F. G. No. 3171 of 1854

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Case No. 68 5 By the Joint Magistrate of Ootacamund. A conviction on a charge of using "False weights" is punishable by the Magistracy under Section XIV Regulation XI of 1816, not under the enactment quoted.

This

Case No 74 6 This Case is referred to by the Sessions Judge as Case No 20 on the file of the Head Assistant Magistrate. The general number should invariably be referred to. Under the head of 'Sentence' it is not necessary (vide remarks in Para 1 Supra) to detail the facts in evidence. The Sessions Judge has observed that the Case of the 2d prisoner who was acquitted, should have been entered separately in Calendar No II. The remark is erroneous. It is only where the charge falls to the ground as against all the Defendants that a Case should be entered in Calendar No II where one Defendant is punished and another released, the Case is entered in the Calendars once only, viz. in Calendar No I - a note being appended explanatory of the result as against the 2d Defendant - and in no case whatever is the course adverted to by the Sessions Judge to be adopted.-

Case No 94 7 Here the Sessions Judge (Parag) has adverted to the impropriety of the Assistant Magistrate Lieutenant Michael in taking upon himself the functions of the Sessions Court.

Calendar No II

Case No 61 8 The observations recorded by the

the Joint Magistrate of Coimbatore in this Case under Column No 7 are not understood by this Court.

Case No 63 9 Here the Prisoner, Prosecutor's servant, was charged with having feloniously appropriated certain wines committed to his charge by his Master. the Joint Magistrate observes that the charge is not proved - but has sentenced the Prisoner to make good the value of the liquor. The Court resolve to reverse this award and the Sessions Judge will point out to the Joint Magistrate the necessity of addressing himself solely to the question before him - which was in this Case, a charge of Larceny.

Case No 64 10 This was a charge of Larceny of goods found to wit a certain gold ring. The Joint Magistrate in restoring the ring to the Prosecutor has released the Prisoners on the ground that there is no evidence that they stole the article. The Prisoners, the Court observe, were not charged with stealing the ring, but with having feloniously appropriated the same when found and it is quite clear from the falsity of the defence

set up,

setup, that the finders did not bonâ fide
suppose the goods to have been lost or abandoned
by the owner. The Court are of opinion
that the Joint Magistrate was not justified
in releasing the Prisoners in the unconditional
way he has done.

Case No. 95 11

The Sessions Judge has observed
that the offence Charged, appears to have been
not "Theft" but "Gang Robbery" he should
therefore have decided the heading to be amended
accordingly.

12

Many of the remaining Cases
in this Calendar No II appears to have been
disposed of by the Magistracy on view of the
record of the Case as investigated by the Heads
of Police - such Cases should not be entered in
the Petty Calendars of the Magistrate but in
those of his Police.

13

The Vagrancy Calendars (Nos. III &
IV) are not in the right form - vide Circular Order
Foujdaree Udalut 25th February 1824 and Mr Bayne's
Work. Pag 77 Reports and Statements.

Ordered

23d January 1835.

Ordered that Extract from these
proceedings be sent to the Sessions Judge of
Coimbatore for his information and guidance
and for communication to the Magistrate
(Sent in No.) 4

E. C. W. N.

F. M.

Wednesday
24th January 1855 } At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Case No. 1 of 1855 of the Session Court of Bellary.—
(Here Enter F. M. No. 85 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this Case that the period of Imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of Gang robbery be reduced to (2) two years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.—

Koracha Nayadoo

Ordered that Extract from these proceedings be sent to the Session Judge of Bellary for his information.
(Sent in Sc.)

Read Report of Cases pending before

before the Sessions Court of Cuddalore
on the 1st January 1855 for periods in
excess of 25 days. —

(Here enter F. H. No. 98 of 1855)

The Court of Foujdaree Adalut
trust that the Sessions Judge will spare
no exertions to dispose of the cases entered
in the foregoing return without delay. —

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

(Sent in No.)

The Record of trial in
referred case No. 22 of 1854 on the Calendar
of the Sessions Court of Coimbatore not
having been yet received. —

Ordered that the Sessions
Judge of Coimbatore be required to submit
the record aforesaid without delay. —

(Sent in No.)

Read Calendar of Case No. 106
of 1854 on the file of the Sessions Court
of Masulipatam. —

(Here enter F. H. No. 87 of 1855)

Charge

Charge. "Gang Robbery by open
violence". The remarks of the Sessions Judge
in this case do not satisfy the Court. They
resolve to call on the Sessions Judge to state
what led to the apprehension of the Prisoners,
which, it is observed, did not take place
until some six (6) weeks after the robbery.
The Sessions Judge has further omitted
to set out the specific facts established
by the evidence against each prisoner
and on which their conviction severally
has been founded. Neither has there been
given the description and value of the
several articles found with the prisoners.
As the Calendar at present stands it
is impossible to form an estimate of the
correctness or otherwise of the conclusions
arrived at by the Sessions Judge and
the Assessors. —

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Masulipatam by precept
returnable within VII days from and
after its receipt. —

(Sent following precept No.)

Read

23rd 24th January 1855.

Read Calendar of Case No. 148 of 1854 on the file of the Session Court of Tinnevelly.—

(Here enter F.H. No. 112 of 1855.)

Charge. "Gang Robbery by open violence and possession of the plundered property with knowledge." The Session Judge convicting the 1st prisoner, who is represented as a notorious Sirkar, has sentenced him to the full term of Imprisonment provided for the offence, and to suffer Corporal punishment. Adverting to this man's Character, the Court further direct his transfer to the Jail at Chingleput under Clause fifth Section VIII Regulation XV of 1803.—

2.

In the case of the 4th and 5th Prisoners the Court resolve to give effect to the recommendation made by the Session Judge for a mitigation to 7 (seven) years imprisonment with hard labor in irons. They see no ground, however, for a similar course as regards the 3d prisoner, the application in whose favor they accordingly set aside.—

Ordered.

24th January 1855.

Ordered that Extract from these proceedings be sent to the Acting Session Judge of Tinnevelly for his information.

(Sent in No. /

Read Criminal Reports submitted by the Acting Sessions Judge of Chingleput for December 1854.—

(Here enter F.H. No. 113 of 1854)

The Session Judge will

Case No. 120. point out to the Magistrate that the prisoners should have been indicted for a Conspiracy. The Court desire to have before them Report A of the Principal Asst Answer in this case.—

The Charge against the

D. No. 153. 2.

2d Prisoner the village Monsiff, is a specific offence. The Police officer should have Committed him separately from the 1st Prisoner the alleged actual thief.

It is not stated whose

By the Magistrate 3.

Case No. 31. property the rice stolen was.—

"Cattle stealing and killing"

D. No. 32. 4

larceny being alleged, the latter charge is immaterial.—

In

24th January 1855.

Case No. 33.

In this case the 4th Prisoner on his Conviction of "Concealment of the theft" Charged, has been sentenced to one months imprisonment. Mere non-discovery not being penal the prisoner must be released.

The Prisoner was Charged with having received the stolen property knowing it to be such.—

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

(Sent in No.)

Read Criminal Reports submitted by the Acting Agent to the Governor of Fort St. George at Ganjam for the month of November 1854.

(Here enter F. H. No. 24 of 1855)

Case No. 63.

The prisoner in this case was Charged with "bribery" in having in the months of July and August 1854 taken money at the rate of two annas a Child for vaccination.—

2.

The act Charged is not an offence punishable by the Criminal law.

It

24th January 1855.

It is merely a breach of duty punishable by the Revenue authorities.—

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

(Sent in No.)

End

J. H. S.

F. Uc.

Thursday — 25th. January 1855

At a Court of the Foujdaree Udalut

Present

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

No return having been received from the Session Judge of Mangalore to the precept of the Foujdaree Udalut dated the 2d. Instant, calling for explanation in regard to Case No. 87 on the Criminal Reports for November 1854.-

Ordered that the Session Judge of Mangalore, be required to make a return to the above precept without delay.

(Sentin No.

No return having been received from the Session Judge of Masulipatam to the precept of the Foujdaree Udalut dated the 8th. Instant, conveying their orders

25th January 1855

Petition of Singum Chetty Balakrishnamah received on the 5th December 1854, from the Session Judge of Rajahmundry.

/Here Enter F. Pet. No. 264 of 1854/

Read also return under date the 10th January 1855, from the Session Judge of Rajahmundry to the Precept of the Fouj-daree Udalut dated the 9th December 1854 directing him to submit a translate of the Record in Case No. 17 of 1854 on the file of the Session Court.

/Here Enter F. Pet. No. 119 of 1855/

Mr. W. Mellorshead.

The Court of Foujdaree Udalut having perused the Record of trial in the above Case see no reason to interfere with the sentence passed upon the 2d Prisoner, and they accordingly resolve to reject the foregoing Petition.—

Ordered, that Extract from these Proceedings, be sent to the Session Judge of Rajahmundry for communication to the Petitioner.—

/Sent in No. /

Read letter dated 1st Decem-

ber

F. Pet.

25th January 1855

-ber 1854, from the Session Judge of Cuttack transmitting the Warrant issued for the execution of the sentence of death passed on the Prisoners in Case No. 45 of 1854 on the Calendar with the Subordinate Judge's endorsement thereon and copy of his report.—

/Here Enter F. Pet. No. 3000 of 1854/

Read return dated 28th November 1854 from the Session Judge of Chicacole to the precept of the Foujdaree Udalut under date the 14th November 1854 directing him to release immediately the Prisoners in Nos. 5-7-8 and 9 of 1854 on the file of the Assistant Magis-trate of Vizagapatam

/Here Enter F. Pet. No. 3001 of 1854/

Read report dated 1st Decem-ber 1854 from the Session Judge of Manga-lore of cases pending for more than 25 days before the Session Court of Mangalore for the month of November 1854.—

/Here Enter F. Pet. No. 3004 of 1854/

Read return dated 5th Decem-ber 1854 from the Session Judge of Trichino-poly to the precept of the Foujdaree Udalut

under

under date the 1st December 1854, directing the release of the Prisoner in Case No. 1 of 1854 on the file of the Assistant Magistrate

/Here enter F. No. No. 3006 of 1854/

Read letter dated 4th December 1854 from the Session Judge of Madura informing that the Prisoners in Calendar of Case No. 44 of 1854 were released and that return was made to the precept of the Foujdaree Udalut dated 9th November 1854.-

/Here enter F. No. No. 3010 of 1854/

Read return dated 6th December 1854 from the Session Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 24th November 1854 directing the release of the 11th Prisoner in Session Case No. 47 of 1854, and sentencing the 1st 2d 3d and 4th Prisoners to 10 years and the 8th to 8 years imprisonment with hard labor in irons.-

/Here enter F. No. No. 3011 of 1854/

Read return dated 2d December 1854 from the Session Judge of Coimbatore to the precept of the Foujdaree Udalut under date the 15th of November

Invalida

November 1854 directing him to review the Proceedings in Cases Nos. 106. 111. 113. 114. 123 and 139 and desiring to be informed what facts were established against the 1st Prisoner in Case No. 109 of 1854 on the file of the Principal Sudr Ameens Court

/Here enter F. No. No. 3012 of 1855/

Read return dated 30th November 1854 from the Session Judge of Chingleput to the precept of the Foujdaree Udalut under date the 23d November 1854 directing to state the place where the crime in No. 46 of 1854 on the reports for September last, was committed.-

/Here enter F. No. No. 3013 of 1854/

Read report dated 1st December 1854 by the Session Judge of Bellary of Cases pending on the 1st November 1854 before the Session Court for a longer period than 25 days.-

/Here enter F. No. No. 3015 of 1854/

Read Petty Calendar dated 6th December 1854 from the Session Judge of Coimbatore in Case No. 3 of 1854 on the file

file of the Session Court.

/ Here enter F. No. No. 3026 of 1854 /

Read report dated 1st December 1854 from the Session Judge of Cuddapah of Cases pending on the 31st October and committed for trial during the month of November 1854 which remained on the file of the Session Court for more than 25 days.-

/ Here enter F. No. 3030 of 1854 /

Read return dated 7th December 1854 from the Session Judge of Trichinopoly to the precept of Tondaree Udalut under date the 25th November 1854 directing the remission of fine imposed on Petitioner Malayappen.

/ Here enter F. No. No. 3037 of 1854 /

Read return dated 5th December 1854 from the Session Judge of Bellary to the precept of the Tondaree Udalut under date the 30th November 1854, calling for further explanation in Case &c. 167 of 1854 on the file of the Session Court.

/ Here enter F. No. No. 3038 of 1855 /

Read

Read return dated 9th December 1854 from the Moofty Sudr Ameen in charge of the Session Court of Chingleput to the precept of the Tondaree Udalut under date the 8th December 1854 directing the release of the of the Prisoners in Calendar No. 34 of 1854 on the file of the Session Court.-

/ Here enter F. No. No. 3039 of 1854 /

Read Supplemental return dated 5th December 1854 from the Session Judge of Chicacole to the Precept of the Tondaree Udalut under date the 14th November 1854 directing him to release immediately the Prisoners in Nos. 5. 7. 8. and 9 of 1854 on the file of the Assistant Magistrate of Vizagapatam.-

(Here enter F. No. No. 3053 of 1854)

Read return dated 9th December 1854 from the Session Judge of Trichinopoly to the Precept of the Tondaree Udalut under date the 1st December 1854 directing him to review the Proceedings in Criminal Cases Nos. 75 and 76 of 1854

on

on the file of the Principal Sudr Ameen.

/Vide enter F. Dy. No. 3054 of 1854/

Read further return dated 7th December 1854 from the Session Judge of Bellary to the Precept of the Fouzdaree Udalut under date the 4th August 1854 about the conduct of the Police Surchasm in case No. 99 of 1854 on the Sessions Calendar.—

/Vide enter F. Dy. No. 3056 of 1854/

Read return dated 12th December 1854 from the Session Judge of Chittoor to the Precept of the Fouzdaree Udalut under date the 14th November 1854 authorizing the Session Judge to forward the original records in Cases Nos. 48 and 54 and the rough copies of the Session Courts Proceedings in Cases Nos. 38 and 39 together with translations of such part of the Police Proceedings as may appear most essentia-

/Vide enter F. Dy. No. 3063 of 1854/

Read Supplemental return dated 4th December 1854 from the Session Judge of Cuddalore to the Precept of the Fouzdaree

Udalut under date the 24th July 1854, directing the restoration to the 14th Prisoner in Case No. 42 of 1853, of the property found in his house on the occasion of his apprehension.

/Vide enter F. Dy. No. 3065 of 1854/

Read return dated 4th December 1854 from the Session Judge of Cuddalore to the Precept of the Fouzdaree Udalut under date the 5th December 1854 directing the release of the Prisoner in Session Cases Nos. 12 and 13 of 1854

/Vide enter F. Dy. No. 3066 of 1854/

Read return dated 12th December 1854 from the Session Judge of Cuddapah to the Precept of the Fouzdaree Udalut under date the 1st December 1854 requiring information in regard to the disposal of certain cases connected with the Criminal Reports for the Month of October last.—

/Vide enter F. Dy. No. 3072 of 1854/

Read return dated 16th December 1854 from the Session Judge of Cuddapah

Enddapah to the precept of the Sonjdarew Adalut under date the 14th December 1854 directing the unconditional release of the Prisoner in Case No. 82 of 1854 on the file of this Court.—

/Here enter F. Gr. No. 3133 of 1854/

Read letter under date the 20th December 1854 from the Acting Session Judge of Chingleput, (reporting) the arrival of a Convict under sentence of transportation

/Here enter F. Gr. No. 3130 of 1854/

Read letter under date the 13th December 1854 from the Acting Agent to the Governor of Fort Saint George in Ganjam, informing the reapprehension of the Prisoner Doorsa Dundasay in Case No. 32 of 1854 who effected his escape

/Here enter F. Gr. No. 3132 of 1854/

Read Criminal Report 13 under date the 5th December 1854 from the Session Judge of Masulipatam for November 1854.—

/Here enter F. Gr. No. 3143 of 1854/

Read

F. Gr.

25th January 1855

Read return dated 21st December 1854 from the Session Judge of Chittoor to the Precept of the Sonjdarew Adalut under date the 29th November 1854 remarking upon the the Calendars of Petty offences for the 2d quarter of 1854.—

/Here enter F. Gr. No. 3163 of 1854/

Read return dated 21st December 1854, from the Session Judge of Chittoor to the precept of the Sonjdarew Adalut under date the 19th December 1854, requiring him to make a return to the Precept of the Court dated 29th Ultimo, conveying their orders on the Calendars of Petty offences disposed of by the Magistracy during the 2d Quarter 1854, without delay, and to explain why he had not earlier conformed to its Standing

/Here enter F. Gr. No. 3164 of 1854/

Read letter under date the 26th December 1854, from the Session Judge of Nellore, reporting despatch of translations of referred Case No. 73 of 1854.—

/Here enter F. Gr. No. 3200 of 1854/

Entered

Compton

F. No.

Saturday 27th January 1855

At a Court of the Foujdaree Adalut

Present

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

Read Petition presented on the 8th Instant by Coondareddy of Cuddapah praying for the release of the 1st and 2d Petitioners in case No. 27 of 1852 of the Sessions Court of Cuddapah.

(Here enter F. Cr. P. No. 13 of 1855.)

Mr. W. A. Morehead. The Court of Foujdaree Adalut having in their Proceedings under date the 25th April 1853 disposed of the case on a full consideration of the record connected with it, see no reason to interfere further in the matter, and accordingly resolve to reject the Petition.

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

Read Petition presented on the 18th Instant by Viswadoo Venkiah of

25

of Zillah Bellore.

(Here enter F.In. P.Nr 21 of 1855)

Mr. D. A Morehead

The Court of Foujdaree Adalut resolve to reject this Petition, the case therein referred to having been disposed of after a due consideration of the record connected with it.

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

Read again Miscellaneous Petition presented on the 30th October 1854 by Vakeel S. Teroomala Chary on behalf of Alamalo of Zillah Salem.

(Here enter F.In. P.Nr 229 of 1854)

Read again also Miscellaneous Petition presented on the 30th October 1854 by Vakeel S. Teroomala Chary on behalf of Alamalammaw of Zillah Salem.

(Here enter F.In.P. Nr 230 of 1854)

Read also Miscellaneous Petition forwarded by the Sessions Judge of Salem on behalf of Ramasawmy Zillah Salem.

(Here enter F.M. Nr 27 of 1854)

Read also return under date the

the 29th December 1854 from the Sessions Judge of Salem to the precept of the Foujdaree Adalut under date the 11th December 1854 calling for certain translations and portions of Police record in Original in Calendar Nr 21 of 1854.

(Here enter F.M. Nr 18 of 1855.)

Mr. D. A Morehead

1 The Petitioners Vakeel in Petitions Nr 229 and 230 was likewise heard orally.

2 The Court of Foujdaree Adalut having attentively considered the record of the foregoing case together with the Petitions above recorded and the arguments addressed to them orally by the Vakeel of the Petitioner Nr 229 and 230. See no reason to question the correctness of the Sentence passed against the Petitioners. The evidence against the petitioners corroborated as it is by many circumstances fully established in the case, leaves no reasonable ground for doubting that they were all more or less concerned in the offence charged against them.

3. The Petitioners applications are accordingly rejected.

Ordered

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

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

/Sent in Rr

/

Read Miscellaneous Petition presented on the 19th January 1855 by Ajum Khan of Zillah Cuddalore.

(Were enter F.W.P. No. 32 of 1855)

Br. D. A. Morehead /

This is an application for the reversal of the sentence of 5 years' imprisonment recorded against the Petitioner in Criminal Case No. 50 of 1853 on the file of the Session Court of Cuddalore.

2. The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction, or the propriety of the Sentence recorded against him. This Petition is accordingly dismissed.

Ordered that Extract powers these Proceedings be sent to the Sessions Judge of Cuddalore for communication to the Petitioner.

Petitioner.

/Sent in No

/

Read Petition presented 8th January 1855 by J. Vachoo Menon, Vakeel on behalf of Koodally Tayatta Vittil & Country Kaluppen and another of Zillah Tellicherry.

(Were enter F.W. Dis. P. Rr. 16 of 1855)

Br. D. A. Morehead / This is an appeal against the Proceedings of the Session Judge of Tellicherry under date the 11th September last affirmatory of an order of the Magistrate of Malabar passed on the 21st August preceeding, in reversal of a decision of his Head Assistant

2. Before finally disposing of this Case, the Court of Foujdaree Adalut resolve to call upon the Session Judge to furnish further information. The Petitioners were the complainants in the first instance and brought a charge against certain parties of forcible entry upon their garden lands, and dispossession. The Head Assistant Magistrate found the charge proved, but his decision was reversed by the Magistrate apparently on the ground that the Defendants were entitled to the garden in virtue of a certain Document filed by them and purporting

purporting to be a will of the late Proprietor deceased, conveying the estate in dispute to them - and this award the Sessions Judge has declined to disturb.

3 The only question the Magistracy were competent to deal with is that of the alleged forcible enter. The Court therefore require to be informed whether or not the original complainants (Petitioners) were in actual occupation, as they affirm, of the garden in question at the time the forcible entry found by the Head Assistant Magistrate was affected by the Defendants.

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

Sent the following precept &c.

Read Miscellaneous Petition presented on the 19th January 1855 by Gopalen and others Villah Cuddalore.

(Here enter M. P. No. 23 of 1855)

Mr. D. Ahmedhead

1. This is an application for the reversal of the Sentence of 14 years imprisonment recorded against the Petitioners in Criminal Case No. 5 of 1849 on the file of the Sessions Court of Cuddalore.

The

2. The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the Sentence recorded against them. This Petition is accordingly dismissed.

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

Sent in No.

Read Miscellaneous Petition presented on the 19th January 1855 by Soccun and others of Villah Cuddalore.

(Here enter F. M. P. No. 29 of 1855)

Mr. D. A. Morehead

1. This is an application for the reversal of the Sentence of 14 years' imprisonment recorded against the Petitioners in Criminal Cases Nos. 33 to 36 of 1853.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners' conviction or the propriety of the Sentence recorded against them. This Petition is accordingly dismissed.

Ordered that Extract from these Proceedings be sent to the Sessions

Judge

Judge of Cuddalore for communication to the Petitioners.

/Sent in No

/

Read Miscellaneous Petition presented on the 19th January 1855 by Appavoo alias Carookapullen, zillah Cuddalore.

/Here enter M. P. No 25 of 1855/

Mr. D. A. Morehead. /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioner in Criminal Case No 25 of 1850 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the sentence recorded against him. This Petition is accordingly dismissed.

Ordered that Extract from these Proceedings be sent to the Judge of Cuddalore for communication to Petitioner.

/Sent in No

/

Read Miscellaneous Petition presented on the 19th January 1855 by Sobbaredy and others of Zillah Cuddalore.

(Here enter M. P. No 22 of 1855)

This

Mr. D. A. Morehead. /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioners in Criminal Case No 9 of 1846 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the sentence recorded against them. This Petition is accordingly dismissed.

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

/Sent in No /

Read Miscellaneous Petition of Pounnen received on the 19th January 1855 from the Sessions Judge of Cuddalore.

(Here enter J. M. P. No 28 of 1855)

Mr. D. A. Morehead. / This is an application for the reversal of the sentence recorded against the Petitioner in Case No 27 of 1853 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut observe that the Petitioner was apprehended during the commission of the robbery

which

Judge of Cuddalore for communication to the Petitioners.

/Sent in No

/

Read Miscellaneous Petition presented on the 19th January 1855 by Appavoo alias Karookapullen, Zillah Cuddalore.

/Were enter'd No. P. No 25 of 1855/

Mr. W. A Morehead /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioner in Criminal Case No 25 of 1850 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the sentence recorded against him. This Petition is accordingly dismissed.

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

/Sent in No

/

Read Miscellaneous Petition presented on the 19th January 1855 by Sobbarayy and others of Zillah Cuddalore.

(Were enter'd No. P. No 22 of 1855)

This

27th January 1855.

Mr. W. A Morehead /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioners in Criminal Case No 9 of 1846 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the sentence recorded against them. This Petition is accordingly dismissed.

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

/Sent in No

/

Read Miscellaneous Petition of Pennen received on the 19th January 1855 from the Sessions Judge of Cuddalore.

(Were enter'd J. M. P. No 28 of 1855)

Mr. W. A Morehead /

This is an application for the reversal of the sentence recorded against the Petitioner in Case No 27 of 1853 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut observe that the Petitioner was apprehended during the commission of the robbery

which

which formed the charge in the foregoing case, and they accordingly dismiss this Petition.

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

Sent in No. /

Read Miscellaneous Petition presented on the 19th January 1855 by Parea Varoottien Zillah Cuddalore.

(Here enter M. P. No. 24 of 1855)

Mr. D. A. Morehead. /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioner in Criminal Case No. 14 of 1849 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction or the propriety of the sentence recorded against him. This Petition is accordingly dismissed.

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

Sent in No. /

Read Miscellaneous Petition presented

presented on the 19th January 1855 by Eteerazoolo of Zillah Cuddalore.

(Here enter F. M. P. No. 33 of 1855)

Mr. D. A. Morehead. /

This is an application for the reversal of the sentence of 14 years imprisonment recorded against the Petitioner in Sessions Case No. 4 of 1854 on the file of the Sessions Court of Cuddalore.

The Court of Foujdaree Adalut

2 fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction or the propriety of the sentence recorded against him. This Petition is accordingly dismissed.

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

Sent in No. /

Read Miscellaneous Petition presented on the 19th January 1855 by Gooroolingum of Zillah Cuddalore.

(Here enter F. M. P. No. 30 of 1855)

Mr. D. A. Morehead. /

This is an application for the reversal of the sentence of 7 years imprisonment recorded against the Petitioner in Criminal Case No. 40 of 1853 on the file of the Sessions Court of Cuddalore.

2 The Court of Foujdaree Adalut fail

fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the sentence recorded against him. This Petition is accordingly dismissed.

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore for communication to the Petitioner.

/Sent in/

/

Read Miscellaneous Petition of Soolacoodyan and another received on the 19th January 1855 from the Session Judge of Cuddalore.

(Were enter F.M.P. No 27 of 1855)

Mr J.A. Morehead 1

This is an application for the reversal of the Sentence recorded against the Petitioners in Cases Nos 18 and 19 of 1853 on the file of the Session Court of Cuddalore.

2 The Court of Foujdaree Adawlut observe that the Petitioners confessed their guilt before the Session Court, and they accordingly resolve to dismiss this Petition.

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

/Sent in/

/

Read Miscellaneous Petition presented

presented on the 19th January 1855 by Videreddy and others of Zillah Cuddalore.

(Were enter F.M.P. No 34 of 1855)

Mr J.A. Morehead 1

This is an application for the reversal of the Sentence of 14 years co imprisonment recorded against the Petitioners in Criminal Case No 6 of 1854 on the file of the Session Court of Cuddalore.

2 The Court of Foujdaree Adawlut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioners conviction or the propriety of the Sentence recorded co against them. This Petition is accordingly dismissed.

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

/Sent in/

/

Read Miscellaneous Petition presented on the 19th January 1855 by Soochacotty and another of Zillah Cuddalore.

(Were enter M.P. No 26 of 1855)

Mr J.A. Morehead 1

This is an application for the reversal of the Sentence of 14 years imprisonment recorded against the Petitioners in Criminal Case No 4 of 1851 on the file of the Session Court of Cuddalore.

The

27 27th January 1855

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction or the propriety of the Sentence recorded against them. This Petition is accordingly dismissed.

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

/Sent in/

Read Miscellaneous Petition presented on the 19th January 1855 by Ironthiru of Zillah Cuddalore.

(Here enter F. In. P. No 31 of 1855)

Mr. H. A. Morehead /

This is an application for the reversal of the Sentence of 14 years imprisonment recorded against the Petitioner in Session Case No 41 of 1853 on the file of the Session Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction or the propriety of the Sentence recorded against him. This Petition is accordingly dismissed.

Ordered

27th January 1855.

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddalore for communication to the Petitioner

/Sent in/

Read Miscellaneous Petition presented on the 19th January 1855 by Ramasawmy Odian of Zillah Cuddalore.

(Here enter F. In. P. No 35 of 1855)

Mr. H. A. Morehead /

This is an application for the reversal of the Sentence of 7 years' imprisonment recorded against the Petitioner in Criminal Case No 38 of 1854 on the file of the Session Court of Cuddalore.

2 The Court of Foujdaree Adalut fail to discover in the foregoing Petition any grounds which would lead them to doubt the Justness of the Petitioner's conviction or the propriety of the Sentence recorded against him. This Petition is accordingly dismissed.

Ordered that Extract from these Proceedings be Sent to the Session Judge of Cuddalore for communication to the Petitioner

/Sent in/

Read again Miscellaneous Petition presented on the 7th December 1854 by

by Sheromala Chary Vakeel on behalf of Tungammal and another of Zillah Salem.

(Here enter F. Pr. D. No. 268 of 1854)

Read also return under date the 9th January 1855 from the Session Judge of Salem to the precept of the Foujdaree Adalut dated the 16th December 1854 directing that Officer to submit a translation of the Petition for presenting which the above Petitioners were fined in the sum of Rupees 50 each.

(Here enter F. Pr. No. 104 of 1855)

Mr. W. A. Morehead.

The Court of Foujdaree Adalut do not consider that the allegations setforth in the Petition for presenting which the Petitioners have been fined constitutes such a contempt of Court as is contemplated by Section XXII Regulation III of 1802, the enactment under which the Petitioners have been fined. The Court of Foujdaree Adalut accordingly direct that the amount of the fine if paid be refunded to the Petitioners.

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

Judge of Salem by Precept returnable within two days from and after its receipt.

Ordered also that Extract from these Proceedings be granted to the Petitioners Vakeel on his application (sent following precept &c.)

&c. &c. &c.

by Seroomala Chary Vakeel on behalf of Tungaunnal and another of Zillah Salem.

(Here enter F. Pr. No. 268 of 1854)

Read also return under date the 9th January 1855 from the Session Judge of Salem to the precept of the Foujdaree Adalut dated the 16th December 1854 directing that Officer to submit a translation of the Petition for presenting which the above Petitioners were fined in the sum of Rupees 50 each.

(Here enter F. Pr. No. 104 of 1855)

Mr. H. A. Morehead.

The Court of Foujdaree Adalut do not consider that the allegations setforth in the Petition for presenting which the Petitioners have been fined constitutes such a contempt of Court as is contemplated by Section XXII Regulation III of 1802, the enactment under which the Petitioners have been fined. The Court of Foujdaree Adalut accordingly direct that the amount of the fine if paid be refunded to the Petitioners.

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

Judge of Salem by Precept returnable within two days from and after its receipt.

Ordered also that Extract from these Proceedings be granted to the Petitioners Vakeel on his application (Sent following precept &c)

&c &c.

Monday

F. C.

29th January 1855. At a Court of the Foujdaree Adalut

Present

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

Read Criminal Reports submitted through the Session Judge of Nellore for December 1854.

(Here enter F. C. No 146/1855)

1 By the Magistracy - The sentences in these two cases are deemed very light -

2. By the Principal Sudr Ameen - Case 255 Prisoner, a female, is charged with having struck another female the wife of the Prosecutor "whereby the said Prosecutor's wife drowned herself in a well" - The nature of the assault should have been specified.

3 Case 258 - "Attempt at Suicide" - This Prisoner, a woman of the Comati Caste was accused (unjustly as it would appear from the result of her trial in Case 257 preceding) of theft, in consequence of which she made the attempt

on

29th January 1855

on her own life of which she has been convicted - The Court resolve to cancel the remaining term of the Imprisonment adjudged against her; it is observed that she has been in custody since the 17th November.

4 Case 270 - "House Breaking & Theft" on conviction of this charge and of the charges contained in the preceding two cases (Cattle stealing) the Prisoners have been sentenced to Six (6) months Imprisonment - The sentence is altogether insufficient.

5 Case 271 - The charge against the 2d 3d 4th 5th & 6th Prisoners is not that of "accessories after the fact" - It contains a misdemeanour only and should have been distinctly indicted in a separate case.

6. Case 275 - "Assault with wounding" - a fracture does not fall under the latter head.

7 Case 276 - "Housebreaking with theft" A sentence of four (4) months Imprisonment is quite inadequate to this offence.

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

Sent in Sr

29th January 1855.

Read Criminal Reports submitted through the Sessions Judge of Salem for the month of December 1854.

(Here enter F. R. No 40/1855)

1 Case 192 - "Gang Robbery by open violence" The Prisoners in this case were released by the Criminal Court and the Sessions Judge states that it has been reported to him (it is presumed by the Acting Subordinate Judge) that the case should have been disposed of by the Police. It appears therefore that the Robbery charge was really of the nature of a Trespass. The attention of the Acting Sessions Judge is called to Fouzdaree Adalut Circular Rule 5th August 1829.

2. Case 193 - "Theft" - If the damage alleged against the Prisoners was accompanied with any breach of the peace they should have been indicted on a second count.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Salem for communication to the Subordinate Courts.

Sent in Sr

Read

29th January 1855.

Read Return from the Sessions Judge of Cuddalore dated 29th December 1854 to the precept of the Fouzdaree Adalut under date the 11th December 1854 reviewing the Criminal Reports for the month of October 1854.

(Here enter F. R. No 8 of 1855)

Read Return from the Sessions Judge of Salem dated 1st January 1855 to the precept of the Fouzdaree Adalut under date the 29th December 1854 directing the release of the 1st Prisoner in Case No 56 of 1854.

(Here enter F. R. No 25 of 1855)

Read Letter dated 3d January 1855 from the Sessions Judge of Bellary explaining with reference to the Proceedings of the Fouzdaree Adalut dated 23d Ultimo that Case No 157 and not 188 of 1854 had been referred for the final opinion of the Judges.

(Here enter F. R. No 44 of 1855)

Read Letter dated 5th January 1855 from the Acting Sessions Judge of Chingleput stating that the Calendar called for in the Proceedings of the Fouzdaree Adalut dated 4th Instant was dispatched on the 30th Ultimo.

(Here enter F. R. No 45 of 1855)

Read

29th January 1855.

Read Letter dated 4th January 1855 from the Sessions Judge of Trichinopoly reporting for the information of the Judges the re-apprehension of an escaped Convict who voluntarily surrendered himself.

(Here enter F. R. No 49 of 1855)

Read Return dated 4th January 1855 from the Acting Subordinate Judge in charge Combaconum to the precept of the Fouzdaree Adalut under date the 29th December 1854 directing the release of Chedumbra Perian 1st Prisoner in Sessions Case No 15 of 1854.

(Here enter F. R. No 51 of 1855)

Read Report, dated 4th January 1855 from the Sessions Judge of Cuddapah, of cases pending on the 30th November and committed for trial during the months of December 1854, which remained on the file of the Sessions Court of Cuddapah for more than 25 days.

(Here enter F. R. No 56 of 1855)

Read Calendar Case No 68 of 1854 from the Sessions Judge of Madura.

(Here enter F. R. No 57 of 1855)

29th January 1855.

Read Statement dated 31st December 1854, from the Acting Sessions Judge of Chingleput shewing the Amount realized by the Labor of prisoners in the Jails of Chingleput for the 4th Quarter 1854.

(Here enter F. R. No 60 of 1855)

Read Letter dated 6th January 1855 from the Sessions Judge of Cuddapah informing that the Petty Calendars disposed of by the Magistracy during the 3rd Quarter of 1854 were forwarded on the 21st December 1854.

(Here enter F. R. No 76 of 1855)

Read Letter dated 9th January 1855 from the Sessions Judge of Nellore reporting the death of an insane Prisoner awaiting the orders of Government.

(Here enter F. R. No 80 of 1855)

Read Letter dated 9th January 1855 from the Sessions Judge of Nellore reporting the execution of the Warrant in Case No 72 of 1854.

(Here enter F. R. No 82 of 1855)

Read

29th January 1855

Read Letter dated 6th January 1855 from the Sessions Judge of Bellary transmitting the Original death warrant issued by his Court in Case No 187 on the Sessions Calendar for 1854 together with a copy of the Acting Subordinate Criminal Judge's letter which accompanied it.

(Here enter F. R. No 84 of 1855)

Read Calendar dated 30th December 1854, from the Acting Agent to the Governor in Ganjam, of persons committed for trial before the Governor's Agent Court of Ganjam by the Assistant Agent.

(Here enter F. R. No 71 of 1855)

Read Letter dated 4th January 1855 from the Sessions Judge of Chicacole transmitting the Report marked B of cases disposed of by the Acting Magistrate of Ganjam during the Month of November 1854.

(Here enter F. R. No 95 of 1855)

Read Letter dated 4th January 1855 from the Sessions Judge of Chicacole informing that no Articles were manufactured in this Jail during the 4th Quarter 1854

29th January 1855

1854, consequently the Statement required by the Circular Order No 88 has not been forwarded.

(Here enter F. R. No 96 of 1855.)

Read Return dated 9th January 1855 from the Session Judge of Cuddapah, to the precept of the Foujdaree Adalut under date the 5th January 1855 directing to cancel the requisition of security under which the Prisoner in Case No 88 of the Calendar for 1854 has been placed and release him unconditionally.

(Here enter F. R. No 99 of 1855)

Read Letter dated 12th January 1855 from the Session Judge of Salem submitting the death warrant (returned) and the usual letter received from the Acting Subordinate Judge in Calendar No 42 of 1854.

(Here enter F. R. No 110 of 1855.)

Read Letter dated 11th January 1855 from the Sessions Judge of Calicut returning the translations of the Records of the Sessions Court.

(Here enter F. R. No 115 of 1855)

29th January 1855.

Read Return dated 11th January 1855, from the Session Judge of Calicut, to the precept of the Foujdaree Adalut under date the 2d January 1855 on a review of the Criminal Reports for November last, directing the Sessions Judge to call upon the Magistrate for explanation as to how the case No 48 was disposed of.

(Here enter F. R. No 123 of 1855)

Read Statement dated 15th January 1855 submitted by the Session Judge of Cuttack, of Batta paid to Prosecutors and witnesses during the 2d Half of the year 1854.

(Here enter F. R. No 133 of 1855)

Read Letter dated 18th January 1855 from the Superintendent of Government Roads forwarding Copy of a Certificate granted by the Medical Officer in charge of the Jail at Guindy for the removal of a Convict to Chingleput.

(Here enter F. R. No 136 of 1855)

Read Return dated 9th January 1855 from the Session Judge of Salem to the precept of the Foujdaree Adalut under date the 6th January 1855

29th January 1855 of December 1854.

(Here enter F. R. No 143 of 1855)

Read Return dated 15th January 1855 from the Session Judge of Rajahmundry to the precept of the Sirajdaree Adalut under date the 8th January 1855 calling for a translation of the Record in Case No 17 of 1854 on the Rajahmundry Sessions Court's file.

(Here enter F. R. No 147 of 1855)

Read Criminal Report B and other Statements dated 1st January 1855 submitted by the Agent to the Governor at Kurnool for the month of December 1854.

(Here enter F. R. No 122 of 1855)

Read Letter dated 8th January 1855 from the Under Ameen of Nellapore reporting that there are no State Prisoners in the Jail.

(Here enter F. R. No 128 of 1855)

Read Criminal Report B and other Statements dated 13th January 1855 submitted by the Sessions Judge of Masulipatam for December 1854.

(Here enter F. R. No 129 of 1855)

29th January 1855 - 1855 directing the Sessions Judge to cancel the security demanded from the 1st Prisoner in Calendar No 45 of 1854 and to release him forthwith.

(Here enter F. R. No 105 of 1855)

Read Return dated 9th January 1855 from the Sessions Judge of Salem to the precept of the Sirajdaree Adalut under date the 6th January 1855 calling upon him to reduce the sentence awarded to the Prisoner in Calendar No 46 of 1854 to 3 years.

(Here enter F. R. No 106 of 1855)

Read Letter dated 19th January 1855 from the Superintendent of the Government Roads reporting the escape of a Convict.

(Here enter F. R. No 137 of 1855)

Read Statement dated 1st January 1855, submitted by the Acting Subordinate Judge of Combaconum, shewing the amount realized by the labor of Prisoners in the 4th Quarter 1854.

(Here enter F. R. No 141 of 1855)

Read Criminal Reports dated 17th January 1855 submitted by the Sessions Judge of Guntoor for the month of

29th January 1855

Read Report B dated 15th January 1855 from the Sessions Judge of Trichinopoly for the month of December 1854.

(Here enter F.C. No 161 of 1855)

Read Statement dated 1st January 1855 submitted by the Sessions Judge of Coimbatore of Batta paid to Prisoners & witnesses attending before the Sessions Judge in the Talluk of Coimbatore during the 2d Half of 1854.

(Here enter F.C. No. 158 of 1855)

Read Statement dated 15th January 1855 submitted by the Sessions Judge of Trichinopoly of the actual produce of the Labor of Prisoners for the 4th Quarter of 1854.

(Here enter F.C. No 162 of 1855)

Read Petty Calendar No 1 dated 17th January 1855 submitted by the Sessions Judge of Coimbatore for 1855.

(Here enter F.C. No 181 of 1855)

Read Criminal Reports &c. dated 1st January 1855 submitted by the Sessions Judge of Coimbatore for the month of December 1854.

(Here enter F.C. No 183 of 1855)

End W.A.S.

Tuesday 30th January 1855

F.C.

At a Court of the Foujdaree Adalut.

Present.

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

Read letter dated 22d Jan.y 1855 from the Sessions Judge of Chittoor forwarding Report B of Case No 10 disposed of by the Magistrate of North Arcot.

(Here enter F.C. No 196 of 1855)

1 Presuming that the Prisoner in this case was convicted of the Offences as set forth in the indictment, the Court of Foujdaree Adalut observe that the charge should have been "Robbery by open violence", and the case committed to the Criminal Court.

2 The Sessions Judge will call for explanation from the Magistrate in reference to the above remark.

3 The Court direct that it be pointed out to the Magistrate that in all cases in which a Prisoner may be

indicted

indicted on two or more counts, his conviction or acquittal on each separate charge should be distinctly set forth in the sentence, in order that the higher Court may be enabled to judge of its propriety.

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

Read letter dated 15th January 1855 from the Sessions Judge of Chittoor.

(Here enter F. No. No. 126 of 1855)

1. The Sessions Judge submits with the foregoing communication, copy of a letter from the Magistrate of North Arcot in which the question is raised "whether there is any rule limiting the period of "close and solitary confinement to which "a contumacious Prisoner may be "sentenced under clause III. Section VI Regu- "lation X of 1832."

2. The Sessions Judge states that as the power conferred by the above quoted provisions of the Regulation can only

only be exercised in the case of convicts while under a previous sentence of Imprisonment, he is of opinion that it was the intention of the legislature that the officer awarding Solitary or close confinement under that enactment, should act upon his own discretion in regulating the period during which such punishment should be enforced.

3. In the foregoing opinion the Court of Foujdaree Adalut concur, and they direct that instructions be issued to the Magistrate accordingly.

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 Sessions Judge of Cuddapah for the Month of December 1854.

(Here enter F. No. No. 183 of 1855)

Case No. 340. 1. The offence charged in this case should have been designated as "Snatching".

Case No. 371. 2. The Court of Foujdaree Adalut desire

desire to be informed what were the facts established against the 1st 2d and 3d Prisoners in this case.

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 &c.

Read Criminal Reports submitted by the Sessions Judge of Calicut for the Month of December 1854.

(Here enter F.O. No. 124 of 1855)

1 Before the Sub judge Case No. 164. "Murder" malice should be alleged in charges of this nature.

Case No. 189 2 For "Attempt at Robbery" read "attempt at Gang Robbery".

Case No. 190. 3 Here the Prisoner has been convicted of being found in felonious possession of "certain property". The nature of the property should have been specified.

Case No. 191 4 "Assault". The Court concur in the remarks of the Sessions Judge on this case and are at a loss to understand on what grounds the Prisoners were acquitted.

Case No. 194. 5 "Murder" vide remark in Para 1 Supra.

"Kidnapping"

Case No. 196 6 "Kidnapping" the intent should have been stated.

Case No. 197 7 "Murder" See remark Para 5.

8 By the Principal Sudr Ameen of Cochin Case 16. The observations made by the Sessions Judge in review of this case are correct. It appears however to the Court that the requisition of security contravenes their Circular Order of the 3d October last No. 204. in as much as the Principal Sudr Ameen rejected what evidence there was against the Prisoners.

9 By the Magistracy. For "delivered to the Criminal Judge" read "the Magistracy". Case 54. The 2d Prisoner is charged as "accessory after the fact" The particulars specified against him do not attach to the Prisoner the degree of criminality imputed.

Case No. 55 10 "Assault with wounding". The Prisoner, as observed by the Sessions Judge has been very lightly sentenced.

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

to

desire to be informed what were the facts established against the 1st 2d and 3d Prisoners in this case.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah by precept returnable within 1 days from and after its receipt.

Sent following precept &c.

Read Criminal Reports submitted by the Sessions Judge of Calicut for the Month of December 1854.

(Here enter S.O. No 124 of 1855)

1 Before the Sub Judge Case No 164. "Murder" malice should be alleged in charges of this nature.

Case No 189. 2 For "Attempt at Robbery" read "attempt at Gang Robbery".

Case No 190. 3 Here the Prisoner has been convicted of being found in felonious possession of "certain property". The nature of the property should have been specified.

Case No 191 4 "Assault". The Court concur in the remarks of the Sessions Judge on this case and are at a loss to understand on what grounds the Prisoners were acquitted.

Case No 194. 5 "Murder" vide remarks in Para 1 supra.

"Kidnapping"

Case No 196 6 "Kidnapping" the intent should have been stated.

Case No 197 7 "Murder" See remark Para 5.

8 By the Principal Sudr Ameen of Cochin Case 16. The observations made by the Sessions Judge in review of this case are correct. It appears however to the Court that the requisition of Security contravenes their Circular Order of the 3d October last No 204. in as much as the Principal Sudr Ameen rejected what evidence there was against the Prisoners.

9 By the Magistracy. For "delivered to the Criminal Judge" read "to the Magistracy" Case 52. The 2d Prisoner is charged as "accessory after the fact" The particulars specified against him do not attach to the Prisoner the degree of criminality imputed.

Case No 55 10 "Assault with wounding". The Prisoner, as observed by the Sessions Judge has been very lightly sentenced.

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

to

30th January 1855

to the Subordinate Criminal authorities
/Sent in Tr/

Read Criminal Report
B Submitted by the Session Judge of Honore
for the Month of December 1854
(Here enter F.No. 185 of 1855)

The Court of Foujdaree Adalut require an explanation of the
delay which has occurred in the disposal
of the Six cases entered in these reports
as being under examination.

Ordered that Extract from
these Proceedings be sent to the acting
Session Judge of Honore for communi-
cation to the Principal Sudr Ameen
by precept returnable in 5 days from
and after its receipt.
/Sent following precept &c/

The Records of trials in
referred Cases Nos. 20 and 21 on the Calendar
of the Session Court of Rajahmundry for
1854 not having been yet received

Ordered that the Session
Judge of Rajahmundry be required to
Submit

30th January 1855

Submit the records aforesaid without delay.
/Sent in &c/

Ec. 1 Do.

F.D.

Wednesday 31st January 1855

At a Court of the Foujdaree Adalut

Present

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

Read Criminal Reports

Submitted by the Sessions Judge of Chittoor for the Month of December 1854.

(Vide enter F.D. No. 125 of 1855)

Case No. 202. 1 "Theft" The Prisoner, a servant of the Prosecutrise, was charged with having stolen from his mistress property to the value of Rupees 71-8- and has been convicted, on conviction, to 7 Months imprisonment. The punishment is deemed altogether inadequate.

Case No. 218. 2 This is a charge of obtaining money under false pretences. The Prisoner has been convicted and Sentenced to 6 Months imprisonment, 50 Stripes and a fine under Act XVI of 1850 equivalent to the sum "wrongfully appropriated by them" The Court observe that the pretence here set forth as that whereby the Prisoner obtained

Rupees

F.C.

Wednesday 31st January 1855

At a Court of the Foujdaree Adalut

Present

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

Read Criminal Reports Submitted by the Sessions Judge of Chittoor for the Months of December 1854.

(Here enter F.C. Nos 125 of 1855)

Case No 202. 1 "Theft" The Prisoner, a servant of the Prosecutrise, was charged with having stolen from his mistress property to the value of Rupees 7-8-- and has been sentenced, on conviction, to 7 months imprisonment. The punishment is deemed altogether inadequate.

Case No 218. 2 This is a charge of obtaining money under false pretences. The Prisoner has been convicted and sentenced to 6 months imprisonment, 50 stripes and a fine under Act XVI of 1850 equivalent to the sum "wrongfully appropriated by them" The Court observe that the pretence here set forth is that whereby the Prisoner obtained --

Rupees

Rupees 17 from the prosecution. Viz: that he would supply the Prosecutor with grain of that value, is not a 'false' pretence, within the meaning of that term in law. They do therefore resolve to direct the suspension of the Prisoners sentence and the submission of Report A of the last Judge. In any case the corporal punishment is not legal under the enactment quoted, which contemplates the infliction thereof solely in cases of Theft.

Case Nº 221

3

Here the Prisoner, convicted on a charge of having embezzled Government monies to the amount of Rupees 68, has been sentenced to 6 Months imprisonment and a fine of Rupees 30. The Sentence is not sufficient.

Case Nº 225

4

The "riot" specified in the indictment should have appeared also in the heading of the charge.

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

Sent following precept &c

Read

Read letter (No 7 dated 9th January 1855) from the acting Agent to the Governor in Guntoor.

(Here enter F. Dr. No 132 of 1855)

1

With the foregoing letter the acting Agent has submitted an Extract of a Memo. furnished to him from his assistant, Lieut Macdonald, reporting the capture of certain notorious individuals who gain their living by "cattle lifting" and other depredations. and he requests the sanction of this Court for permission to make use of the evidence of any Prisoner who may turn Approver.

2

This application, the Court observe, is premature. The acting agents recommendation will be taken into consideration when it shall have been reported that confessions have been made by one or more of the Prisoners.

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

Sent in Dr

Read

Rupees 17 from the prosecution. Viz: that he would supply the Prosecutor with grain of that value, is not a 'false' pretence, within the meaning of that terme in law. They therefore resolve to direct the suspension of the Prisoners sentence and the submission of Report A of the Sub Judge. In any case the corporal punishment is not legal under the enactment quoted, which contemplates the infliction thereof solely in cases of Theft.

Case No: 221 3

Here the Prisoner, convicted on a charge of having embezzled Government monies to the amount of Rupees 66, has been sentenced to 6 Months imprisonment and a fine of Rupees 30. The Sentence is not sufficient.

Case No: 225. 4

The "riot" specified in the indictment should have appeared also in the hearing of the charge.

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

Sent following precept &c

Read

Read letter (No: 7 dated 9th January 1855) from the acting Agent to the Governor in Gunjam.

(Here enter F.C. No: 132 of 1855)

1 With the foregoing letter the acting agent has submitted an Extract of a Memo. furnished to him from his assistant, Lieut: Macdonald, reporting the capture of certain notorious individuals who gain their living by "cattle lifting" and other depredations. and he requests the sanction of this Court for permission to make use of the evidence of any Prisoner who may turn Approver.

2 This application, the Court observe, is premature. The acting agents recommendation will be taken into consideration when it shall have been reported that confessions have been made by one or more of the Prisoners.

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

Sent in &c

Read

Read Criminal Reports
submitted by the Sessions Judge of Chicacole
for December 1854.

(Here enter F.C. No. 221 of 1855)

Chicacole file
Case No. 61. } 1

"Forgery" The Sessions Judge will point out to the Magistrate that in indictment for this offence the intent to defraud must be charged.

Case No. 57 2

"Housebreaking" add "and Theft"

Vizagapatam
file Case No. 16. } 3

The Prisoner was required to find Security under clause first Section IV Regulation II of 1822 and clause first Section VIII Regulation VII of 1827. The former enactment alone should have been quoted.

Case No. 32 4

The foregoing remark applies here also.

5

The Signature of the Principal Suor Ameen, the Sessions Judge will point out to that Officer, is by no means legible.

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

Sent in No. /

No return having been received

received from the Sessions Judge of Chittoor to the Precept of the Foujdaree Adalut dated the 22d Instant, directing that the Sentence of death passed on the female Prisoner in Case No. 49 of 1854 may be forthwith carried into execution.

Ordered that the Sessions Judge of Chittoor be required to make a return to the above precept without delay and to explain why he had not earlier conformed to its exigency.

Sent in No. /

No return having been received from the Sessions Judge of Combaconum to the Precept of the Foujdaree Adalut dated the 8th October 1854 calling for an English translation of the record in Case No. 51 of 1854 on the Calendar of the Sessions Court.

Ordered that the Sessions Judge of Combaconum be required to make a return to the above precept without delay and to explain why he had

had not earlier conformed to its exigency.

Precept returnable within two days from and after its receipt.

Sent following precept No.

Read letter dated 17th January 1855 from the Sessions Judge of Calicut Submitting the record of Case No. 63 of 1854 on the file of the Sessions Court for the final consideration of the Court of Foujdaree Udalut.

(Here enter Fl. No. 193 of 1855)

The Court of Foujdaree Udalut observe that in the Futwah declared in this Case the Mahomedan Law Officer attributes such imbecility to the Prisoner as to prevent him from accepting his confession. The Court are at a loss to understand how in reference to such opinion that officer can hold the Prisoner answerable for his conduct and amenable to punishment and they direct that

further questions be put to the Moofty with a view to his affording explanation on this point.

2 The Sessions Judge will also be pleased to explain the cause of the deceased's wife, Pathooma, not being sent up to the Criminal Court as a Witness, her evidence having been taken by the Police and being of a material nature, and why this commission was not subsequently corrected by the Sessions Judge by sending for the individual and examining her before the Sessions Court.

3 The Court observe that the charge as one of Murder is very defectively drawn out, malice prepense not being alleged against the Prisoner.

Ordered that Extracts from these Proceedings be sent to

to the Sessions Judge of Calicut by Receipt returnable within Five days from and after its receipt.

(Sent following receipt &c)

Read Miscellaneous Petition presented on the 31st January 1855 by Immana of Zillah Bellary.

(Here enter In P. No. 47 of 1855)

Before disposing of this petition the Court of Foujdaree Adalut resolve to call upon the Sessions Judge of Bellary to forward an English translation of the record in case No. 159 of 1854 on the Calendar of the Sessions Court.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Bellary by Receipt returnable within Ten days from and after its receipt.

(Sent following receipt &c)

Read

Read report dated 15th January 1855 from the Agent to the Governor at Vizagapatam of persons apprehended in the Separate Tracts of Vizagapatam and delivered to the Agency in the Month of December 1854.

(Here enter F.D. No. 192 of 1855)

Read letter dated 19th January 1855 from the Sessions Judge of Cuddapah reporting the execution of the Prisoner O. Bn. Soobbarao in Case No. 68 of the Calendar for 1854.

(Here enter F.D. No. 197 of 1855)

Read report dated 19th January 1855 from the Sessions Judge of Guntoor of persons apprehended in the Zillah of Guntoor and delivered to the Head Assistant Magistrate in the Month of December 1854.

(Here enter F.D. No. 201 of 1855)

Read letter dated 16 January 1855 from the Acting Sessions Judge of Canara reporting that the Sentence of death in Case No. 19 on the Calendar for 1854 has been duly carried into execution also returning the warrant

of

for a copy of the Report A in Case No. 120.

(Here enter F.C. No. 263 of 1855)

Read Statement dated 1st January 1855 from the Acting Sessions Judge of Combaconum of Batta paid to the Prosecutors and Witnesses during the 2d half of the year 1854.

(Here enter F.C. No. 264 of 1855)

Read Calendar dated 20th January 1855 from the Acting Sessions Judge of Madura of Case No. 2 of 1855.

(Here enter F.C. No. 266 of 1855)

Read return dated 22d January 1855 from the Sessions Judge of Masulipatam to the precept of the Foujdaree Adalut under date the 8th January 1855 communicating their observations and orders on the Returns Calendars of the Magistracy for the 3d Quarter 1854.

(Here enter F.C. No. 269 of 1855)

Read Statement dated 1st January 1855 from the Sessions Judge of Trichinopoly showing the amount realized by the labour of Prisoners during the 4th Quarter 1854

(Here enter F.C. No. 273 of 1855)

Read Calendar dated 25th January 1855 from the Sessions Judge of Calicut

of

of Case No. 4 of 1855

(Here enter F.C. No. 278 of 1855)

Read Calendar in Case No. 4 of 1855 Submitted by the Sessions Judge of Bellary under date the 22d January 1855.

(Here enter F.C. No. 279 of 1855)

Read convict labor Report dated 26th January 1855 from the Session Judge of Madura of the Jail at Paumben for December 1854.

(Here enter F.C. No. 308 of 1855)

Read Statement dated 23d January 1855 from the Sessions Judge of Chicacole of Batta paid to the Prosecutors and Witnesses attending before him during the 2d half of 1854.

(Here enter F.C. No. 281 of 1855)

G.T. to W

F. No.

Thursday.
1st February, 1855.

At a Court of the Foujdaree Udalut

Present.

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

Read Calendar in Case
No. 69 of 1854 on the file of the Sessions
Judge of Cuddapah.—

(Here enter F. No. No. 114 of 1855).—

1. This is a charge of Murder.
The Prisoners, who are four (4) in number
have been acquitted by the Sessions Judge
in concurrence with the Assessors—but
have been severally held to security under
the provisions of Clause Sixth, Section II.
Regulation XV of 1803.—

2. The Sessions Judge in Para.
6 of his Remarks has alluded to the
amount of neglect shown by the Head
of Police in the earlier enquiries into

this

this case and observes that there is good reason to believe that this is not the first occasion in which similar neglect of duty in the instance of that Officer has arisen from corrupt motives.—

3. The Court of Foujdaree Udalut desire to be informed whether the foregoing misconduct of the Head of Police has been brought to the notice of the Magistrate—if not, it should be done without delay—and the Sessions Judge will please report to this Court the course taken by the Magistrate in consequence.—

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

/Sent following Precept No. /—

Read Criminal Reports submitted by the Sessions Judge of Trichinopoly for the month of December 1854.—

/Here Enter F.Ms. No. 171 of 1855/—

From the Statement of the charge in this Case it appears to the Court of Foujdaree Udalut that the offence committed by the 3d. Prisoner was one of "Robbery" rather than "Snatching" and they consider that he should have been proceeded against accordingly.—

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

/Sent in No. /—

No return having been received from the Sessions Judge of Mangalore to the precept of the Foujdaree Udalut dated the 10th. Instant, calling for further explanation in regard to Case No. 9 on the Magistrate's Criminal Report for November 1854.—

Ordered, that the Sessions Judge of Mangalore be required to make a return to the above precept without

1st February, 1855.

without delay and to explain why he had not earlier conformed to its exigency.—

/Sent in No /—

The record of trial in referred Case No. 19 of 1854 on the Calendar of the Sessions Court of Tellicherry not having been yet received,—

Ordered, that the Sessions Judge of Tellicherry be required to submit the record aforesaid without delay.—

/Sent in No /—

No return having been received from the Sessions Judge of Cuddapah to the precept of the Sirajdarce Adalut dated the 3rd Instant requesting certain information in regard to the individual Chentsu referred to in the remarks recorded by the Sessions Judge in Case No. 76 of 1854 on the Calendar of the Sessions Court.—

Ordered, that the Sessions Judge of Cuddapah be required to

F.W.

1st February, 1855.

make a return to the above precept without delay and to explain why he had not earlier conformed to its exigency.—

/Sent pm No /—

Geo Allen

T. M.

Saturday
3d. February 1855.

At a Court of the Fouzdaree Udalut

Present

G. L. Hooper Esqr. ____ Prisnl Judge
W. A. Morehead Esqr. ____ Prisnl Judge
T. L. Strange Esqr. ____ Prisnl Judge

Read Miscellaneous Petition presented on the 25th ultimo by Luchmia Cowsden and another of Zillah Salem, praying for the release of 15 of the Prisoners in Case No. 21 of 1854 of the Session Court of Salem

(Here enter F. M. O. No. 38 of 1855)

Mr. Morehead. The Court of Fouzdaree Udalut resolve to reject this Petition which they observe does not set forth on behalf of which of the Prisoners in the case in question it has been preferred.

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

Read Miscellaneous Petition of Ramen Servacaren received on the 26th ultimo from the Session Judge of Madura, praying for the

F. U.

Saturday 3rd. February 1855.

At a Court of the Fouzdaree Udalut

Present

G. S Hooper Esqr. _____ Prisne Judge

W. A. Morehead Esqr. ___ Prisne Judge

T L. Strange Esqr. _____ Prisne Judge

Read Miscellaneous Petition presented on the 25th ultimo by Luchmia Cowndan and another of Zillah Salem, praying for the release of 15 of the Prisoners in Case No. 21 of 1854 of the Session Court of Salem

(Here enter F. M. O. No. 38 of 1855)

Mr. Morehead

The Court of Fouzdaree Udalut resolve to reject this Petition which they observe does not set forth on behalf of which of the Prisoners in the case in question it has been preferred.

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

Read Miscellaneous Petition of Ramen Servacaren received on the 26th ultimo from the Session Judge of Madura, praying for the

the release of the 1st Prisoner in Case No. 67 of 1854 of the Session Court of Madura.

(Here enter F. M. P. No. 39 of 1855)

Mr. Morehead.

The Court of Foujdaree Udalut resolve to reject the Petition, as it contains nothing to lead them to question the justness of the sentence passed by the Session Judge of Madura.

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

Read Miscellaneous Petition presented on the 25th ultimo by Veeroy of Zillah Combaconum, praying for the release of her husband the Prisoner in Case No. 22 of 1854 of the Session Court of Combaconum.

(Here enter F. M. P. No. 40 of 1855)

Mr. Morehead.

The Court of Foujdaree Udalut resolve to reject this Petition, the plea urged therein being the same as that pleaded by the Prisoner before the Session Court and which he failed to establish.

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

Read Calendar in Case No. 25 of 1854 on the file of the Session Judge of Mangalore

(Here enter F. C. No. 187 of 1855)

The Session Judge concurs with the finding in convicting the Prisoner of the felonious assault charged, and has sentenced him to five (5) years Imprisonment with hard labor in Irons.

The Session Judge, the Court have to observe, has altogether omitted to specify by what evidence, in his opinion, the assault is established against the Prisoner.

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

(Sent in No.

Read Calendar in Case No. 94 of 1854 on the file of the Session Court of Cuddapah.

(Here enter F. C. No. 198 of 1855)

1. This is a charge of Kidnapping. The 2nd Prisoner has been acquitted by the Mahomedan Law Officer and the Session Judge, who convict the 1st Prisoner, and a sentence has been passed upon him of one (1) years Imprisonment with hard labor in Irons.

2. The Court desire to point out to the

the release of the 1st Prisoner in Case No. 67 of
1854 of the Session Court of Madura.

(Here enter F. M. D. No. 39 of 1855)

Mr. Morehead.

The Court of Foujdaree Udalut
resolve to reject the Petition, as it contains
nothing to lead them to question the justness
of the sentence passed by the Session Judge of
Madura.

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

Read Miscellaneous Petition
presented on the 25th ultimo by Veeroy of Zillah
Combaconum, praying for the release of her
husband the Prisoner in Case No. 22 of 1854 of the
Session Court of Combaconum.

(Here enter F. M. D. No. 40 of 1855)

Mr. Morehead.

The Court of Foujdaree Udalut
resolve to reject this Petition, the plea urged
therein being the same as that pleaded by the
Prisoner before the Session Court and which he
failed to establish.

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

Read

Read Calendar in Case No. 25 of
1854 on the file of the Session Judge of Mangalore

(Here enter F. H. No. 187 of 1855)

The Session Judge concurs with
the finding in convicting the Prisoner of the felonious
assault charged, and has sentenced him to five (5)
years Imprisonment with hard labor in Irons.
The Session Judge, the Court have to observe, has
altogether omitted to specify by what evidence, in
his opinion, the assault is established against
the Prisoner.

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

(Sent in No.

Read Calendar in Case No. 94
of 1854 on the file of the Session Court of Cuddapah.

(Here enter F. H. No. 198 of 1855)

1. This is a charge of Kidnapping.
The 2d Prisoner has been acquitted by the Mahomedan
Law Officer and the Session Judge, who convict the
1st Prisoner, and a sentence has been passed upon
him of one (1) years Imprisonment with hard labor
in Irons.

2. The Court desired to point out to
the

the Session Judge, that they deem the punishment adjudged altogether inadequate to the offence.

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

(Sent in No.

Read Calendar in Case No. 3 of 1855 on the file of the Session Court of Madura.

(Here enter F. No. No. 204 of 1855.)

1. The charge in this case was for Murder - The Session Judge in concurrence with the Futwah has convicted the Prisoner of Culpable Homicide, and sentenced him to one (1) years Imprisonment with hard labor in Irons - The Court must remark that the punishment adjudged is much too lenient, and in no way proportionate to the aggravated nature of the assault as set forth in the remarks of the Session Judge himself.

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

(Sent in No.

Read Calendar in Case No. 1 of 1855 on the file of the Session Court of Masulipatam.

Here enter F. No. No. 166 of 1855.

In

1. In this case the Prisoners who were twenty (20) in number, and all convicts in the Zillah Jail are charged with having committed a felonious assault on the Jail Jemadar and his subordinate the Duffadar. The Session Judge in concurrence with the Assessors, has convicted the 1st, 2, 4, 5, 9, 11, 12, 14, 15, 16, 17 and 20th Prisoners, and has sentenced them to various terms of Imprisonment and to corporal punishment.

2. It appears to this Court that the 1st Prisoner should have met with a more exemplary punishment than any of the others - there being against him the evidence credited, it is presumed, by the Session Judge, of the 3d Prisoner as to his deliberate ill treatment of the Duffadar.

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

(Sent in No.

Ed 18d.

the Session Judge, that they deem the punishment adjudged altogether inadequate to the offence.

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

(Sent in No.

Read Calendar in Case No. 3 of 1855 on the file of the Session Court of Madura

(Here enter F. Ca. No. 204 of 1855.)

1. The charge in this case was for 'Murder'. The Session Judge in concurrence with the Futwah has convicted the Prisoner of 'Culpable Homicide', and sentenced him to one (1) years Imprisonment with hard labor in Irons. The Court must remark that the punishment adjudged is much too lenient, and in no way proportionate to the aggravated nature of the assault as set forth in the remarks of the Session Judge himself.

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

(Sent in No.

Read Calendar in Case No. 1 of 1855 on the file of the Session Court of Masulipatam

Here enter F. Ca. No. 166 of 1855.

In

1. In this case the Prisoners who were twenty (20) in number, and all convicts in the Zillah Jail are charged with having committed a felonious assault on the Jail Jemadar and his subordinate the Duffadar. The Session Judge in concurrence with the Assessors, has convicted the 1st" 2" 4th" 5th" 9th" 11th" 12th" 14th" 15th" 16th" 17th and 20th" Prisoners, and has sentenced them to various terms of Imprisonment and to corporal punishment.

2. It appears to this Court that the 1st" Prisoner should have met with a more exemplary punishment than any of the others - there being against him the evidence credited, it is presumed, by the Session Judge, of the 3d" Prisoner as to his deliberate ill treatment of the Duffadar.

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

(Sent in No.

Ed 1859.

F.No

Monday.
5th. February 1856.

At a Court of the Foujdaree Udalut.

Present

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

Read Criminal Reports submitted by the Session Judge of Bellary for the month of December 1854.

(Here Enter F. No. No. 179 of 1855)

Report B
Case No. 330

It should have been stated in the charge in what capacity the prisoners in this case were vested with the authority which they are charged with having abused.

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

(Sentence No.)

Read Calendars of Cases Nos. 1, 2. and 3 of 1855 of the Session Court of Calicut.

(Here Enter F. No. No. 277 of 1855)

The Court of Foujdaree Udalut resolve to direct that the Original record of Case No. 1 of 1855 be submitted for their consideration without

without a translation.—

Ordered, that Extract from these Proceedings be sent to the Session Judge of Jaffna by precept returnable within 2 days from and after its receipt.—

/ Sent following Precept No. /

Read letter dated 29th January 1855 from the Session Judge of Madura, submitting for the final judgment of the Zemindaree Adalut the record of Case No. 70 on the calendar of the Session Court.—

/ Were Enter'd No. 329 of 1855 /

Mr. J. L. Grange

The Court of Zemindaree 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,

"Carottaputhany"

is sufficient to convict him of the crime of wounding with intent to kill, for which, according to the laws of this Law Officer, discretionary punishment is awardable under the Mooluminedan Law, do convict him thereof; and in conformity with the Provisions of Clause third Section VII Regulation XV of 1803, and Section XXXIV Act VII of 1843, condemn him

him to be imprisoned and Kept to hard labor in irons on the public roads or other public works for and during the period of /2/ Two years.—

/ Sentin. No. /

Do 1 Do.

Grange

Tuesday
6th February 1855 } At a Court of the Foujdaree Adalut.

F. C.

Present

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

Read letter from the Acting Agent to Governor of Fort St. George in Ganjam, submitting the Criminal reports for December 1854. —

(Here Enter F. C. No. 293 of 1855.)

Case No. 20. 1 "Housebreaking and Theft" on review of the report of the Acting Agent observes "if no one saw the robbery, it appears "that the Charge should be "possession — knowingly" only." The Court are unable to concur in this view. The prisoner is apprehended immediately after the property is missed and forthwith produces the prosecutors articles and confesses his guilt, and he was very properly convicted of the entire Charge.

Case No. 41. 2 "Abuse of authority." The Prisoners

Thumbs

should have been jointly indicted for a Con-
-spiracy.—

Case No. 57. 3. "Obtaining money under false pretences" is not the nature of the offence here charged.—

Case No. 68. 4. "Fraud". Here the foregoing heading is applicable and should not be inserted.—

Case No. 75. 5. Vide remark as to Case 57 (Para 3 supra) these two cases are of "Assault".—

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 No.)

Read Criminal Reports submitted through the Sessions Judge of Cuddalore for the month of December 1854.—

(Here Enter F.H. No. 243 of 1855)

These reports, which should have reached this Court on the 15th Instant, were not despatched until the 23rd. No reason has been assigned for the delay.—

Theft

Case No. 248. 2. "Theft". This Charge, which appears to comprise a Petty larceny only should have been disposed of in some other way than by Committal to the Criminal Court.

Cases Nos. 250 & 251. 3. "Housebreaking and Theft". The sentences in these cases, Viz. 7 months imprisonment, are deemed very light.—

Case No. 259. 4. "Abuse of Authority". The Prisoners in this Charge were committed by the Acting additional Joint Magistrate under the view, it is presumed, that his own powers of punishment under Section VII Regulation X of 1816 would not meet the offence. They have been convicted and sentenced to 2 months Imprisonment only. The Court resolve to call for report of the Acting Principal Sudr Ameen.—

x F.H.C.C. 196.

Case No. 267. 5. The Sessions Judge has noticed the irregularity of the committal here.—

Case No. 270. 6. "Possessing implements for Coining". The sentence here is deemed insufficient.—

Case No. 274. 7. "Housebreaking and Theft". This case has been remarked on by the Sessions Judge

Judge and the Report A of the Moofties is furnished. With reference to the nature of the offence, it has been ruled by this Court in their proceedings of 23d November 1853 that entry by scaling a wall is a "breaking" in cases where surmounting the wall has brought the thief within the house otherwise, where he has still to get in. But the Court are unable to understand how conviction failed in this case. The Sessions Judge has cancelled the call for security, on the ground of its severity. He might have added that it is opposed to the principle laid down in Circular Order No. 204. the Moofties having rejected what testimony was adduced against the prisoner. —

8. The "Abstract" as observed by the Sessions Judge has been misplaced. The Columns for the indication of "Cases disposed of by the Hindoo Law Officer" should be struck out. that grade of Criminal authority having been abolished.

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

Judge of Cuddalore for his information and by precept returnable within [illegible] days from and after its receipt. —

Sent following precepts &c. 1s

E. T. No. W.

F. C.

Wednesday.
7th February 1855 } At a Court of the Foujdaree Adalut.

Present:

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

Read Criminal Report submitted by the Session Judge of Mangalore for the month of December 1854. —

(Vide enter F. C. No. 285 of 1855)

The Court of Foujdaree Adalut request that in future Criminal Reports, the name of the officer by whom each case is disposed of, as well as his official designation may appear at the foot of the sentence. In the Report now under notice it is merely stated that the cases were disposed of by the Head Assistant Magistrate. —

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

/ Sent in ct. /

Read

7th February 1855.

Read Calendar of Case No. 2 of 1855 of the Session Court of Vellore—

(Here enter F. H. No. 250 of 1855)

The Court of Foujdaree 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 on their conviction of Housebreaking with theft, be reduced to (2) two years with hard labour in irons and they do authorize the Session Judge to issue his warrant accordingly.—

2d Nidugunte Vengadu
3d —— do —— Pattigadu

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

(Sent in No.)

Read Calendar of Case No. 91 of 1854 of the Session Court of Cuddapah.

(Here enter F. H. No. 154 of 1855)

The Court of Foujdaree Adalut approves of the recommendation made by the Session Judge in this case, that the period of imprisonment which the

7th February 1855.

Maula Muderala
Gungooloogandoo

the prisoner noted in the margin have been adjudged to suffer on his conviction of Highway Robbery, be reduced to (7) seven years with hard labor in irons and they do authorize the Session Judge to issue his warrant accordingly.—

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

(Sent in No.)

Read Calendar of Case No. 1 of 1855 of the Session Court of Guntoor.—

(Here enter F. H. No. 142 of 1855.)

The Court of Foujdaree 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 on their conviction of Highway Robbery, be reduced in the case of the 1st prisoner to (5) five years, and in that of the remainder to (1) one year with hard labor in irons—

1st Vallagoattee Vencateygandoo
2d Cutta Naughy alias Santoosandy Naughy.
3d Atchee alias Santoosandy Atchee
4th Vogula Timmee.

and—

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 Guntoor for his information. —

(Sent in No. /

Read Petty Calendars of the Magistracy of Trichinopoly during the 4th quarter of 1854. —

(Here enter F. H. No. 274 of 1855.)

These Calendars by which it appears that twelve cases only have been disposed of by the Magistrate, and his Assistants during the past quarter, suggest no remarks. The forms of the Vagrancy Calendars, the Court observe, are not correct. Vide Foujdaree Circular Order of the 25th February 1824, and page 77 "Reports and statements" in Mr Baynes's work. —

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

(Sent in No. /

2d 1816.

Tuesday
8th February 1855.

F. H.

At a Court of the Foujdaree Adalut.

Present.

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

Read Extract from Proceedings of Sessions Court of Honore, on review of the Petty Calendars of the Magistracy for the 3d Quarter of 1854.

(Here enter F. H. No. 294 of 1855.)

Case No. 67. "False weights"

1. Section LIV, Regulation XI, of 1816 should alone be quoted in the Sentence.

Case No. 76.

2. Here the Defendant is charged with "Trespass" and sentenced to a fine under Act XXI of 1841. The trespass laid is that the Defendant, in building his hut, encroached on one yard of Circar land. The fine, here, if levied, will be returned; Act XXI of 1841 does not authorize the infliction of a fine for such encroachment. It is disobedience to the Magistrate's formal injunction to remove — that is so punishable only and under certain circumstances.

Case No. 79. "Misdemeanours"

3. The criminal nature of the charge in

8th February 1855.

in this case is not clear. The charge is that the Prisoner rented certain fisheries to one Venkata, he (Prisoner) "having no exclusive rights therein whatever." The fine, if levied, will be returned.

Case No 80. 4. This is a case, very common in the Criminal Reports under review, where the Defendant was shown to have cleared Coomy in the Government jungles without permission and fined by the Additional Joint Magistrate.

The Prisoner was apprehended on the 10th February, two days after the alleged trespass, and the case is set down as "disposed of" on the 20th July, or five months and two days subsequently. Cases of similar trespass abound in these reports and, however trivial, appears to be, in every instance disposed of, and frequently after very serious delay, by the European Magistracy. The Acting Session Judge will issue strict orders for a change of procedure here. The charges should be summarily disposed of by the Head of Village or District Police, the latter referring for the orders of the Magistrate those cases only where his own powers of punishment for the offence may be considered inadequate.

The

8th February 1855.

5. The Vagrancy Cabindars are not in order.— Vide Circular Order, Tondaree Adalut, 25th February, 1824; and Mr. Bayne's work— Reports and Statements, Page 77.

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

(Entered No)

Read letter under date the 24th January, 1855, from the Magistrate of Malabar.

(Here enter F. C. No 268 of 1855.)

1. The Magistrate reports the occurrence, on the night of the 25th November last in the Betutnaad Talook, of a Gang Robbery wherein property to the extent of Rupees 2391. 11. 1 was said to have been plundered, and he requests the sanction of this Court for a reward of Rupees 200 which he has offered to any person who may give such information as will lead to the conviction of the parties concerned.

2. Under the provisions of Section XXI, Regulation IX of 1816, the Court of Tondaree Adalut sanction the reward offered by the Magistrate in the above case.

Ordered, that Extract from these

8th February 1855.

these proceedings be forwarded to the Magistrate of Malabar, for his information.

(Sent in No.)

The record of trial in referred Case No. 37 on the Calendar of the Session Court of Chingleput for 1854, not having been yet received,

Ordered that the Session Judge of Chingleput be required to submit the record aforesaid without delay.

(Sent in No.)

Read Letter dated 3rd February 1855 from the Acting Subordinate Judge of Salem reporting that in consequence of the unusual severity with which Cholera has visited the Town of Salem, orders have been issued to the Magistracy and Police prohibiting them from sending up any more Cases at present to the Criminal Court.

(Here enter F.H. No. 352 of 1855.)

Adverting to the great inconvenience which must arise from the closing of the Criminal Court, the Court of Zoujdaree Adalut direct that measures be taken by the Acting

8th February 1855.

Acting Subordinate Judge to postpone it as early as practicable. In the mean time, the Court request that the Zillah Surgeon may be called upon to submit to them a report in respect to the necessity for the adoption of the unusual step now taken by the Acting Subordinate Judge.

Ordered that Extract from these proceedings be forwarded to the Acting Subordinate Judge of Salem by Express returnable within III days from and after its receipt.

(Sent following precept No.)

Read letter under date the 29th January, 1855 from the Session Judge of Coimbatore, submitting for the final judgment of the Court of Zoujdaree Adalut the record of Case No. 22 of 1854 on the Calendar of the Session Court.

(Here enter F.H. No. 325 of 1855.)

Mr. W.A. Morehead

The Court of Zoujdaree 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

Sadasheevy Iyen

is

8th February 1855. these proceedings be forwarded to the Magistrate of Malabar, for his information.

(Sent in No.)

The record of trial in referred Case No. 37 on the Calendar of the Session Court of Chingleput for 1854, not having been yet received,

Ordered that the Session Judge of Chingleput be required to submit the record aforesaid without delay.

(Sent in No.)

Read Letter dated 3rd February 1855 from the Acting Subordinate Judge of Salem reporting that in consequence of the unusual severity with which Cholera has visited the Town of Salem, orders have been issued to the Magistracy and Police prohibiting them from sending up any more Cases at present to the Criminal Court.

(Here enter F. N. No. 352 of 1855.)

Adverting to the great inconvenience which must arise from the closing of the Criminal Court, the Court of Zoujdaree Adalut direct that measures be taken by the Acting

8th February 1855. Acting Subordinate Judge to re-open it as early as practicable. In the mean time, the Court request that the Zillah Surgeon may be called upon to submit to them a report in respect to the necessity for the adoption of the unusual steps now taken by the Acting Subordinate Judge.

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

(Sent following precept No.)

Read letter under date the 29th January, 1855 from the Session Judge of Coimbatore, submitting for the final judgment of the Court of Zoujdaree Adalut the record of Case No. 22 of 1854 on the Calendar of the Session Court.

(Here enter F. N. No. 325 of 1855.)

Mr. W. H. Morehead

The Court of Zoujdaree 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

Authority Sysm

8th February 1855.

is sufficient to convict him of the crime of Embezzlement, for which, according to the Mahommedan Law as declared in futwas of their Law Officers, discretionary punishment is awardable, do convict him thereof, and under the provisions of Clause seventh, Section II, Regulation XV of 1803, and Section XXXIV, Act VII of 1843, sentence him to be imprisoned without labor in irons, for and during the period of (6) six Months.

The Court of Foujdaree Adalut do further under the provisions of Section I, Act XVI of 1850 sentence the prisoner

Lakshmeeny Iyen

to pay the sum of Rupees 41, and direct that the same be carried to the credit of the Batta Fund of the District Moonsiff's Court of Codumalcotah.

(Sent in No)

J. R. S.

F 26

Friday
9th February 1855.

Present

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

Read letter dated the 28th December 1854 from the Subordinate Judge of Chittoor forwarding a Plan and Estimate for building a Civil Debtors Jail at that Station.

(Here enter F. R. No 3206/1854)

1. The above Estimate the Court of Foujdaree Adalut observe embraces a charge of Rupees 1,179-3-8, for constructing a Jail for security prisoners.

2. This charge, not having as yet been reported through this Court to the Government in order to sanction being procured for calling on the Civil Engineer to prepare the usual Estimate, should have been made by the Subordinate Judge the subject of a separate and distinct address, as the course now to be taken by

9th February 1855. by the Court of Foujdaree Adalut respecting the Estimate for the erection of a separate building for Civil debtors, for the preparation of which the sanction of Government had been already obtained, is simply to transmit the Estimate in question to the Board of Revenue in the Department of Public works for examination and check while the matter of the other building for security prisoners must be laid before Government.

3 The Estimate is therefore returned to the Subordinate Judge for amendment with reference to the above observations.

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

Sent in Ps

Read Calendar of Case No 3 of 1855 of the Session Court of Bellary.
(Here enter F. R. No 222 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by

9th February 1855. by the Session Judge in this case that the
Tyegah period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery be reduced to (5) five years 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 Bellary for his information.

Sent in Ps

Read Criminal Reports submitted by the Acting Session Judge of Combaconum for the month of December 1854.

(Here enter F. R. No 242 of 1855)

Case No 254 1 In this case the 1st Prisoner was charged with Forgery in having fabricated a will— The 2d 3d 4th and 6th Prisoners were charged with having aided the said transaction by attesting that document and the 5th with having written it.

2. Adverting to the fact that the property concerning the disposal of which the will in question was alleged to have been forged, was under litigation in the Sudder Ameen's Court and that no opinion had

9th February 1855. had been pronounced by that Officer in respect to the genuineness or otherwise of that document the Acting Subordinate Judge considered that it was not competent to the Police Officer to investigate the charge under the provisions of Fonjdaree Adalut Circular Order No 200 dated 7th December 1853.

3 The Acting Sessions Judge on review of the case dissented from the view taken of it by the Acting Subordinate Judge and was of opinion that as it was shewn by the return made by that Officer that the will in question had not been actually produced in connection with any Civil Suit, he was not justified in refusing to proceed to the trial of the charge of forgery. The Acting Sessions Judge accordingly directed that the prisoners should be re-apprehended and again placed on their trial.

4 If, as would appear, the validity or otherwise of the will in question is the matter in issue before the Hooshy Sudder Ameen in a Civil Action the mere fact of the will not

9th February 1855. not having been filed in the Suit is not opposed to the intent of the Fonjdaree Adalut Circular Order No 200. The Court of Fonjdaree Adalut are of opinion therefore that the dismissal of the case by the Subordinate Judge was correct, and they direct that the orders issued by the Acting Session Judge directing the retrial of the prisoners be at once recalled.

Magistrates Calendar Cases Nos 50, 51, 52 & 53.

5 Adverting to the fact that robbery is alleged in the Statement of the charge in two of these cases, the Court of Fonjdaree Adalut concur with the Acting Session Judge as to the insufficiency of the remarks recorded in the Sentence; and they direct that the explanation which has been called for from the Magistrate may be submitted for their consideration.

6. The Court direct that the attention of the Magistrate be called to his omission to record the name of the prisoner in red ink as required by Fonjdaree Adalut Circular order dated 8th December 1831.

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

for

9th February 1855. had been pronounced by that Officer in respect to the genuineness or otherwise of that document the Acting Subordinate Judge considered that it was not competent to the Police Officer to investigate the charge under the provisions of Tonjoree Adalut Circular Order No 200 dated 7th December 1853.

3 The Acting Sessions Judge on review of the case dissented from the view taken of it by the Acting Subordinate Judge and was of opinion that as it was shewn by the return made by that Officer that the will in question had not been actually produced in connection with any Civil Suit, he was not justified in refusing to proceed to the trial of the charge of forgery. The Acting Sessions Judge accordingly directed that the prisoners should be re-apprehended and again placed on their trial.

4 If, as would appear, the validity or otherwise of the will in question is the matter in issue before the Hon'ble Sudder Ameen in a Civil Action the mere fact of the will

9th February 1855. not having been filed in the Suit is not opposed to the intent of the Tonjoree Adalut Circular Order No 200. The Court of Tonjoree Adalut are of opinion therefore that the dismissal of the case by the Subordinate Judge was correct, and they direct that the orders issued by the Acting Session Judge directing the retrial of the prisoners be at once recalled.

Magistrates Ca: Calendar Cases Nos 50, 51, 52 & 53.

5 Adverting to the fact that robbery is alleged in the Statement of the charge in two of these cases, the Court of Tonjoree Adalut concur with the Acting Session Judge as to the insufficiency of the remarks recorded in the Sentence; and they direct that the explanation which has been called for from the Magistrate may be submitted for their consideration.

6. The Court direct that the attention of the Magistrate be called to his omission to record the name of the prisoner in red ink as required by Tonjoree Adalut Circular Order dated 8th December 1851.

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

for

9th February 1855. For this information by precept pe: returnable within V days from and after its receipt.

Sent following Precept &c

Read Report of Cases pending on the 31st January 1855 and committed for trial during the said Month before the Sessions Judge of Chingleput:
(Here enter F.U. No 312 of 1855)

It is observed that the records in Session Cases Nos 37 & 39, set down for reference on the 8th and 23rd January ultimo respectively, are still in the hands of the Translator - The Sessions Judge will be pleased to expedite the transmission of these cases.

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

Sent in &c

E & Thos

F.U.

Saturday.
10th February, 1855. At a Court of the Fouzdaree Udalut.

Present.

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

Read letter dated the 30th ultimo from the Session Judge of Canara submitting for the final Judgment of the Fouzdaree Udalut the Record of Case No. 1 of 1855 of the Calendar of the Session Court.
(Here Enter F.U. No. 383 of 1855)

Mr. G. L. Cooper

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.

"Cunna"

is insufficient to convict him of the crime charged, do convict him thereof

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 on the public roads or other public works for and during the period of his natural life.—

/Sent in No /—

Read Petition presented on the 4th ultimo by Mr. John Jacobs Menon Vakeel on behalf of Coonhatha Cooyanoatty late Contractor of the Jail at Calicut, praying for a reconsideration of the order of the Court of Fouzdaree Udalut dated the 17th August 1854 rejecting the Petitioner's application for a compensation for the loss he has sustained owing to the late rise in the price of rice which he has supplied to the Jail at Calicut.—

/Here Enter F. M. P. No 1 of 1855/—

Mr. W. A. Morehead.

The Court of Fouzdaree Udalut see no reason to question the propriety of their order, to which the Petitioner

Petitioner refers. His Petition is therefore rejected.—

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

Read Miscellaneous Petition presented on the 22d ultimo by L. N. Canteravaa Charry Vakeel on behalf of Iyamany and 4 others, Prisoners in Case No 24 of 1854 on the Calendar of the Sessions Court of Honore.—

/Here Enter F. M. P. No 37 of 1855/—

Mr. W. A. Morehead.

The Court of Fouzdaree Udalut have, in their Proceedings dated the 23d ultimo, directed the release of the Prisoners in the case referred to. No further orders are therefore called for on this Petition.—

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

Read Miscellaneous Petition presented on the 29th ultimo by Soobun, mah of Zillah Chittoor.—

/Here Enter F. M. P. No 43 of 1855/—

The

10th February, 1855.

Mr W.A. Morehead.

1. The Petitioner seeks the interference of the Court of Fouzdaree Udalut to order the release of her son A. Siddareddy a Prisoner in Cases Nos. 21, 22, 23 and 24 of 1854 on the file of the Sessions Court of Chittoor, who has been sentenced to 7 years' imprisonment with hard labor in Irons.—

2. The Court of Fouzdaree Udalut see nothing in this Petition, which leads them to question the justness of the sentence appealed from; and they therefore resolve to reject the Petition.—

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

Read Miscellaneous Petition presented on the 1st Instant by Chencham-mal of Zillah Nellore.—

(Here enter F. M. P. No. 48 of 1855)

Mr W.A. Morehead. 1. This is an application for the release of the 1st and 2d Prisoners in Case No. 20 of 1851 who were, on conviction

F.M.

10th February, 1855.

conviction of robbery by open violence, sentenced to 14 years' imprisonment with hard labor in Irons.—

2. The Charge having been proved against the 1st and 2d Prisoners, the Court of Fouzdaree Udalut cannot interfere in the matter of this Petition, which is accordingly rejected.—

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

Read Miscellaneous Petition presented on the 1st Instant by Putchava Moorty of Zillah Nellore.—

(Here enter F. M. P. No. 49 of 1855)

Mr W.A. Morehead 1. This is an application for the release of the Petitioner's son "Ravi Ramakshaya" the 1st Prisoner in Case No. 15 of 1853 of the Sessions Court of Nellore.—

2. The Court of Fouzdaree Udalut having fully considered the merits of the Case in question, have disposed of them in their Proceedings under

under date the 6th December 1853, the propriety of which, they see no reason to question and to which the Petitioner is therefore referred.-

3. Petition dismissed.-

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

Read Miscellaneous Petition presented on the 8th Instant by Parastomby and 2 others of Zillah Coimbatore.—

/Here Enter F. Mo. P. No. 53 of 1855/-

Mr. W. A. Morehead. This is an application for a reconsideration of the order passed by the Court of Foujdaree Adalut on the 20th ultimo rejecting the prayer of the Petitioners' Petition No. 3 of 1855.-

2. The Court of Foujdaree Adalut decline to pass any orders on this Petition, which is accordingly dismissed.-

Ordered, that Extract from

these Proceedings be granted to the Petitioners on their application.—

Read again Petitions presented on the 8th ultimo by B. Condadoo, B. Chinniah and P. Periah of Zillah Cuddapah.-

/Here enter F. Mo. Pse Nos. 10. 11. and 12 of 1855/-

Read also Return dated the 31st ultimo from the Sessions Judge of Nellore to the Precept of the Court of Foujdaree Adalut dated the 20th Idem calling upon that Officer to set out the facts established against some of the Prisoners in Case No. 56 of 1854.

/Here Enter F. Mo. No. 328 of 1855/-

Mr. W. A. Morehead. The Court of Foujdaree Adalut see reason to question the justness of the sentence passed in the aforesaid Case, and they accordingly resolve to direct the Sessions Judge of Nellore to submit the Original record of the Trial.—

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

10th. February, 1855.

Sessions Judge of Nellore by Precept returnable within V days from and after its receipt.

/Sent following Precepts. No. /-

Read Calendar of Case No. 1 of 1855 submitted by the Acting Sessions Judge of Tinnevelly under date the 19th. ultimo.—

/Here Enter F.M.C. No. 240 of 1855/-

Read Accounts dated the 24th. ultimo submitted by the Acting Sessions Judge of Combaconum of the Jails in charge of the Magistracy for the month of December 1854.

/Here Enter F.M.C. No. 287 of 1855/-

Read Calendar of Case No. 59 of 1854 submitted by the Acting Sessions Judge of Combaconum under date the 26th. ultimo.—

/Here Enter F.M.C. No. 289 of 1855/-

Read return dated the 27th. ultimo from the Acting Sessions Judge of Combaconum to the Extract from the Proceedings of the Court of Foujdaree Udalut

F.M.C.

10th. February, 1855.

Udalut dated the 25th. Idem requiring immediate return to their Precept of the 8th. idem.—

/Here Enter F.M.C. No. 290 of 1855/-

Read return dated the 26th. ultimo from the Sessions Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 6th. Idem, conveying observations and remarks on the Criminal Reports for the month of November 1854.—

/Here Enter F.M.C. No. 292 of 1855/-

Read letter dated the 29th. ultimo from the Sessions Judge of Chittoor, transmitting a death Warrant issued by him in conformity with the final sentence of the Court of Foujdaree Udalut in Calendar No. 49 of 1854 duly executed and returned by the Subordinate Judge together with copy of a letter from that officer.—

/Here Enter F.M.C. No. 302 of 1855/-

Read return dated the 29th. ultimo from the Sessions Judge of

Chittoor

Chittoor to the precept of the Foujdaree Udalut under date the 22d. idem, directing the Execution of the sentence of death passed upon the Prisoner Lutchy in Calendar No. 49 of 1854.—

/Here Enter F.No. 304 of 1855/-

Read Calendar of Case No. 4 of 1855 submitted by the Session Judge of Madura under date the 26th. ultimo.—

/Here Enter F.No. 309 of 1855/-

Read Calendar of Case No. 1 of 1855 submitted by the Acting Session Judge of Combaconum under date the 29th. ultimo.—

/Here Enter F.No. 316 of 1855/-

Read Letter dated the 22d. ultimo from the Acting Agent to the Governor of Fort St. George at Ganjam, submitting the original Warrant of Execution of the Prisoners Dondapaty Balanjee Ranarow &c. together with the Letter of Mr. Davidson for the information of the Judges.—

/Here Enter F.No. 318 of 1855/-

Read

Read Criminal Report B, dated the 29th. ultimo submitted by the Session Judge of Guntoor for the month of January 1855.—

/Here Enter F.No. 319 of 1855/-

Read Statement, dated the 1st. Instant submitted by the Session Judge of Chittoor, of Batta paid to the Prosecutors and Witnesses attended before the Sessions Court from 1st. July to 31st. December 1854.—

/Here Enter F.No. 321 of 1855/-

Read Letter, dated the 26th. ultimo from the Acting Session Judge of Honore, reporting that he has no Statements to furnish of the amount realized by the labor of the Prisoners in the Jails at Honore and Sircy for the 4th. Quarter of 1854.—

/Here Enter F.No. 326 of 1855/-

Read Calendar of Case No. 7 of 1855 submitted by the Session Judge of Bellary under date the 30th. ultimo.—

/Here Enter F.No. 338 of 1855/-

Read

10th February, 1855.

Read Calendar of Case No. 6 of 1855 submitted by the Sessions Judge of Calicut under date the 30th ultimo.

/Here Enter F. No. 341 of 1855/

Read letter dated the 1st Instant from the Sessions Judge of Coimbatore, reporting execution at half past 6 o'Clock on the 1st Idem of the sentence of death passed upon Moroog Gaundon Monigar, 1st Prisoner in Case No. 19 of 1854 on the Calendar of the Sessions Court.

/Here Enter F. No. 344 of 1855/

Read letter dated the 31st ultimo from the Sessions Judge of Calicut, forwarding the statement from the Subordinate Judge shewing the amount realized by the labor of the Prisoners in the 4th Quarter of 1854, and stating that both that Officer and the Principal Sudder Ameen have reported that no payment was made for bringing up the children of Convicts and the latter Officer that nothing was realized by the labor of the Prisoners under his charge.

/Here Enter F. No. 348 of 1855/

Ent'd Tho. W.

F. No.

Monday
12th February 1855.

At a Court of the Foujdaree Udalut.

Present

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

Read again Calendar of Case No. of 1854 of the Session Court of Calicut.

/Here Enter F. No. No. 2540 of 1854/

Read also Return under date the 3d November 1854 of the Receipt of the Foujdaree Udalut dated the 26th October 1854, calling upon the Sessions Judge to report what were the circumstances which led to the apprehension of the Prisoners in the above Case.

/Here Enter F. No. No. 2739 of 1854/

The Court of Foujdaree approve of the recommendation made by the Sessions Judge in this case, that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Gang Robbery & with violence, be reduced to /7/ Seven years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

2nd Matromel
Acha Cotty

Ordered

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

/Sent in a No/

Read letter dated 30th January 1855 from the Sessions Judge of Tellicherry, submitting for the final judgment of the Sunjdaree Udalut the record of case No. 19 of 1854, on the Calendar of the Sessions Court.

/Here enter F. Up. No. 387 of 1855/

Mr. W. A. Morehead and J. La Strange

The Court of Sunjdaree 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

"Malayalum Maunatta Mollaychan"

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 a No/

Read

Read Calendar of Case No. 4 of 1855 submitted by the Sessions Judge of Masulipatam under date the 3d February 1855.—

/Here enter F. Up. No. 395 of 1855/

Read Calendar of Case No. 7 of 1855 Submitted by the Sessions Judge of Masulipatam under date the 3d Instant.—

/Here enter F. Up. No. 396 of 1855/

Read Calendar of Case No. 30 of 1855 submitted by the Sessions Judge of Masulipatam under date the 3d Instant.—

/Here enter F. Up. No. 397 of 1855/

Read Calendar of Case No. 3 of 1855 submitted by the Sessions Judge of Nellore under date the 6th Instant.—

/Here enter F. Up. No. 398 of 1855/

Read Calendar of Case No. 10 of 1855 submitted by the Sessions Judge of Bellary under date the 5th Instant.—

/Here enter F. Up. No. 410 of 1855/

Read letter dated 9th Instant from the Sessions Judge of Chingleput Informing that the record called for in Extract from the

12th. February 1855

The Proceedings of the Tonjdaree Udalut was despatched yesterday from this Office.-

Here enter F. Ul. No. 411 of 1855.

Read return dated 7th. Instant from the Session Judge of Coimbatore, to the precept of the Tonjdaree Udalut, under date the 23d. January 1855, directing that the pros Madar Khan who gave false evidence in Case No. 19 of 1854, be dismissed from his situation.-

/Here enter F. Ul. No. 412 of 1855/

Read Calendar of Case No. 3 of 1855 submitted by the Acting Session Judge of Combaconum, under date the 5th. Instant.-

/Here enter F. Ul. No. 413 of 1855/

Read Calendar of Case No. 95 of 1854 submitted by the Session Judge of Cuddapah under date the 8th. Instant

/Here enter F. Ul. No. 414 of 1855/

Read Calendar of Case No. 3 of 1855 submitted by the Session Judge of Cuddapah under date the 8th. Instant.

/Here enter F. Ul. No. 415 of 1855/

Read

F. Ul.

12th. February 1855

Read Calendar of Case No. 8 of 1855, submitted by the Session Judge of Calicut under date the 5th. Instant.-

/Here enter F. Ul. No. 421 of 1855/

Read return, dated 6th. Instant from the Session Judge of Mangalore, to the precept of the Tonjdaree Udalut under date the 10th. January 1855, on review of the Magistrates Criminal Report B, for the month of November 1854.-

/Here enter F. Ul. No. 429 of 1855/

Read return, dated 5th. Instant from the Session Judge of Mangalore to the precept of the Tonjdaree Udalut under date the 2d. January 1855, on review of the Criminal Reports for the month of November 1854.-

/Here enter F. Ul. No. 430 of 1855/

Rd 18

Tuesday.
13th February 1855 } At a Court of the Foujdaree Adalut.

F. H.

Present.

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

Read Calendar in Case No. 1 of 1855 on the file of the Session Court of Nellore.—

(Here enter F. H. No. 305 of 1855)

The prisoner in this case, who was on his trial for a Charge of "Assault with wounding," has been acquitted by the Session Judge in concurrence with the Futwah, but has been required, in respect of his turbulent Character, to find Security for his good behaviour and appearance for (6) six months.—

The Court of Foujdaree
2. Adalut resolve to Cancel this requisition and to direct the Prisoner's unconditional release.- They have to remind the Session Judge that the demand of Security, under the

the circumstances of this case, is altogether opposed to Fouzdaree Adalut Circular Order No. 204, issued on the 3d October Ultimo, and appears to be of the nature of security to keep the peace, which the Session Judge is not authorized to call for.

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

(Sent in No.)

Read letter (No. 21 of 1855) dated 25th January 1855 from the Session Judge of Calicut.—

(Here enter F. H. No. 301 of 1855)

The Session Judge in the foregoing letter, desires to be informed what course should be adopted by a Justice of the Peace in the Mofussil, on a Charge being preferred before him of "Cattle wounding" made by a Native against a British Subject.—

2. The Court of Fouzdaree Adalut are of opinion that a Charge of the nature referred to cannot be entertained by a Justice

Justice of the Peace, the same not falling within any of the terms "assault, forcible entry, or other injury accompanied with force" of which such authorities are competent to take summary cognizance. The injured party would of course be at liberty to seek his remedy by an action for damages.—

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

(Sent in No.)

Read again statement of Batta paid to Prosecutors and witnesses before the Session Court of Madura, during the 2d half year of 1854.—

(Here enter F. H. No. 47 of 1855.)

Read also letter of the Session Judge in reply to this Court's letter of the 17th January Ultimo, returning the foregoing statement for the explanatory remarks required by Fouzdaree Adalut Circular Order No. 131.—

(Here enter F. H. No. 307 of 1855)

The Session Judge has replied that he conceives Circular Order No. 131

to

13th February 1855.

to be now obsolete, and that it had relation solely to Criminal Cases pending before the late Circuit Courts. —

2. The Court consider the view of the Session Judge erroneous. The Circular Order referred to is still in force and applicable to the present circumstances of the Courts. The entry required by the Foujdaree Adalut. in transmitting the statement under review has not been made. The Session Judge will be pleased to omit filling up the Column for the same in all future Returns. —

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

(Sent in Mo 1 to

Ext

JAS

—

Wednesday.
14th February 1855.

F. R.

At a Court of the Foujdaree Adalut.

Present.

G. L. Mowbray, Esqre.,
W. A. Morehead, Esqre.,
T. L. Strange, Esqre.,
} Puisne Judges.

Circular Letter.

Read Letter dated 23d October, 1854 from the Magistrate of North Arcot submitting his opinion as to the measures to be taken for the improvement of the Village Police.

(Here enter F. R. No 26 of 1854.)

In the 5th para of the foregoing letter, the Magistrate, adverting to the inconveniences to which Village Moonsiffs and Monigars are liable in their respective capacities observes:- "the Talook Officers think little of their comfort, and perhaps take pleasure in subjecting them to trouble and loss of time and dignity. They are apt, if allowed, to require that Monigars shall accompany every Village remittance to the Talook Treasury, no matter how distant the Village; they send for both Monigars and Moonsiffs to come to the Talook Cutcherry on very trifling pretences, and report them to the Collector as contumacious, if they

"they refuse or delay, and if permitted they would
"examine the Monsiff as a witness in every Crimi-
"nal case from his Village and send him to the Court
"to depose to his merely official acts. In short
"instead of encouraging and aiding the Village Heads
"in their duty, showing them respect, and making
"others respect them, they seem rather, speaking
"generally, to look on them with jealousy, and to
"desire to keep them as much in subjection as possi-
"ble."

2.

The Courts of Foujdaree Udalut are fully sensible of the great inconveniences which must necessarily be caused by the too frequent withdrawal of the Village Authorities from the sphere of their duties; but it appears to the Court that the remedy is, in a great measure, in the hands of the local Officers themselves and that by an active and judicious exercise of the authority vested in the Magistracy, this evil might readily be checked.

3.

It would be difficult to lay down any fixed principles regulating the examination or non-examination of Village Monsiffs in Criminal Cases; but as a general rule

rule the Court are of opinion that they should be subpœnaed as witnesses in those cases only in which no other credible evidence can be obtained; it being left to the Sessions Court to determine on perusal of the Police proceedings whether or not their testimony would be material to the issue of the trial.

Ordered, that Extract from these Proceedings be forwarded to the several Sessions Judges for their information, and for communication to the Subordinate Judicial and Magisterial Authorities.

(Sent in No.)

Read letter under date the 26th January 1855 from the Sessions Judge of Rajahmundry.

(See letter F. R. No. 298 of 1855.)

"There is no law authorizing a Sessions Judge to compel persons to serve as Jurors. The Court of Foujdaree Udalut however have learnt with much surprise and dissatisfaction the refusal of the Vakeels of the Court of Rajahmundry to comply with the Sessions Judge's request to perform

what

what they should consider to be an act of public duty and one which, considering their position it is morally incumbent upon them to perform when called upon to do so by the Sessions Judge the Sessions Judge should communicate these observations to the Sabreels.

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

(Sent in No.)

The record of trials in referred Case No. 24 of 1854, on the Calendar of the Sessions Court of Mangalore not having been yet received,

Ordered, that the Sessions Judge of Mangalore be required to submit the record aforesaid without delay.

(Sent in No.)

Translations of the Rounds in referred Cases Nos. 2 and 3 of 1855 on the Calendar of the Sessions Court of Calicut not having been yet received.

Ordered that the Sessions Judge of Calicut be required to submit the translations aforesaid

aforesaid without delay.

(Sent in No.)

The record of trials in referred Cases Nos. 20 and 21 on the Calendar of the Sessions Courts of Rajahmundry for 1854, not having been yet received, though already once called for;

Ordered that the Sessions Judge of Rajahmundry be required to submit the records aforesaid without further delay.

(Sent in No.)

Read again Calendar of Case No. 36 of 1854 on the file of the Sessions Court of Cuddapah.

(Vide note S.D. No. 27 of 1854.)

Read also Return under date the 20th January 1855 and Supplemental Return under date the 25th January 1855 from the Sessions Judge of Cuddapah to the Precept of the Sujdaree Adalut, dated the 5th January 1855 calling for information as to how long Gooroo Row, Head of Police of Poondlah has been employed in that capacity.

14th February 1855.

capacity.

(Here enter F.C. Nos 199 and 276 of 1855.)

1. In the return from the Magistrate, submitted by the Sessions Judge with the foregoing, (where the Magistrate states that he removed Goorsao from the Talooka of Poolambadee on the 24th September 1854, under the confirmed impression that he connived at the numerous gang robberies which of late took place in that Talooka, and since his removal, they have been much less frequent. The Magistrate has not the slightest confidence in him as a Head of Police. He considers it would be most beneficial to the district, were he removed, either by dismissal, or sent to another district.

2. The Court of Sudder Adalut resolve under the provisions of Section XXXIX, Act XVII of 1843 to direct the dismissal of Goorsao from the office of Head of Police.

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

14th February 1855. Judge of Cuddapah for communication to the Magistrate.

(Sessions No)

Read Criminal Reports submitted through the Sessions Judge of Madura for the month of December, 1854.

(Here enter F.C. No. 306 of 1855.)

1. These Reports, which should have reached this Court on the 15th January, were not forwarded until the 26th June. The delay has not been explained.

Case No. 167. 2. Three months' imprisonment for the crime of "Housebreaking" and "Theft" is altogether insufficient.

Case No. 183. "Killing a Horse," read "Cattle killing." 3. In charges of this nature malice must be alleged.

Case No. 189. 4. It appears by the evidence in this case that the charge of "High-way Robbery" was shown to be nothing but a "Trespass." The attention of the Subordinate Judge is called to Circular Orders, 4th July, 1826 and 5th August, 1829. This remark applies

14th February 1855.

applies to the next case (№190) also.

Case №195. 5. The punishment provided by Section II, Regulation IX of 1832 is simple imprisonment. The sentence will be modified accordingly.

Case №199. 6. Vide remark in para 2, supra.

Case №205. "Murder." 7. It should have been alleged that the assault on the deceased was made with "malice afore-thought."

Case №212. 8. The sentence here and in the two preceding cases on convictions of "Extortion and Abuse of Authority," appear very lenient. The Court resolve to call for Reports, form A.

Case №215. "Attempt at killing a Bullock." 9. This case has been noticed at length by the Sessions Judge.

Case №216. 10. "Attempt at Murder," read "Wounding with intent, &c."

Case №223 "Murder." 11. Vide Remarks in para 7, supra.

By the Magistrate Case №IX. 12. No explanation is offered in regard to the delay of 20 days observable in the proceedings here. The charge against the

14th February 1855. the Prisoner is not clear to this Court, nor is it so far as to indicate the absence of any criminal offence therein, of the nature charged — "Fraud." If the false complaint was laid by the Prisoner before the Police, the procedure set forth in Regulation IX of 1832 is applicable, and should have been used.

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

Ent. W

(Sent in №)

Compleen

J. U.

Thursday,
15th February 1855. At a Court of the Foujdaree Udalut.

Present

G. J. Hopper Esqre.
W. A. Morehead Esqre. } Puisne Judges.
T. L. Strange Esqre.

Read again Miscellaneous Petition presented on the 8th January 1855 by E. Salmon Esqre Vakeel on behalf of Bala-goorooswamy Chetty, Prisoner in Sessions Case No 57 of 1854- Combaconum.

(Here enter F. M. P. No 9 of 1855.)

Read also further Petition by the same party in the matter of the said Prisoner.

(Here enter F. M. P. No 21 of 1855.)

Read also return of Acting Sessions Judge of Combaconum to the Pre-cept of the Foujdaree Udalut under date the 8th January last- calling for translation of the Record of the foregoing Sessions Case-

(Here enter F. U. No 317 of 1855.)

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

The Court of Foujdaree Udalut find deficiencies in the Examination of this Case

8

case which it is necessary to supply before they can pass their judgement upon it.

2. It has to be explained and proved in evidence that the sums entered in the indictment as embezzled by the prisoner are positively deficient. It does not appear whether the whole Cash lying at the credit of the Court in the Collectors' Treasury and that in the Custody of the Court has been so accounted for as to show that the particular sums alleged to have been embez=zzled by the prisoner are not included or therein; If the deficiency has been thus brought to light evidence to that Effect should be furnished. If any other mode of establishing the deficiency has been taken explanation thereof with the necessary evidence should be afforded.

3. The Examinations held of the accused by the Assistant Judge on the 19th July 1854, by the acting Civil Judge on the 21st ult. and 22d. idem, and by the Civil Judge on the 13th and 24th October and 8th December 1854, translations of which were

forwarded

forwarded with the Civil Judge's commun=ication of the 11th December should be put in evidence, the prisoner being called upon to answer thereto and verification of the depositions being taken if repudiated by the prisoner.

4. The tamil accounts stated in the deposition given by the accused be=fore the assistant Judge on the 19th July 1854 should in like manner be put in evidence and the result of the Examination therein to as bearing upon the particular ar=ticles to which the charge against the prison=er has reference should be clearly set forth with whatever explanation the prisoner may have to offer thereupon.

5. Should the said items not have been entered in the said Tamil accounts the prisoner should be called upon to ex=plain how he could have given his receipts in the documents A & B and yet not have made any representation on the subject to the Civil Judge or any officer of the Court when the said Tamil accounts were

prepared

prepared (from whatsoever data they may have been done) without entries of the said sums being made therein, or how he could have given such receipts without assurance that the money had been actually deposited in the Treasury and the same brought to account.

6. It is to be explained from whose custody or record the Exhibits A and B have been obtained so as to have been put upon the record of the trial, and whether any corresponding receipts were furnished to the Nazir and District Moonsiff of Neevalore for the satisfaction and protection of those parties should such corresponding receipts exist they are to be put in Evidence and sent up.

7. Evidence should be taken to shew whether when any payments to the Court such as are referred to in the charge were made into the Sheriffs hands it was ever handed over by him to any other party before being deposited in the Cash Chest.

Ordered that Extract from these Proceedings be sent to the acting Session Judge of Combaconum by precept returnable within 7 Days from and after its

its receipt.

(Sent following Precept No.)

Read Calendars of petty Cases disposed of by the Magistracy of Rajahmundry for the 4th Quarter of 1854.

(Here enter F.U. No. 371 of 1855.)

1. Calendar No. 1. Case 76. 'Using False Measures.' In the sentence for Section XXXII Regulation IX of 1816. correct to "Section I. IV. Regulation XI of 1816."

2. Case 91. 'Assault' The charge here was made on the 24th June and the case finally disposed of by the Joint Magistrate on the 16th October - or nearly four months subsequently - in Explanation of which delay it is remarked that it was not convenient to summon the Defendant at the time, he being engaged in important public business. It is not clear why the case was not preferred to the Head of Police nearest to the Defendant's station - but the reason assigned is altogether without precedent - as a summons by the Magistracy should invariably contain a

requisition

requisition to attend either in person or by Vakeel' Clause second Regulation XX of 1816.

3. Case 99. 'Forcible detention of Property' and 'Misdemeanor Trespass'.

4. Calendar No II Case 79. 'abuse of authority' The Defendants in this Case were jointly charged with the Defendant in Case No 23 of Calendar No 1. That Defendant was furnished while the present Defendants were released, the Magistrate giving them the benefit of the doubt which arose as to the degree of Knowledge on their part of the illegality of the orders of the 1st Defendant under which they were acting. The Session Judge will instruct the Magistrate that the charge being the same against all the Defendants, the case should have been entered once only in the Calendars viz in Calendar No 1. a note being appended, intimating the reason for the release of the 2d and 3d Defendants. It is only where a charge breaks down as against all the Defendants, that a case can be properly entered in Calendar No II.

5. Case No 83. As the Prisoners are

are not charged with Embezzlement, it would seem that they obtained the sums specified in the charge (which is far from carefully worded) by a false pretence. The term 'misdemeanour' does not appear applicable.

6. The Vagrancy Calendars are not in order. Vide C. O. 25th February 1824. and Mr Baynes' work. Reports and Statements page 77.

7. In his review of these Calendars, the Session Judge (para 3) has enquired why two Cases are marked 24½ and 25½ respectively. The Magistrate replies that they were so numbered to distinguish them from two Charges disposed of under Act VII of 1843 and to which the integral numbers were appropriated. The Magistrate will be directed to keep a separate account of Cases so disposed of numbering such without reference to the Petty Calendars.

Ordered that Extract from these proceedings be sent to the Session Judge of Rajahmundry, for Communication to the Magistrate.

Sent in No

Extd Thos W

F. Ub.

Monday 16th February 1855 } 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 8th Instant from the Sessions Judge of Chingleput submitting for the final judgment of the Foujdaree Udalut the record of Case No. 37 of 1854 of the Calendar of the Sessions Court.

Here enter F. Ub. No. 403 of 1855)

Mr. G. S. Hooper 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 Prisoner "Yagambara Chetty" 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 therefore of that Consideration

that

that strong suspicion, though not amounting to Conviction, attaches to him, they direct that under Clause Sixth Section II. Regulation XV of 1803 he be required to find two Sureties in (100) Rupees each surety for his good behaviour and appearance when required within 3 years or in default thereof that he be detained for that period in Confinement.

1 The Court of Foujdaree Adalut see cause to distrust the evidence of the 4th and 5th witnesses who depose the former to having seen the 1st Prisoner deliver arsenic to the 2nd Prisoner on the morning of the 29th October and the latter to having been present when the 1st Prisoner administered the poisoned food to the deceased on the evening of that day.

2 The deceased died on the morning of the 30th and examinations relative to the Prisoners were held on that day and the 31st but the evidence of the above witnesses did not come to light till the 1st September. The name of the 5th witness is inserted in the Complaint of the 30th October but it is there by interpolation.

16th February 1833

The testimony of these witnesses is of a very improbable nature each deposing that he happened to arrive at the very moment that the circumstances severally spoken to by them occurred. The Court cannot believe that the Prisoner would have committed himself thus in their presence, and they are disposed to think that the evidence of these parties has been concocted and introduced to strengthen the case against the prisoners.

3 The Prisoners were denounced immediately after the death of the deceased and the Court see no ground to reject the evidence to the deceased having accused them when under the action of the poison of which it is amply proved that he died. But as this testimony is unsupported by collateral proof they consider it to be insufficient for the Conviction of the prisoner Entertaining however, a strong suspicion of the Prisoners guilt, the Court have required him to furnish two sureties each in the sum of Rupees 100 for three years.

Ordered

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

(Sent in N°)

Read Calendar of Petty Cases disposed of by the Magistracy of Guntoor for the 4th Quarter of 1834.

Here enter R. C. N° 366 of 1835

1 It is observed that no entries have been made in the Column headed General Number - the omission is irregular and the Sessions Judge will be pleased to provide against its recurrence.

Case N° 34 "Abuse of Authority"

2 The Defendants in this Case, it appears, were originally five in number, the first two being charged with having issued illegal orders to the remaining three, who were charged with having carried out the same. As the three latter (Calendar N° II Case N° 34) were released for "want proof" it is not clear how the 1st and 2nd Defendants came to be convicted. The Sessions Judge will inform the Magistrate that in no case is one charge to be divided into

into two, as has been here done, to meet the case of those Defendants who have been released and those who have been punished - It is only where the Charge breaks down as against all the Defendants that an entry of the same is to be made in the Calendar N° II. In all other cases, the Charge will be entered in Calendar N° I only - a note being appended intimating that such and such of the Defendants have been released.

Cattle Stealing and killing

3 The Gist of the offence being the larceny, the latter part of the heading should be omitted.

Calendar N° II "Abuse of authority and Assault"

4 As the assault constituted the other part of the charge, the latter alone should have been alleged in the heading.

Case N° 16 Assault & Robbery

5 It is obvious that the charge here is one of "Forcible" entry and trespass. The Magistrate should be careful in cases of this nature, a family quarrel not to adopt the exaggerated statements of the Complainant, in giving a name to the offence.

The Vagrancy Calendars are not

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

(Sent in No.)

Read Calendar of Petty Cases disposed of by the Magistracy of Guntoor for the 4th Quarter of 1834.

Here enter F. C. No. 366 of 1835

1 It is observed that no entries have been made in the Column headed General Number - the omission is irregular and the Sessions Judge will be pleased to provide against its recurrence.

Case No. 34 "Abuse of Authority"

2 The Defendants in this Case, it appears, were originally five in number, The first two being charged with having issued illegal orders to the remaining three, who were charged with having carried out the same. As the three latter (Calendar No. II Case No. 34) were released for want proof it is not clear how the 1st and 2nd Defendants came to be convicted. The Sessions Judge will inform the Magistrate that in no case is one charge to be divided into

into two, as has been here done, to meet the case of those Defendants who have been released and those who have been punished. It is only where the charge breaks down as against all the Defendants that an entry of the same is to be made in the Calendar No. II. In all other cases, the charge will be entered in Calendar No. I only - a note being appended intimating that such and such of the Defendants have been released.

Cattle Stealing and killing

3 The Gist of the offence being the larceny, the latter part of the heading should be omitted.

Calendar No. II "Abuse of authority and Assault"

4 As the assault constituted the other part of the charge, the latter alone should have been alleged in the heading.

Case No. 16 Assault & Robbery

5 It is obvious that the charge here is one of "Forcible" entry and trespass. The Magistrate should be careful, in cases of this nature, a family quarrel not to adopt the exaggerated statements of the Complainant, in giving a name to the offence.

The Vagrancy Calendars are not

not in order Vide Circular Order Tanjore Udalut 25th February 1824, and Mr. Baynes's Work Reports and Statements Page 77.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Guntoor for his information and guidance and for Communication to the Magistrate.

Ordered also that Extract (Para 2) from these proceedings be sent to the General Sessions Judges for their information and for communication to the Magistrate

(Sent in Nos)

Extd Thott

Saturday
17th February 1855

F. U.

At a Court of the Foujdaree Udalut

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

Read Petition presented 15th January 1855 by Sheik Hyder Saib Lewaye of Tillak Contacoonam.

(Here enter F. U. Pr. P. 18/55)

Mr. W. A. Morehead

1 Petitioner complains that his appeal from a decision of the Magistrate of Tanjore, touching an assault said to have been committed on Petitioner, while officiating in his post of Cadil of Manjacolly (Tahook Kevalay) has been rejected by the Sessions Judge, without perusal of the Petition presented by Petitioner on the occasion.

2 This Petition is referred to the Acting Sessions Judge who will be pleased to pass such orders on the matter as the case may require.

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

Sent in No.

Ordered

17th February 1855

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

Read Miscellaneous Petition presented on the 29th Ultimo by Vedavadoo Venkiah of Zillah Nellore.

(Here enter F. H. P. No 444 of 1855)

Mr. W. A. Morehead.

This petition is rejected and the Petitioner referred to the orders formerly passed by the Court of Foujdaree Udalut in the matter to which he adverts.

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

Read Miscellaneous Petitions forwarded by the Acting Sessions Judge of Tinnevelly from Makoondapa Tauen and Verne Tauen of Zillah Tinnevelly praying orders for the release of the 1st and 2d Prisoners in Case No 49 of 1854 of the Session Court of Tinnevelly.

(Here enter F. H. P. Nos 445 & 446 / 1855)

Mr. W. A. Morehead.

The Court of Foujdaree Udalut see no reason to interfere in behalf of the aforesaid Prisoners, and therefore resolve to reject the Petitions.

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

Read

17th February 1855.

Read Miscellaneous Petition presented on the 5th instant by Venkiah of Zillah Chittoor praying for the release of the 1st Prisoner in Case No 53 of 1854 of the Session Court of Nellore.

(Here enter F. H. P. No 57 of 1855)

Mr. W. A. Morehead.

The Court of Foujdaree Udalut resolve to reject this Petition and to refer the Petitioner to the orders passed by them on the 16th December last in the matter to which the Petition relates.

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

Read Miscellaneous Petition presented on the 8th instant by Chellacotty late Jail Peon of the Zillah Court of Chingleput praying restoration to his former situation from which he has been dismissed by the Session Court of Chingleput.

(Here enter Sdt. F. H. P. No 13 / 1855)

Mr. W. A. Morehead

Before passing any final order on the above Petition, the Court of Sudder and Foujdaree Udalut resolve to transmit it to the Session Judge of Chingleput, and direct that Officer to submit any explanation he may have to offer with reference to the allegation put forth by the Petitioner Chellacotty

Naiken

* to be returned

16

17th Febry 1855. Saiken that he was the Peon present when the Session Judge found the eight Prisoners in his charge and that he was not absent from his duty as stated in the order of dismissal dated 25th January 1855.

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

Sent following Precept &c

Read Miscellaneous Petition presented on the 5th Instant by Tulbee Ummal of Tillak Chingleput praying for the release of her husband the 2d Prisoner in Case No 26 of 1854 of the Session Court of Chingleput, who was sentenced to 14 years imprisonment with hard labour in Irons.

(Here enter F. M. P. No 52/1855)

Mr W. A. Morehead

The Court of Foujdaree Adalut see no reason to question the propriety of the Sentence passed upon the Prisoner in question and accordingly resolve to reject this Petition.

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

Read

17th Febry 1855. Read Miscellaneous Petition presented on the 8th Instant by Narasimma Chetty, Periah and 2 others of Tillak Pallore.

(Here enter F. M. P. No 53 of 1855)

Mr W. A. Morehead

The Petitioners who were employed on the Establishment of the public works of the Road leading from Damaramadoogoo to Cuddapah, state that the Head Goomastah on that Establishment (the 3d Prisoner in Case No 63 of 1854 of the Session Court of Pallore) paid into their hands a certain sum of money to be kept in the Cutcherry; that this Amount the Petitioners were subsequently called upon to pay into Court as being that embezzled by the 1st Prisoner in the above case, that the 3d Prisoner, who has been since released, required the Petitioners to repay to him the said amount on the ground that it is a quite distinct item from that embezzled by the 1st Prisoner, and that on the Petitioners application to the Session Court for the return to them of the Amount in question, they were referred to this Court to whom, they were informed, the case was referred for final disposal. The Petitioners, therefore,

17th Febry 1855. Saiken that he was the Peon present when the Sessions Judge found the eight Prisoners in his charge and that he was not absent from his duty as stated in the order of dismissal dated 25th January 1855.

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

Sent following Precept to

Read Miscellaneous Petition presented on the 5th Instant by Tuller Ammal of Tillak Chingleput praying for the release of her husband the 2d Prisoner in Case No 26 of 1854 of the Sessions Court of Chingleput, who was sentenced to 14 years imprisonment with hard labour in Irons.

(Here enter F. M. P. No 52/1855)

Mr W. A. Morehead

The Court of Foujdaree Adawlut see no reason to question the propriety of the sentence passed upon the Prisoner in question and accordingly resolve to reject this Petition.

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

Read

17th Febry 1855. Read Miscellaneous Petition presented on the 8th Instant by Suradam Chetty Peeriah and 2 others of Tillak Nellore.

(Here enter F. M. P. No 55 of 1855)

Mr W. A. Morehead

The Petitioners who were employed on the Establishment of the public works of the Road leading from Damarlamadoogoo to Cuddapah, state that the Head Goomastah on that Establishment (the 3d Prisoner in Case No 63 of 1854 of the Sessions Court of Nellore) paid into their hands a certain sum of money to be kept in the Cutcherry; that this Amount the Petitioners were subsequently called upon to pay into Court as being that embezzled by the 1st Prisoner in the above case, that the 3d Prisoner, who has been since released, required the Petitioners to repay to him the said Amount on the ground that it is a quite distinct item from that embezzled by the 1st Prisoner, and that on the Petitioners application to the Sessions Court for the return to them of the Amount in question, they were referred to this Court to whom, they were informed, the case was reserved for final disposal. The Petitioners, therefore,

17th Febry 1855. Naiken that he was the Peon present when the Session Judge found the eight Prisoners in his charge and that he was not absent from his duty as stated in the order of dismiss dated 25th January 1855.

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

Sent following Precept to

Read Miscellaneous Petition presented on the 5th Instant by Tullee Ammal of Tillak Chingleput praying for the release of her husband the 2d Prisoner in Case No 26 of 1854 of the Session Court of Chingleput, who was sentenced to 14 years imprisonment with hard labour in Irons.

(Here enter F. Gr. P. No 52/1855)

Mr W. A. Morehead

The Court of Foujdaree Adawlut see no reason to question the propriety of the sentence passed upon the Prisoner in question and accordingly resolve to reject this Petition.

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

Read

17th Febry 1855. Read Miscellaneous Petition presented on the 8th Instant by Narasimen Chetty Peeriah and 2 others of Tillak Nellore.

(Here enter F. Gr. P. No 55 of 1855)

Mr W. A. Morehead

The Petitioners who were employed on the Establishment of the public works of the Road leading from Damarlamadoogoo to Cuddapah, state that the Head Goomastah on that Establishment (the 3rd Prisoner in Case No 63 of 1854 of the Session Court of Nellore) paid into their hands a certain sum of money to be kept in the Cutcherry; that this Amount the Petitioners were subsequently called upon to pay into Court as being that embezzled by the 1st Prisoner in the above case, that the 3rd Prisoner, who has been since released, required the Petitioners to repay to him the said amount on the ground that it is a quite distinct item from that embezzled by the 1st Prisoner, and that on the Petitioners application to the Session Court for the return to them of the Amount in question, they were referred to this Court to whom, they were informed, the case was reopened for final disposal. The Petitioners, therefore,

17 17th February 1855 Therefore conclude by praying the Court to instruct the Session Judge to return to them the amount in question for the purpose of its being repaid to the Head Gomastah aforesaid.

2. The Court of Foujdaree Udalut resolve to refer the Petition to the Session Judge of Nellore who will be pleased to pass such orders on their Petition as its merits call for.

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

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

Sent in Sp

Ex Sheet

F. Ud.

Monday,
19th February 1855. 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 9th February 1855 from the Session Judge of Cuddapah submitting for the final judgment of the Foujdaree Udalut the record of Cases Nos. 1. 2. 3. on the Calendar of the Session Court.

(Here enter F. Ud. No. 448 of 1855.)

Read also return dated 9th February 1855 from the same Officer to the precept of the Foujdaree Udalut under date the 5th February 1855, calling for the original record of Case No. 1 of 1855 on the Calendar of the Session Court.

(Here enter No. 451 of 1855.)

The Court of Foujdaree Udalut

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

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

19th February 1855.

against the prisoner

"Pattan Kodakal Parambil Kittie"

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

1. It appears in this case that the Prisoner, who conceived himself to have been deprived of certain rights by the act of the parties whom he assaulted, proceeded on the Evening of the 6th December to a house where he met the 1st 2d and 3d Prosecutors in Calendar No. 1. whom he stabbed. The attack was in the first instance directed against the 1st Prosecutor only but was directed against the others on their attempting to interpose. He then proceeded in succession to the houses of the Prosecutors in Calendars II and III, and attacked with his knife the son of the Prosecutor in Case No. II and the brother of the Prosecutor in Case No. III. Both these parties expired of their wounds, the first immediately and the second after lingering four days.

The

19th February 1855.

2. The Prisoner has been convicted in all three cases by the Futwah in which the Session Judge has concurred and a sentence of death has been proposed.

3. The Court of Foujdaree Udalut have perused the trials in Calendars 2 and 3. which involve charges of Murder. In both these cases the Prisoner has confessed and the records of the trials show no grounds whatever on which any plea in palliation of the Prisoners guilt can be founded. On the Contrary both murders, it is evident, were committed in cold blood and with full deliberation. The Court resolve to sentence the Prisoner to suffer death.

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

I Sent pro Acc

Read again Criminal Reports submitted through the Session Judge of Cuddalore for December 1854.

(Here enter P.C. No 243 of 1855.)

Read also Return of the Session Judge dated 8th February instant

to

19th February 1855.

to the Precept of the Foujdaree Udalut under date the 6th idem, calling for Report (A) of the Acting Principal Sudr Ameen in Case No 259 of 1854.

(Here enter F. U. No 427 of 1855.)

1. The Sessions Judge will be pleased to point out to the Acting Principal Sudr Ameen that the Sentence passed by him in the foregoing case is altogether inadequate to the offence of which the Prisoners were convicted. The Magistrate will dismiss the parties from the Public Service - availing himself of the provisions of Clause Second, Section XXXIX. Act. VII. of 1843 should he think proper to do so, before taking that step. The Magistrate should also let it be generally known that a dismissal awaits all public officers convicted under similar circumstances.

2. The Sessions Judge will further intimate to the Acting Principal Sudr Ameen that it is necessary in summing up the case against a Prisoner, that the remarks of the Presiding Officer should

F. U.

19th February 1855.

open up the particulars of the evidence which is relied on for the Prisoner's conviction, in a clear and full statement, and that it is not enough to inform Appellate and Superintending Authority that the "charge is proved against the Prisoner by the Prosecutor and his witnesses." a mode of sentence which effectually precludes the Higher Court from arriving at any just view of the merits of the case adjudicated on.

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

(Sent in No)

Read again Criminal Reports submitted thro' the Sessions Judge of Chittoor for the month of December 1854.

(Here enter F. U. No 125 of 1855.)

Read also Return of Session Judge under date 6th Instant to the precept of the Foujdaree Udalut dated the 31st January ultimo, calling for Report (A) of the Subordinate Judge in Case No 218 of 1854.

Here enter F. U. No 375 of 1855.)

It

19th February 1855.

1. It would appear, from the remarks of the Subordinate Judge in summing up the case, that the Prisoner made the "false pretence" that he had certain bundles of grain in the neighbourhood of the Prosecutors' village, and that the Prosecutor giving credence to such statement, parted with his money to the Prisoner. The Court therefore see no reason to disturb the Sentence passed upon the Prisoner (with the exception of the corporal punishment, which, as already pointed out, is not authorized) - but they would at the same time observe that the Subordinate Judge should have been careful to state in the Indictment that the 'false pretence' was (all is now apparent) of an existing fact. Had this been charged, there would have been no call for the present correspondence.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chittoor for information and for communication to the Subordinate Judge.

(Sent in No.)

Rao

19th February 1855.

Read Calendar of Case No. 49 of 1854 of the Session Court of Tinnevelly.

(Here enter F. U. No. 239 of 1853)

1. The Court of Foujdaree Udalut resolve to direct that the infliction of the corporal punishment which the 1st and 2nd Prisoners in this case have been adjudged to suffer on their conviction of "Arson and Resistance to Magistrates warrant" be suspended pending their further instructions.

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

(Sent following Precept No.)

Read again Calendar in Case No. 106 of 1854 of the Sessions Court of Masulipatam.

(Here enter F. U. No. 87 of 1855.)

Read also Return of Sessions Judge dated 30th January last to the Precept of the Foujdaree Udalut under date 22nd idem, calling for certain information in regard to the evidence addduced in the foregoing Session Case.

(Here enter F. U. No. 369 of 1853.)

In

17

1. It would appear, from the remarks of the Subordinate Judge in summing up the case, that the Prisoner made the "false pretence" that he had certain bundies of grain in the neighbourhood of the Prosecutors village, and that the Prosecutor giving credence to such statement, parted with his money to the Prisoner. The Court therefore see no reason to disturb the Sentence passed upon the Prisoners (with the exception of the corporal punishment, which, as already pointed out, is not authorized) - but they would at the same time observe that the Subordinate Judge should have been careful to state in the Indictment that the 'false pretence' was (all is now apparent) of an existing fact. Had this been charged, there would have been no doubt for the present correspondence.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chittoor for information and for communication to the Subordinate Judge

Rest in No)

Read

Read Calendar of Case No 49 of 1854 of the Session Court of Tinnevelly.

(Here enter F. U. No 239 of 1853)

The Court of Foujdaree Udalut resolve to direct that the infliction of the corporal punishment which the 1st and 2d Prisoners in this case have been adjudged to suffer on their conviction of "Arson and Resistance to Magistrates warrant" be suspended pending their further instructions.

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

(Sent following Precept No)

Read again Calendar in Case No 106 of 1854 of the Sessions Court of Masulipatam.

(Here enter F. U. No 87 of 1855.)

Read also Return of Sessions Judge dated 30th January last to the Precept of the Foujdaree Udalut under date 24th idem, calling for certain information in regard to the evidence addduced in the foregoing Session Case.

(Here enter F. U. No 369 of 1855.)

In

19th February 1855.

1. In furnishing the specific information required by this Court, the Sessions Judge observes that, as the aggregate value of the property discovered was entered in the Indictment as well as a general description of the same, he concluded that a detailed list thereof would not be necessary.

2. The Court of Foujdaree Udalut resolve to instruct the Sessions Judge that it is their wish, that in every case any property found on or delivered up by a Prisoner should be described in the Column of 'Sentence', and it should invariably be shown in what way and by whom the same has been identified as the Prosecutor's.

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

(Sent in Ree.)

Read the Petty Calendars of the Magistracy of Ganjam for the 4th quarter of 1854.

(Here enter F.U. No. 416 of 1855.)

1. Case 1. Calendar I. 'Robbery'- It appeared

F.U.
19th February 1855.

appeared that the Defendant had been guilty of a forcible Trespass only- The charge should not therefore have been entered as of the nature of Robbery, according to the exaggerated statements of the Complainant only.

2. Case No. 8- 'Assault' In the course of the investigation here, the Defendant used contemptuous language towards the Magistrate who fined him 2 Rupees under Section VII Regulation XIII of 1832- The Magistrate has not the jurisdiction under the Regulation quoted, except in cases where he is proceeding under Act VIII. of 1843- The order should have quoted Section I. Act XXX of 1841. and it should further have been stated to what term of Imprisonment the fine was made commutable.

Calendar No. II. It is observed that

3. where in a charge, one Defendant is convicted and the other released, the charge is divided into two cases- one being entered in the Calendar of Punishments (No. I.) and the other in the Calendar of Releases (No. II)- This course is altogether irregular. No case is to be

Entered

19th February 1855.

1. In furnishing the specific information required by this Court, the Sessions Judge observes that, as the aggregate value of the property discovered was entered in the Indictment as well as a general description of the same, he concluded that a detailed list thereof would not be necessary.

2. The Court of Foujdaree Udalut resolve to instruct the Sessions Judge that it is their wish, that in every case any property found on or delivered up by a Prisoner should be described in the Column of 'sentence', and it should invariably be shown in what way and by whom the same has been identified as the Property

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

(Sent in Dee)

Read the Petty Calendars of the Magistracy of Ganjam for the 4th quarter of 1854.

(Here enter F.U. No 416 of 1855.)

1. Case 11. Calendar I. 'Robbery'- It appeared

F.U.
19th February 1855.

appeared that the Defendant had been guilty of a forcible Trespass only- The charge should not therefore have been entered as of the nature of Robbery, according to the exaggerated statements of the Complainant only.

Case No 8- 'Assault' In the

2. course of the investigation here, the Defendant used contemptuous language towards the Magistrate who fined him 2 Rupees under Section VII Regulation XIII of 1832- The Magistrate has not the jurisdiction under the Regulation quoted, except in cases where he is proceeding under Act XVII. of 1843. The order should have quoted Section I. Act ~~XXX~~ of 1841. and it should further have been stated to what term of Imprisonment the fine was made commutable.

Calendar No II. It is observed that

3. where in a charge, one Defendant is convicted and the other released, the charge is divided into two cases- one being entered in the Calendar of Punishments (No I.) and the other in the Calendar of Releases (No II)- This course is altogether irregular- No case is to be entered

entered in Calendar No. II. Except wherein the charge breaks down as against all the Defendants. In other cases, an entry in Calendar No. I. will suffice, a note being appended explanatory of the issue of the charge against such Defendants as are not punished.

4. Calendars III and IV. the Vagrancy Statements are not in due form vide F.H.C.O. 25th February 1824 and Mr. Baynes's work. Reports and Statements. Page 7

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 No.)

Read Petty Calendars of the Magistracy of Canara for the 3rd Quarter of 1854.

(Here enter F.H. No. 423 of 1855.)

1. No Explanation whatever is afforded in regard to the delay noticeable in the transmission of these Calendars. The Sessions Judge will be pleased to explain into what authority such delay lies.

Case

2. Case No. 257. 'Trespass' This is one of numerous cases to be found in these Calendars and in those forwarded by the Session Judge of Honore - where the Defendant is charged with "felling trees of" as it is termed 'prohibited Kinds' the property, it is presumed, of Government cases, which however trifling, are invariably disposed of by the European Magistracy, frequently, as in the present case, after very considerable delay. The Session Judge will issue strict injunctions to the Magistrate to change the present mode of procedure, and to provide that such trivial cases be adjudicated on by the Heads of Village and District Police, more important charges being alone sent up for the cognizance of the Magistracy.

3. Case No. 257. 'Gambling'. It appears to the Court that the dismissal of the 4th Defendant (a Peon) from the Public service for this above offence, on conviction of which the remaining Defendants were fined in 2 Rupees each, is too severe - and they resolve to direct his re-employment. It is observed

he

he has been out of employ since the 17th August last.

4. Case No. 292. Here the Prisoner was fined 4 Rupees for an assault, in which he had attempted to use his Knife. The sentence is altogether inadequate.

5. Calendars III & IV. the Va.-grancy Statements are not in order. Vide F. H. C. O. 25th February 1824 and Inv. Bayne's work - page 77 - of Reports & Statements.

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

/ Sent in No.)

Read Report dated the 1st instant submitted by the Session Judge of Rajahmundry of Cases pending on the 1st February 1855 before the Session Court for upwards of 25 days.

(Here enter F. H. No. 353 of 1855.)

Read Extract Minutes of Consultation under date the 5th Instant communicating observations of Government on the imperfect manner in which the Local

authorities at South Arcot have investigated into certain Cases of abuse of authority.

(Here enter F. H. No. 356. of 1855.)

Read Report dated the 1st instant submitted by the Session Judge of Cuddalore of Cases pending on the 1st February 1855 before the Session Court for upwards of 25 days.

(Here enter F. H. No. 363 of 1855.)

Read Statement dated the 31st January 1855 submitted by the Session Judge of Masulipatam of Batta paid to the Prosecutors and Witnesses attending before the Session Court for the half year of 1854.

(Here enter F. H. No. 368 of 1855.)

Read Jail Report dated the 2d January 1855 submitted by the Magistrate of Salem for the month of December 1854.

(Here enter F. H. No. 373 of 1855.)

Read Calendar of Case No. 6 of 1855 submitted by the Session Court of Bellary under date the 3d February 1855.

(Here enter F. H. No. 374 of 1855.)

Read

19th February 1855.

Read Calendar of Case No. 1 of 1855 submitted by the Session Court of Cuddapah under date the 3d February 1855.

(Here enter P. C. No. 377 of 1855.)

Read return dated the 3d instant from the Session Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 1st idem desiring to be informed whether the misconduct of the Head of Police alluded to in the remarks of the Session Court in Case No. 69 of the Calendar for 1854 has been brought to the notice of the Magistrate

(Here enter P. C. No. 376 of 1855.)

Read Calendar of Case No. 4 of 1855 submitted by the Session Court of Cuddapah under date the 3d February 1855.

(Here enter P. C. No. 379 of 1855.)

Read Statement dated the 31st January 1855 submitted by the Acting Session Judge of Honore of Batta paid to Prosecutors and Witnesses attending before the Session Court for the half year ending the 31st December 1854.

(Here enter P. C. No. 380 of 1855.)

Read

19th February 1855.

Read Calendar in Case No. 2 of 1855, submitted by the Session Court of Tellicherry under date the 22d January 1855.

(Here enter P. C. No. 388 of 1855.)

Read Report dated the 1st instant, submitted by the Session Judge of Tellicherry of Cases pending on the 31st January 1855 committed for trial during the month of December 1854.

(Here enter P. C. No. 389 of 1855.)

Read return dated the 6th instant from the Sessions Judge of Cuddapah to the precept of the Foujdaree Udalut under date the 30th January last conveying observations on the Criminal Reports and desiring to be informed what were the facts established against the 1st 2d and 3d Prisoners in Case No. 371 of 1854 on the file of the Sub. Criminal Court.

(Here enter P. C. No. 393 of 1855.)

Read Calendar in Case No. 13 submitted by the Session Court of Bellary under date the 8th February 1855.

(Here enter P. C. No. 445.)

Read

19th February 1855.

Read Calendar in Case No. 11 submitted by the Session Judge of Bellary under date the 8th February 1855.

(Here enter F. C. No. 446 of 1855.)

Read Calendar in Case No. 5. submitted by the Session Judge of Madura under date the 10th February 1855.

(Here enter F. C. No. 449 of 1855.)

Read Calendar of Cases No. 4. and 7. submitted by the Acting Session Judge of Combaconum under date the 12th February 1855.

(Here enter F. C. No. 453 of 1855.)

Read Calendar in Case No. 2 submitted by the Session Judge of Trichinopoly under date the 13th February 1855.

(Here enter F. C. No. 460 of 1855.)

Read Calendar in Case No. 5. submitted by the Session Judge of Cuddapah under date the 13th February 1855.

(Here enter F. C. No. 467 of 1855.)

Ent'd Thos W

F. C.

Tuesday - - - - At a Court of the Fouzdaree Adalut
20th February 1855.

Present

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

Read letter dated 9th February 1855 from the Acting Sessions Judge of Combaconum referring for the final Judgment of the Fouzdaree Adalut the Record of Case No. 58 of 1854 of the Calendar of the Session Court

(Here enter F. C. No. 442 of 1855.)

The Court of Fouzdaree Adalut,

Mr. G. L. Hooper
Mr. W. A. Morehead

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

"Ganapady Padyachy"

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

19th February 1855.

Read Calendar in Case No. 14 submitted by the Session Judge of Bellary under date the 8th February 1855.

(Here enter F. C. No. 446 of 1855.)

Read Calendar in Case No. 5. submitted by the Session Judge of Madura under date the 10th February 1855.

(Here enter F. C. No. 449 of 1855.)

Read Calendar of Case Nos. 4. and 7. submitted by the Acting Session Judge of Combaconum under date the 12 February 1855.

(Here enter F. C. No. 453 of 1855.)

Read Calendar in Case No. submitted by the Session Judge of Trichi-nopoly under date the 13th February 1855.

(Here enter F. C. No. 460 of 1855.)

Read Calendar in Case No. 5. submitted by the Session Judge of Cud-dapah under date the 13th February 1855.

(Here enter F. C. No. 467 of 1855.)

4 Read Roll

F. C.

Tuesday - - - - At a Court of the Fouzdaree Adalut
20th February 1855.

Present

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

Read letter dated 9th February 1855 from the Acting Session Judge of Combaconum referring for the final Judgment of the Fouzdaree Adalut the Record of Case No. 58 of 1854 of the Calendar of the Session Court

(Here enter F. C. No. 442 of 1855.)

The Court of Fouzdaree Adalut,

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

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

"Ganapady Padyachy"

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

20th February 1855

place of execution.

(Sent in Sta)

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Comp Adler

F. 16.

Wednesday 21st February 1855.

At a Court of the Fouzdaree Udalut

Present

G. L. Hooper Esqre. ____ Prisne Judge

W. A. Morehead Esqre. ____ Prisne Judge

T. L. Strange Esqre. ____ Prisne Judge

Read letter dated 3d February 1855 from the Session Judge of Tinnevelly, submitting for the final judgment of the Fouzdaree Udalut the Record of Case No. 20 of 1855. on the file of the Session Court.

(Here enter F. 16. No. 401 of 1855)

The Court of Fouzdaree Udalut,

Mr. Hooper.

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

"Suckary Meerah Pillay"

is sufficient to convict him of an Assault, do convict him thereof - and under the provisions of Clause third Section VII 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

hard labor in irons on the public roads or other public works for and during the period of (2) two years.

(Sent in No.

Read Calendar in Case No. 2 of 1855 on the file of the Session Court of Chittoor.

(Here enter F. Ca. No. 360 of 1855)

1 Charge "Housebreaking by day and Theft."

The Prisoner has been convicted by the Sessions Judge in concurrence with the Futwah and the Sessions Judge in sentencing the Prisoner to the punishment to which he has rendered himself liable, (Section XI Regulation VII of 1802) has recommended that the terms of Imprisonment should be reduced to four (4) years.

2 Under the circumstances of the case, the Court resolve to give effect to the foregoing recommendation, and the Session Judge is empowered to amend 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 in Case No. 2 of 1855 on the file of the Session Court of Cuddapah.

(Here enter F. Ca. No. 378 of 1855) charge

1 Charge "Housebreaking by night and Theft."

The Court of Foujdaree Udalut do not understand the grounds upon which the Session Judge has hesitated to convict the Prisoner. The evidence appears to have been ample for his conviction. The Session Judge will be pleased to furnish the Court with information on this point. As the Prisoner has been held to security, it should also be stated on what part of the evidence the Session Judge relied as a ground for such requisition agreeably to the course laid down in Circular Order. Foujdaree Udalut 204.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Cuddapah by Precept returnable within 8 days from and after its receipt.

(Sent following Precept No. 46

Ed. H.D.

F. No.

Thursday -
22d. February, 1855.

At a Court of the Foujdaree Udalut

Present -

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

Read Letter, dated the 30th. ultimo from the Sessions Judge of Madura, referring for the final Judgement of the Foujdaree Udalut, the Record of Case No. 69 of 1854 of the Calendar of the Sessions Court. -

(Here Enter F. No. No. 457 of 1855) -

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 Prisoners,

1st. Periatumby Shairway -
2d. Chinnoodian Shairway -
3d. Palanytumby Shairway -
4th. Oodiar Sairway -
5th. Dorachawmy Shairway -

6th.

6th. Mootloodiar Shairway -
7th. Dorachamy Shairway -
8th. Ponnen Shairway -
9th. Poovanadan -
10th. Aundy Nadan - and
11th. Aundy /-

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

/Sent in No. /-

Read Calendar of Case No. 5 of 1855 of the Sessions Court of Bellary -

/Here Enter F.M. No. 320 of 1855./-

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case, that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Robbery, be reduced to (7) seven years with hard labor in irons, and they

Bopjoogah -

they do authorize the Sessions Judge to issue his warrant accordingly -

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

/Sent in No. /-

Read Calendar of Case No. 3 of 1855 of the Sessions Court of Chingleput -

/Here Enter F.M. No. 342 of 1855./-

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 Robbery with open violence, be reduced to (5) five years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly -

1st. Chengum -
4th. Paulayettegar -

Ordered, that Extract from these Proceedings be forwarded to the

the Sessions Judge of Chingleput for his information.—

/Sent in No. /—

Read Calendar of Cases No. 12 of 1855 of the Sessions Court of Bellary.—

/Here Enter F.C. No. 440 of 1855/—

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case, that the period of imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Gang Robbery, be reduced to (5) five years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.—

Goorooah.

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

/Sent in No. /—

Read again Petty Calendars of the Magistracy of North Arcot

Arcot for the 3d Quarter of 1854.—

/Here Enter F.C. No. 73 of 1855/—

Read also Return of the Sessions Judge dated 30th January last, to the Precept of the Foujdaree Udalut under date the 18th Idem, forwarded on a review of the foregoing Calendars.—

/Here Enter F.C. No. 311 of 1855/—

1. The case of Mr. overseer Lincoln (Case No. 23 Calendar I) does not appear to call for any orders from this Court beyond that officer having been duly reprimanded for his misconduct by the Civil Engineer of the 2d Division.—

2. The sentence of the Joint Magistrate, in the other case noticed by this Court, (Case No. 24 Calendar I) is altogether inadequate to the offence of which the Prisoners stood convicted. Where a charge of the nature here laid is established against any Officer of Police, dismissal from the Public Service should be pronounced, in

2. 22d. February 1855.

in addition to the specific sentence adjudged.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Chittoor for communication to the Magistrate.

/ Sent in No. /—

Rs. 180.

F. No.

Friday 23d February 1855. } At a Court of the Foujdaree Adalut.

Present.

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

Read letter under date the 14th. February 1855 from the Sessions Judge of Chingleput forwarding English translation of the record of Case No. 39 of 1854, on the Calendar of the Sessions Court, for final Judgment of the Court of Foujdaree Adalut

(Here enter F. No. No. 452 of 1855)

The Court of Foujdaree Adalut

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

on a deliberate consideration of all the circumstances of the case as in evidence before them, being of opinion that the Prisoners,

1st. Worthegan Alias Venkatasam.
2d Veeraswamy Rajah
and
3d Somasawmy Goodely.

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

that they be set at liberty.

1 The Prisoners in this case, three in number, are charged with the Wilful Murder of one Soby Ummuny, and with Robbery in having carried away from her person ornaments to the value of Rupees 38-----

2 The Law Officer has acquitted the Prisoners, on the ground that the 6th Witness is an approver. From this Futwah the Sessions Judge dissents and has referred the Record of trial, with a recommendation that Sentence of death be awarded against all three Prisoners.

3 The Court of Foujdaree Adawlut view the evidence for the Prosecution with much distrust and find themselves unable to concur with the Sessions Judge in holding the Prisoners guilty.

4 The 1st Prisoner was the person who on the morning after the alleged Murder, first pointed out the body of the deceased. As there were wounds thereon he would scarcely have done this had he been one of the Murderers. The Murder was then hushed up and the body burnt. This was not the act

of the Prisoners but of the 3d and 4th Witnesses and others. There is no sufficient cause for this conduct and it serves to cast suspicion upon the parties thereto.

5 The earliest denunciation made was by the 2d Prisoner in a Petition to the Magistrate, and he accused the 1st & 4th Witnesses and others. The Murder is said to have been committed on the night of the 3d September, and this Petition was received by the Magistrate on the 25th of that month. During this interval the murder remained successfully hushed up and the object of the Petitioner was to bring it to light and to excite enquiry. The Prisoner would hardly have acted in this way, had he been concerned in the Murder.

6 After this, namely on the 13th October, the Head of Police received a communication in which the said Prisoner and the 1st Prisoner were accused and the 5th Witness indicated as being able to give evidence in the matter. This address was not put forth openly, as that of the 2d Prisoner, but the writer shrunk to affix his name thereto, and it was upon his underhand accusation

accusation that the Proceedings affecting the Prisoners were instituted.

7 The Court of Foujdaree Adalut cannot but think that the 4th Witness and others in the same interest with him, after having Succeeded in suppressing the Murder (for that the deceased met with a violent end the Court do not doubt) were the authors of the said anonymous communication, in retaliation upon the 2d Prisoner for bringing the fact of the Murder to light and accusing them.

8 The Court attribute the present of the evidence against the Prisoners to the same source. That of the 3d Witness, which is merely corroborative of the direct evidence, is by a party guilty of suppressing the Murder and joining in burning the body. That of the 5th Witness was indicated, as before noticed, in the said anonymous communication upon this time he had suppressed his information.

9 The Court further think the Witness Statements of a highly improbable character, as they do the whole tale brought forward against the Prisoners. The murder is said to have been a premeditated

one, but the meeting with the deceased accidental, and after Sunset. The three Conspirators, Viz. the Prisoners, being there all at hand is improbable. It is unlikely that the 1st and 2d Prisoners would have taken the deceased with them to murder her, when in the presence of the deponent, the 5th Witness. This Witness varies much in his earlier Statements (made before the Police) at first discribing the Scene in such a way as to show that he had not the opportunity of observing what violence was committed on the deceased, and then, on a Subsequent date, mentioning the cuts and stabs inflicted on her and the removal of her ornaments, also on the prior occasion criminating only the 1st and 2d Prisoners, and Subsequently also the 3d Prisoner and the 6th Witness.

10 The circumstances under which the said 6th Witness (the approver) describes himself to have witnessed the murder are also of a very improbable nature. He says that he accidentally met with the 3d Prisoner who Summoned him to the spot and there told him that the deceased was about to be murdered and promised him

a

a Share of the booty, it being highly unlikely that a party designing murder would thus at the time introduce another to the scene, who had not already been secured as an accomp or that, with only an elderly woman to dispose of and three men present, a fourth should have been in this manner joined to the party. The making use of this accidentally met with Witness instruments of trade for accomplishing the murder with is also unlikely for the Prisoners would have had weapons of their own and the 1st Prisoner is described to have had weapons with him when he took away the deceased to the spot of the Murder.

11

The Court therefore, placing no confidence in the evidence for the Prosecution, acquit the Prisoners and direct their release.

12

The Magistrate will be instructed to notice the apathy of the Village authorities in omitting to bring the murder to the knowledge of the Circar, and he will visit the same with punishment. The conduct of the Head of Police in interrogating the accused at great length is irregular, as has been ruled so far back as

as 1825. Vide Circular Order of the Foujdaree Adalut of the 4th June of that year. The Magistrate will bring this Circular Order to the notice of the Head of Police with the foregoing remarks.

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

Sent in No. /

Read letter under date the 9th February 1855 from the Sessions Judge of Bellary Submitting an English Translation of the Record in Case No. 204 of 1854 on the Calendar of the Sessions Court, for final Judgment of the Court of Foujdaree Adalut.

(Here enter F. Cr. No. 470 of 1855)

W. G. L. Hooper
and
W. A. Morehead

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

Dauseegaundoo

is sufficient to convict him of the Crime of Murder do convict him thereof, and do

under

23d February 1855.

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 Ho. 180

/s

Temp. Clerk

Saturday
24th February 1855

F. H.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar in Case No 2 of 1855 on the file of the Sessions Court of Salem.

(Now enter F. H. No 424 of 1855)

Charge "Wilful Murder". The Indictment here, so far as it is intelligible, charged the prisoner with having killed the deceased with a sword, after rendering him intoxicated.

It is obvious to remark that

2.

the Charge as it appears in Column 3, has been drawn up by "a writer in the office", a course of proceeding deprecated by this Court so far back as 1833, Vide Circular Order of Foujdaree Adalut (A) of the 10th April of that year. The attention of the Sessions Judge is called to that order. Primarily it is the duty of the Criminal Judge to "trim the Charge of its superfluities" and to reduce

it

it to what he may consider, from the evidence before him in Committing the Case to be a fair statement of the Crime, and this duty should be enforced whenever inefficiently performed, as in the present case, which, it is observed, was sent up by the late Acting Subordinate Judge.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Salem for his information and guidance and for Communication to the Subordinate Judge. —

(Sent in No)

Read Calendar in Case No 8 of 1855 on the file of the Sessions Court of Bellary. —

(Here enter F. R. No 339 of 1855)

Charge "Assault with wounding".

The Sentence of the Sessions Judge in this Case, when the Prisoner has been convicted of a severe and cruel Assault, is deemed altogether inadequate. —

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

Judge of Bellary for his information and guidance. —

(Sent in No)

Read again Calendar in Case No 76 of 1854 on the file of the Sessions Court of Cuddapah. —

(Here enter F. R. No 3034 of 1854)

Read also Supplemental Return of the Sessions Judge to the precept of the Foujdaree Adalut dated 3d January last and Calling for information in respect to the individual Client referred to in the foregoing Calendar. —

(Here enter F. R. No 428 of 1855)

The Sessions Judge has enclosed Return made by the Magistrate of Cuddapah by which it appears that, though suspected on a former occasion of being concerned in a Gang Robbery, the individual referred to is now favorably reported on by the Head of Police, who has further submitted a Mahazurnamah filled with the signatures of parties residing in the same locality

with

with Chentsen, and which describes the man as one of irreproachable Character.

2. From what is seen of Chentsen's Conduct in the circumstances set forth in the Calendar, the Court find reason to doubt the correctness of the view of his Character taken by the Head of Police. His Conduct, they are of opinion, should be strictly watched, and in no case should he be employed by the Police or trusted by them as one who can supply credible information.—

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

(Sent in No. /

Read again Criminal Reports submitted through the Sessions Judge of Coimbatoor for the month of November 1854.

(Here enter F.R. No. 3102 of 1854)

Read also return to the precept of the Tanjore Adalut under date the 8th February last, calling for explanation in respect to case No. 38 on the Magistrate's file.

(Here enter F.R. No. 245 of 1855)

1 In his memorandum furnished with the foregoing Return, the Magistrate of Tanjore has stated, that the warrant of the Head Assistant referred to by this Court was general in its terms by reason that the information on which it was issued was specific as to Villages only and not as to individuals and he conceives that if a warrant must proceed always on specific affidavits against individual parties, the Interests of the Government will in the present instance be seriously imperilled.

2. The Court of Tanjore Adalut are of opinion that the course here advocated by the Magistrate is illegal, and must be at once discontinued. In examining suspected localities the Magistrate will always be at liberty to avail himself of the Agency of Heads of Village Police, under the provisions of Section XI Regulation XI of 1816, but any thing in the nature of a general warrant entrusted for execution to the hands of a Peon, is unauthorized. The Court of Tanjore Adalut

Adalut would suggest for the consideration of the Magistrate, the expediency of adopting further preventive measures in the shape of an increased Establishment of Cavil-gars or watchmen to be on duty in the vicinity of the salt Marsh, and the roads leading thereto. —

Ordered that Extract from these proceedings be sent to the Sessions Judge of Combaconum for his information and for Communication to the Magistrate.

(Sent in No)

Read Miscellaneous Petition presented on the 19th Instant, by Chellappa Naiken late Jail Goomastah of Chingleput.

(Vide enter S. & T. In. P. No. 16 of 1855.)

Mr. H. A. Morehead. / Before disposing of this case, the Court of Sudr and Foujdaree Adalut resolve to call upon the Sessions Judge to submit the record connected with the dismissal of Petitioner. —

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chingleput by precept returnable within

within X days from and after its receipt. —

(Sent following precept No)

Read Miscellaneous Petition presented on the 15th January 1855 by Pangoda Panikar of Zillah Calicut. —

(Vide enter S. & T. In. P. No. 6 of 1855)

Mr. H. A. Morehead. / Petitioner complains of an order of the Magistrate, removing him from his situation of Police Goomastah in the Paulghaut Taluk. —

The Court of Foujdaree Adalut

2.

have no power to interfere with the Magistrates' Proceedings in this case, The Petitioners' proper course is to address the Board of Revenue. —

The Court of Foujdaree

3.

Adalut are at a loss to know on what grounds the Sessions Judge entertained an Appeal from the Magistrates' decision. His attention is drawn to the Minutes of Consultation marginally entered; and he will understand that Complaints of the nature under review, are altogether out of his Jurisdiction. —

Ordered

Est. Minutes Cons. 10th June 1850. Sudr Department No. 246. — Vide C. C. Board of Revenue 24th June 1850. —

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

Ordered also that Extract from these proceedings be sent to the Session Judge of Calicut for his information.

(Sent in Mr.)

Read Miscellaneous petition presented on the 21st Instant by Condiah of Zillah Nellore, praying orders for the release of the prisoner in Case No. 31 of 1854 of the Sessions Court of Nellore. —

(Here Enter F. M. P. No. 58 of 1855)

Mr. W. A. Morehead

The Court of Foujdaree Adalut see no reason to question the propriety of the sentence passed upon the prisoner, who was seized in the act, and they accordingly resolve to reject this petition. —

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

Read Miscellaneous petition presented on the 22d January 1855 by S. Ouchterlony Esquire Vakeel on behalf of

Oodia Vuema Rajah

Oodia Vuma Rajah of Zillah Tellicherry —

(Heretofore F. M. P. No. 36 of 1855)

Mr. W. A. Morehead / Petitioner prays the Court to review their order of the 21st October last, in which they upheld certain proceedings of the Sessions Judge confirmatory of a decision passed by the Head Assistant Magistrate of Malabar. —

In presenting this application,

2. Petitioner objects that the merits of the case have not been properly investigated by the Magistracy and the Sessions Judge, and further that the charge against him (Petitioner) is not of the nature of those trivial complaints to which the Regulation under which the Head of Police conducted the enquiry has reference.

The Court of Foujdaree Adalut

3. are unable to attach any weight to the arguments used by Petitioner. They are of opinion that the charge has been legally disposed of, and its merits fully considered by the local tribunals. The Petition is rejected. —

Ordered

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

Read Miscellaneous petition presented on the 4th January 1855 by Teero-mulroy, Vakeel on behalf of Vengadachelayer, Head Civil Gomastah - Monsiffs Court Angengo of Zillah Calicut. —

(Here enter F. M. P. No 2 of 1855)

Mr. W. A. Morehead. 1 Petitioner complains that he, a British subject, has been seized and placed in custody by the Travancore authorities on a charge of being concerned in committing a breach of the Revenue laws of that country, and that the Sessions Judge of Calicut, to whom he appealed, rejected his application on the ground that he (Petitioner) is a resident in the Travancore state, and amenable to its Regulations. —

2. The Court of Foujdaree Adalut consider the view of the law taken by the Sessions Judge correct - This petition is, accordingly, rejected. —

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

Read Miscellaneous petitions presented on the 29th Ultimo and 1st Instant by P. Lutchmeemmah and Lashmmah of Zillah Nellore praying for the release of the 2nd and 4th Prisoners in Case No 15 of 1853. —

(Here Enter F. M. P. Nos 42 and 50 of 1855)

Mr. W. A. Morehead. 1 The Court of Foujdaree Adalut have disposed of the case in question on a perusal of the record connected with it. and they see nothing in the present Petitions to shew that the conclusion then arrived at, is erroneous. —

Petition rejected.

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

Read Miscellaneous petition presented on the 21st Instant by Nara-samah of Zillah Nellore praying for the release of the Prisoner in Case No 53 of 1854 of the Sessions Court of Nellore. —

(Here enter F. M. P. No 59 of 1855)

Before

24th February 1855.

Before disposing of the foregoing petition, the Court of Foujdaree Adalut resolve to direct the Session Judge of Nellore to submit the Original Record connected with the case for their consideration.

Ordered that Extract from these proceedings be sent to the Session Judge of Nellore by precept returnable within V days from and after its receipt.

(Sent following precept No.)

Mr. W. A. Morehead

2d 18 D.

Copy Clerk

F. C.

Monday 26th February, 1855.

At a Court of the Foujdaree Adalut.

Present

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

Read Criminal Report under date the 10th February 1855 submitted by the Session Judge of Cuddapah for the month of January, 1855.

(Here enter F. C. No. 456 of 1855.)

Report, A.
Case No. 12.

1. The 1st, 5th, 6th, and 7th prisoners in this case, the 1st of whom was charged with house-breaking and theft, and the others with having aided and abetted in the commission of the crime, having been released by the Subordinate Judge, the Session Judge has ordered their commitment on the ground that they had acknowledged before the Subordinate Criminal Court being necessary to the robbery by being asked to join in it.

2. The Court of Foujdaree Adalut cannot understand how the fact of a prisoner being asked

asked to join in the commission of a crime, can in itself render him an accessory and they therefore require a further explanation of the grounds on which the Sessions Judge has deemed it his duty to order the commitment of the prisoner in question.

3. The Court also direct that a copy of the letter from the Magistrate referred to in the Sessions Judge's proceedings may be submitted for their consideration.

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

(Vide following precept. No.)

Read Criminal Reports submitted through the Sessions Judge of Chingleput, for January, 1855.

(Here enter F. R. No. 4715 of 1855.)

Case No. 4. "Cattle killing"

1. It would appear that the gist of the offence here, is the larceny of the Protestor's bullocks. The Sessions Judge will be pleased to look into the case, and to amend the heading to "Cattle-stealing," if it is so.

The

Magistrate's file.

2. The Heading of this Report should be "Persons delivered to the Magistracy," and not "to the Sessions Judge".

Ordered that Extract from these proceedings be forwarded to the Sessions of Chingleput, for his information and guidance, and for communication to the Magistrate.

(Vide in No.)

Read Criminal Reports &c. &c. submitted by the Sessions Judge of Coimbatore for the month of January, 1855.

(Here enter F. R. No. 4995 of 1855.)

Case No. 12.

The Court of Sudder are of opinion that the period of imprisonment awarded by the Principal Sudder Ameen in this case is insufficient punishment for the crime of which the Prisoner was convicted.

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

(Vide in No.)

Read

Read Criminal Reports submitted by the Sessions Judge of Trichinopoly for the month of January, 1855.

(Here enter F.R. No. 495 of 1855.)

Cases Nos. 7 and 12. 1. The manner in which the prisoners in these cases were supposed to have effected their entry into the prosecutor's house should have been stated in the charge.

Case No. 8. 2. In the charge in this case, the malicious intent which is necessary to constitute the crime of Arson should have been set forth.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Trichinopoly for communication to the Principal Sudr Ameen.

(Sub in No.)

Read Criminal Reports submitted through the Sessions Judge of Chittoor for January, 1855.

(Here enter F.R. No. 478 of 1855.)

Case No. 1. 1. The remarks of the Sessions Judge on the improper release of the prisoner in this case are correct. The Subordinate Judge overlooked the provisions of the Faujdaree Adawlut Circular Order, No. 156.

2. The Court observe that the signatures of the Magistrate and Head Assistant Magistrate appended to the Report of Convicts Labor, enclosed in the foregoing Calendars, are altogether illegible.

This remark will be brought by the Sessions Judge to the notice of those officers respectively.

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

(Sub in No.)

Read Criminal Reports submitted through the Sessions Judge of Nellore for January, 1855.

(Here enter F.R. No. 483 of 1855.)

Case No. 9. "Culpable Homicide." 1. This charge should have been headed "Murder." It is not necessary, in framing indictments of this nature, to specify the alleged

alleged provocation on the part of the deceased.
This remark applies to the next case
also, and the Case No. 11. The attention
of the Principal Sudr Ameen is called to
Circular Order of the Foujdaree Udalut
(A) of the 10th April, 1833.

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

(Sentence No.)

Read Miscellaneous Petition
presented on the 26th Instant, by Messrs. Pitchie,
Vakeels on behalf of Mootoo Tavan and another
of the zillah of Tinnevelly.

(See entry F.M.P. No. 68 of 1855.)

Mr. W. K. Marshall.

Before finally disposing of the
above Petition, the Court of Foujdaree Udalut
resolve to direct the Sessions Judge of Tinnevelly
to forward English Translation of the Record in
Case No. 49 of 1854 on the file of the Sessions
Court, and to suspend the Sentence passed in
that case until further orders.

Ordered

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

(And following precept No.)

Read Miscellaneous Petition
presented on the 21st Instant by Shaik Adam,
late Jail Peon of the zillah of Coimbatore.

(See entry F.M.P. No. 15 of 1855.)

The Court of Sudr and
Mr. W. K. Marshall.
Foujdaree Udalut having considered the prayer
of this Petition together with the Extract from
the Proceedings of the Sessions Judge of Coim-
batore under date the 6th February, 1854, are
of opinion that the Peon therein referred to,
viz., Shaik Adam and Moonaswa have been
too severely punished by dismissal from office,
the offence with which they stand charged,
not having been committed by them whilst
on duty.

2.

The Court of Sudr
and Foujdaree Udalut therefore considering
that

26th February, 1855.

26th Febru

ba

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adjudged

Miscreation on the part of the deceased.

This remark applies to the next, cause also, and the Case, No. 11. The attention of the Principal Sudr Ameen is called to Circular Order of the Foujdaree Adalut (A) of the 10th April, 1833.

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

(Sentence No.)

Read Miscellaneous Petition presented on the 26th Instant, by Messrs. Ritchie, Pakeels on behalf of Mottoo Tavon and another of the zillah of Tinnevelly.

(Here enter F. M. P. No. 68 of 1855.)

Before finally disposing of the above Petition, the Court of Foujdaree Adalut resolve to direct the Sessions Judge of Tinnevelly to forward English Translation of the Record in Case No. 49 of 1854 on the file of the Sessions Court, and to suspend the Sentence passed in that case until further orders.

Ordered

Mr. W. A. Marshall.

26th February, 1855.

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

(And following precept No.)

Read Miscellaneous Petition presented on the 21st Instant by Shaik Adam, late jail Peon, of the zillah of Coimbatore.

(Here enter F. M. P. No. 15 of 1855.)

The Court of Sudr and

Mr. W. A. Marshall. 1.

Foujdaree Adalut having considered the prayer of this Petition together with the Extract from the Proceedings of the Sessions Judge of Coimbatore under date the 6th February, 1854, are of opinion that the Punishment therein professed to, viz., Shaik Adam and Moonaswa have been too severely punished by dismissal from office, the offence with which they stand charged, not having been committed by them whilst on duty.

The Court of Sudr

2.

and Foujdaree Adalut therefore considering that

26th February, 1855.

that the suspension from their situation, which the Petitioners have already undergone is a sufficient punishment for the offence committed by them, presolve to direct the Sessions Judge of Coimbatore to restore them to their former situations.

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

(Sent following precept No.)

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

Tuesday
27th February 1855.

F. C.

At a Court of the Foujdaree Adalut

Present

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

Read letter dated 19th February 1855 from the Sessions Judge of Bellary referring for the final Judgment of this Foujdaree Adalut the Record of Case No. 11 of 1855 of the Calendar of this Sessions Court.-

(Hereunto F. C. No. 537 of 1855.)

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.-

"Veerunpa".

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

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

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

Ld 18.

(Sent in Sr)

Wednesday,
28th February 1855.-

F.C.

At a Court of the Foujdaree Udalut

Present

G.S. Hooper Esquire---.
W.K. Morehead Esquire--- } Puisne Judges.
J.L. Strange Esquire---.

Read again letter dated
3rd February 1855 from the Acting Sub.
Judge of Salem, reporting that in
consequence of the unusual severity
with which Cholora has visited the
Town of Salem orders have been issued
to the Magistracy and Police prohibiting
them from sending up any more cases at
present to the Criminal Court.-

(Here enter F.C. No. 352 of 1855)

Read also return dated 14th February
1855 from the same Officer to the Receipt of
the Foujdaree Udalut of the 8th Idem,
directing that measures be taken to
reopen the Court on the Criminal side
as early as practicable.-

(Here enter F.C. No. 487 of 1855)

It is observed to the Court
of Foujdaree Udalut from the report
of the Zillah Surgeon submitted with
the

the foregoing Return that the Criminal Court was closed by the acting Subordinate Judge when no urgent necessity existed for that measure - and the Court cannot acquit Mr. Hodgson from blame in thus causing an obstruction of the public business - The Court direct that the Criminal Court be now reopened forthwith -

Ordered that Extract from these Proceedings be sent to the acting Sub: Judge of Salem for his information

Sentence &c.

Read Calendar of Case No. 5 of 1855 of the Sessions Court of Nellore

(Here enter F.M. No. 469 of 1855)

The Court of Sunjdaree 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 Gang Robbery by open violence with wounding, be reduced to (10) Ten years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly

1st Pothiya Subbadu alias Caliyadu
2d Calahasty Potadu
3d Tummalondadu

Ordered

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

Sentence &c.

Read Calendar in Case No. 1 of 1855 on the file of the Session Court of Coimbatore

(Here enter F.M. No. 343 of 1855)

1. The 1st Prisoner was convicted of uttering a certain forged document with intent to defraud one Captain De Vitre of the sum of Rupees 349-1-a and has been sentenced by the Session Judge to (6) six months Imprisonment with hard labor in irons.

2. The Court have to point out to the Session Judge that such a sentence is altogether inadequate to the offence of which the Prisoner was found guilty.

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

Sentence &c.

Read Calendar of Case No. 3 of 1855 of the Session Court of Coimbatore

(Here enter F.M. No. 477 of 1855)

The

The Court of Sowjdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of House breaking and Theft be reduced to (4) four years 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 Coimbatore for his information.-

Sent in No.

Read Criminal Reports submitted by the Session Judge of Rajahmundry for the month of January 1855-

(Here enter Ft. No. 512 of 1855)

Magistrate's Call No. Case No. 26.-

In this case six Prisoners were charged with having seized the Prosecutrix (whose husband was suspected of Housebreaking & Theft committed in the house of the first Prisoner) bound her hands behind her back, beat her with sticks tortured her with

with iron pincers, and severely ill treated her in order to extort from her a confession as to the parties by whom the crime had been committed. The 6th Prisoner was further charged with having extorted from Prosecutrix a bribe of thirteen rupees for her release.

2. The Magistrate convicted the 1st, 2nd, 4th, 5th and 6th Prisoners of the Crimes respectively charged against them and sentenced them to 3 and 4 months imprisonment with labor, but without irons under Section VII Regulation X of 1816.

3. The 3rd Prisoner was acquitted and released.

4. Adverting to the fact that abuse of authority is alleged in the indictment the Court of Sowjdaree Udalut infer that some, if not all, of the Prisoners are in the employment of Government, and in the absence of any explanation to the contrary, the Court must also presume that the facts established against the Prisoners are in accordance with the statement of the charge. If such be the case, the Court are of opinion that the ends of justice have

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of House breaking and Theft be reduced to (4) four years 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 Coimbatore for his information.

Sent in Ke

Read Criminal Reports submitted by the Session Judge of Rajahmundry for the month of January 1858.

(Here enter Ft. Ke. 512 of 1855)

Magistrate's Call. Case No. 26.

In this case six Prisoners were charged with having seized the Prosecutrix (whose husband was suspected of Housebreaking & Theft committed in the house of the first Prisoner) bound her hands behind her back, beat her with sticks, tortured her with

with iron pincers, and severely ill treated her in order to extort from her a confession as to the parties by whom the crime had been committed. The 6th Prisoner was further charged with having extorted from Prosecutrix a bribe of thirteen rupees for her release.

2. The Magistrate convicted the 1st, 2nd, 4th, 5th and 6th Prisoners of the Crimes respectively charged against them and sentenced them to 3 and 4 months imprisonment with labor, but without irons under Section VII Regulation X of 1816.

3. The 3rd Prisoner was acquitted and released.

4. Adverting to the fact that abuse of authority is alleged in the indictment the Court of Foujdaree Udalut infer that some, if not all, of the Prisoners are in the employment of Government, and in the absence of any explanation to the contrary, the Court must also presume that the facts established against the Prisoners are in accordance with the statement of the charge. If such be the case, the Court are of opinion that the ends of justice

leave

have been very inadequately met by the punishment awarded by the Magistrate, and they direct that Report of the case may be submitted for their consideration with any explanation which that officer may have to offer in justification of the leniency of his sentence.

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

Sent following Precept &c.

The record of trial in referred Case No. 7 of 1855 on the Calendar of the Session Court of Calicut not having been yet received

Ordered that the Session Judge of Calicut be required to submit the record aforesaid without delay.

Read letter No. 34 dated 17th February 1855 from the Subordinate Judge of Calicut.

Hereunto entered F. H. No. 504 of 1855

The Subordinate Judge in the foregoing letter, reports that small Pox has broken out in the Jail, and that no order to prevent, as far as possible the

the spread of contagion he has prevented tents from the Military authorities and located the healthy portion of the Prisoners therein, the tents being pitched at a distance from the Jail Buildings, on the beach.

The Court approve of the measures with preference, however, to the very virulent nature and extent of the present sickness, they desire to be informed whether the usual preventive measures have been previously to the appearance of the disease, duly attended to, and particularly the rules in regard to the vaccination of parties immediately on their being lodged in Jail.

Ordered, that Extract from these Proceedings be sent to the Subordinate Judge of Calicut, by Precept, returnable within x days from and after its receipt

Sent following Precept &c

Ed Elliot

F. No.

Thursday 1st March 1855

At a Court of the Toungdaree Udalut

Present

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

Read Miscellaneous Petition presented on the 29th Ultimo by Vullee Ummay of Zillah Chingleput.

(Here enter F.M.P. No 61 of 1855.)

W.A. Morehead

This Petition is rejected and the Petitioner referred to the orders already passed by this Court of Toungdaree Udalut in the matter to which it relates.

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

(Sent in. No)

Read Calendar in Case No 204 of 1855 on the file of the Session Court of Bellary.

(Here enter F. No. No 447 of 1855.)

The Court observe that the trial of this Case commenced on the 3rd January and did not come to a close until the 6th February Ultimo

1st March 1855.

ultimo. The cause of delay is not adverted to in the Record; the Session Judge will therefore be pleased to afford explanation thereof to the Court.

Ordered that Extract from the Proceedings be sent to the Session Judge of Bellary for his information and guidance by Receipt returnable within 5 Days from & after it arrives.

(Sent following Receipt No)

4th Ulto

F. U.

Friday,
2nd March 1855. At a Court of the Foujdaree Udalut.

Present.

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

Read letter dated the 22d ultimo from the Session Judge of Chittoor submitting for the final judgment of the Foujdaree Udalut the Record of trial in Case No. 1 of 1855 of the Calendar of the Session Court.

(Here enter F.U. No. 534 of 1855.)

W. T. L. Stamp

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 Yerravadoo

and

2d Pullay Pottevadoo

is sufficient to Convict them of having been found in possession of stolen property

1st March 1855.

ultimo. The cause of delay is not adverted to in the Record; the Sessions Judge will therefore be pleased to afford explanation thereof to this Court.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Bellary for his information and guidance by Receipt returnable within 5 Days from date after which

(Sent following Receipt &c)

Ex. Clerk

F. U.

Friday,
2nd March 1855. At a Court of the Foujdaree Udalut.

Present.

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

Read letter dated the 22d ultimo from the Session Judge of Chittoor submitting for the final judgment of the Foujdaree Udalut the Record of trial in Case No. 1 of 1855 of the Calendar of the Session Court.

(Here enter F.U. No. 534 of 1855.)

W. T. L. Stump

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 Gerravadoo

and

2d Pullay Pottevadoo

is sufficient to Convict them of having been found in possession of stolen property

property, Knowing the same to have been stolen do convict them thereof; and pudon the provisions of Clause 2nd Section IV. Regulation VI. of 1822 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 /3/ three years.

The objections taken by the Mahomedan Law Officer to the credibility of the evidence and his assumption that the tale of the prisoners is the true one appears to the Court of Foujdaree Udalut to be very unwarrantable and to betray much obliquity of judgment.

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chittoor for communication to his Mahomedan Law Officer.

/Sent in &c

Read letter dated the 12th February 1855 from the Session Judge of Masulipatam.

Have entered F. C. No. 458 of 1855.

The Session Judge adverting to the committal for trial on a charge of Theft

Theft of a country born individual believed to be a Native of Ceylon, requests the instructions of the Court of Foujdaree Udalut on certain points connected with his treatment while in Jail.

2. The Court of Foujdaree Udalut observe that Batta must be issued to the individual in question at the rate of 4 Annas per diem, and that his dress should be composed of common country cloth the repair, renewal or washing of which must be ordered in accordance with the rules observed in reference to the dress of the other Convicts. In the event of the Prisoner being ultimately convicted of the crime charged, he must be subjected to the penalties prescribed for the offence in like manner with other Natives.

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

/Sent in &c

1855.

property, Knowing the same to have been
stolen do convict them thereof; and
pnuhon the provisions of Clause 2nd Sect.
IV. Regulation VI. of 1822 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 /3/ three years

The objections taken by
the Mahomedan Law Officer to the credi-
-bility of the evidence and his assumption
that the tale of the prisoners is the true one
appears to the Court of Foujdaree Udalut to be
very unwarrantable and to betray much obli-
-quity of judgment.

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Chittoor for communication
to his Mahomedan Law Officer.

/Sent in &c

Read letter dated the 12th
February 1855 from the Sessions Judge of Masu-
-lipatam.

Here enter S. C. No. 458 of 1855.

The Sessions Judge admits
to the Committal for trial on a charge of

Theft of a Country born individual believed to
be a Native of Ceylon, requests the instructions
of the Court of Foujdaree Udalut on certain
points connected with his treatment while
in Jail.

2. The Court of Foujdaree Udalut
observe that Batta must be issued to the
individual in question at the rate of 4
Annas per diem, and that his dress should
be composed of Common Country cloth the
repair, renewal or washing of which must
be ordered in accordance with the rules
observed in reference to the dress of the
other Convicts. In the event of the Pri-
-soner being ultimately convicted of the
crime charged, he must be subjected to
the penalties prescribed for the offence
in like manner with other Natives.

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

/Sent in &c

&c 1855.

F. No.

Saturday 3d March 1855. } At a Court of the Toujdaree Adalut.

Present.

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

Read letter under date the 26th February 1855 from the Magistrate of Salem.
(Here enter F. No. 584. A of 1855)

The Magistrate in the above letter reports that on the night of the 9th Ultimo the house of Rungiah gounden the Kooregar of the Village of Toopoogana hully in the Talook of Cojoor, was intentionally fired by some persons whose object, apparently, was not plunder but to destroy the inmates, and that Rungiah gounden the owner of the house, one of his wives, and 6 of his Children, who were in the house at the time it was fired, were burnt to death; and he requests permission to offer the following rewards Viz. 500 Rupees for the discovery and apprehension of each of the principals concerned in the above crime, 20 Rupees for each of the inferior offenders, 200 Rupees for the discovery of the person said to have been wounded in the Arm with a bill hook by one of the murdered persons while throwing

F. 90.

Saturday 3d March 1855 } At a Court of the Fouzdaree Udalut.

Present.

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

Read letter under date the 26th February 1855 from the Magistrate of Salem.
(Here enter F. 90. No. 584. A. of 1855)

The Magistrate in the above letter reports that on the night of the 9th Ultimo the house of Rungiah gounden the Moneygar of the Village of Toopoogana hully in the Talook of Cofpoor, was intentionally fired by some persons whose object, apparently, was not plunder but to destroy the inmates, and that Rungiah gounden the owner of the house, one of his wives, and 6 of his Children, who were in the house at the time it was fired, were burnt to death, and he requests permission to offer the following rewards Viz.t 500 Rupees for the discovery and apprehension of each of the principals concerned in the above crime, 20 Rupees for each of the inferior offenders, 200 Rupees for the discovery of the person said to have been wounded in the Arm with a bill hook by one of the murdered persons while throwing

throwing lighted faggots into the room in which they were secured, and a pardon to any one, who though he may have been concerned in the Crime, shall, provided he be not a principal, afford such information as shall lead to the detection and conviction of any of the persons principally concerned.

2 The Court of Fouzdaree Adawlut resolve to sanction the offer of the above rewards and pardon proposed by the Magistrate.

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

(Sent in Mc

Read Calendar in Case No. 2 of 1855. on the file of the Session Court of Mangalore.

(Here enter F. Dc. No. 507 of 1855)

1 In this case the question of the guilt or innocence of the Prisoner appears to depend upon whether the property found on with them was the Prosecutors' or their own. The Session Judge gives no opinion on this point. He will now be pleased to do so, and to specify the grounds of the decision at which he has arrived.

Ordered that Extract from these

these Proceedings be sent to the Session Judge of Mangalore by Precept returnable within V days from and after its receipt.

Sent following precept No 1

Read Calendar in Case No 6 of 1855 on the file of the Sessions Court of Nellore.

(Here enter F. Dc. No. 509 of 1855)

1 Charge "Snatching with personal violence" all larcenies committed with violence fall under the head of Robbery and the charge should have been so termed.

2 The Court observe that the Sentence (vide Circular Order No 195) should have been pronounced under clause 7 Section II Regulation XV of 1803, and not under clause fourth, Section II Regulation VI of 1822. The Law Officer, in declaring the prisoner convicted on strong presumptive proof, has omitted to state what crime, in the view of the Mahomedan Law, the Prisoner's act amounted to.

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

Sent in No 1

Read Criminal Reports Submitted by the Acting Sessions Judge of Honore for January 1855.

(Here enter F. Dc. No. 519 of 1855)

By

By the Suor Ameen of Sircy.

Case 1 of 1855 "Breach of Revenue Laws" This offence will be in no way repressed by the infliction of a lenient sentence like the present. The Regulation provides for a much severer punishment.

2 The foregoing remark applies also to case No 4 on the Honore file.

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

/Sent in No /

Read Criminal Reports Submitted by the Sessions Judge of Calicut for the Month of January 1855.

(Here enter F. D. No. 492 of 1855)

Calicut Sub Civil Court Report B.

Case No 13. The malicious intent which is necessary to constitute cattle killing a penal offence should have been set forth in the Charge.

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

/Sent in No /

Read Miscellaneous Petition presented on the 19th Ultimo by Seeta of Zillah Nellore praying the Court of Foujdaree Adalut to call for and consider the trial in Case No 5 of 1850 of the Sessions Court of Nellore and to issue orders for the release of her Son-in-law B. Vencata Prisoner in that case.

(Here enter F. M. P. No 64 of 1855)

The Court of Foujdaree Adalut See no ground to interfere in this case, the Sentence having been passed more than five years ago.

Petition dismissed.

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

Read Miscellaneous Petition presented on the 18th January 1855, by the Messrs Ritchie, Vakeels on behalf of Mootoo Carnatchy Seroovacaren of Zillah Combaconum, appealing from the sentence passed upon his son, 2d Prisoner in case No 57 of 1854, on the file of the Assistant Magistrate of Tanjore.

(Here enter F. M. P. No 20 of 1855)

The Sentence passed upon the Petitioner's son being about to expire, the Court of Foujdaree Adalut see no reason for their interference in the matter.

Ordered that Extract from these

these Proceedings be given to the Petitioner's Vakeel on application.

Read Miscellaneous Petition presented on the 19th Ultimo by Teroomala Charry Vakeel on behalf of Pottama Naudchiar of Zillah Tinnevelly.

(Here enter F. M. D. No. 60 of 1855)

The Petitioner who is Prosecutrix in Case No. 43 of 1854 on the file of the Session Court of Tinnevelly, prays the Court of Foujdaree Udalut to instruct the Acting Session Judge of that Zillah to take Security from the Prisoner in that Case who were acquitted and released by him, in order to keep the peace.

The Court of Foujdaree Udalut observe that the Acting Sessions Judge has totally disbelieved the evidence adduced by the Petitioner and there can therefore be no ground for the requisition of security from the accused, even if it were competent to the Court of Foujdaree Udalut to issue instructions on the subject.

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

Read Miscellaneous Petition presented on the 19th Ultimo by Seemah Naiken and others of Zillah Chittoor.

(Here enter F. M. D. No. 66 of 1855)

This Petition is rejected, the Court of Foujdaree Udalut seeing no ground to alter the sentence passed by them upon the Prisoners in Cases Nos. 38 and 39 of 1854 on the file of the Session Court of Chittoor.

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

Read letter dated 22d February 1855 from the Session Judge of Calicut submitting for the final Judgment of the Foujdaree Udalut the record of trial in Case No. 5 of 1855 on the Calendar of the Session Court

(Here enter F. U. No. 561 of 1855)

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

Valatoryil Velo

is sufficient to convict him of the Crime of Murder do convict him thereof and

under

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 Petition presented on the 12th February 1855 by Karrainen Nair and another of Zillah Calicut.

(Here enter F.H.D. No. 56 of 1855)

1 Petitioners complain of an order of the Session Judge, dismissing an appeal made by them against a decision of the Magistrate of Malabar, upholding certain alleged illegal proceedings on the part of the local Police, having reference to a distraint for arrears of Revenue executed on Petitioners' premises.

2 The Sessions Judge has not gone into the merits of the case, on the ground that it appears from the record that one assertion advanced by Petitioners, to wit that their Witnesses in defence were not examined, is manifestly false

3 The Court of Foujdaree Udalut are of opinion that the Sessions Judge

3d March 1855.

Judge has not disposed of Petitioners appeal in a satisfactory manner. They desire that he will call for the Magistrate's proceedings in order to Judge how far that officers sentence is warranted by the evidence adduced, and report the result to this Court.

4 A Copy of the Petition under review is furnished to the Session Judge, who will furthermore ascertain and report what notice may have been taken of the complaint which the Petitioners allege that they have made against the Revenue officers.

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

Sent following precept No

Read Miscellaneous Petition presented on the 19th Ultimo by Rangalinga Tavee of Zillah Tinnevelly praying for the release of the 1st Prisoner in Case No 50 of 1854 of the Sessions Court of Tinnevelly.

(Here enter F.H.D. No 62 of 1855)

Before

3d March 1855

Before finally disposing of the above Petition the Court of Fouzdaree Adalut resolve to direct the Acting Session Judge of Tinnevelly to submit for their consideration the original records of trial connected with the aforesaid case.

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

Sent following precept &c

Read Criminal Reports for the Month of January 1855 from the Session Judge of Guntoor dated 11th February 1855.

(Here enter F. 60 No. 481 of 1855)

Read Criminal Report dated 1st February 1855 submitted by the Agent to the Governor at Kurnool for the Month of January 1855.

(Here enter F. 60 No. 482 of 1855)

Read Crimnl Reports dated 13th February 1855 submitted by the Session Judge of Tellicherry for the Month of January 1855.

(Here enter F. 60 No. 486 of 1855)

3d March 1855

Read Calendar of Case No. 3 of 1855 submitted by the Session Judge of Ganjam under date the 15th February 1855.

(Here enter F. 60 No. 501 of 1855)

Read Calendar of Case No. IX of 1855 from the Session Judge of Calicut under date the 17th February 1855.

(Here enter F. 60 No. 505 of 1855)

Read Supplemental return dated 17th February 1855 from the Session Judge of Cuddapah to the precept of the Fouzdaree Adalut dated the 6th January 1855 desiring to be informed whether any enquiry had been instituted by the Magistrate into the alleged illtreatment sustained by the Prisoner in Case No. 339 of 1854.

(Here enter F. 60, No. 506 of 1855)

Read Calendar in Case No. II of 1855 submitted by the Session Judge of Masulipatam under date the 17th February 1855.

(Here enter F. 60, No. 521 of 1855)

Read Calendars in Cases Nos. 18 of 1854 and 1 of 1855 submitted by the Session Judge of Tellicherry under date the

17th

3d March 1855.

17th February 1855

(Here enter F.C. No 522 of 1855)

Read final return dated 20th February 1855 from the Sessions Judge of Combaconum to the precept of the Foujdaree Adalut dated 9th idem conveying observations and orders on the Criminal Reports for December 1854.

(Here enter F.C. No 524 of 1855)

End

J.W.L.

Monday

5th March 1855.

F.C.

At a Court of the Foujdaree Adalut.

Present.

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

Read Miscellaneous Petition presented on the 27th February 1855, by C. Salmon Esqre Barrister at Law, on behalf of Lutchmanarow late Tahsildar of Ryakotah, appealing from the sentence passed by the Sessions Judge of Masulipatam in Case No 10 of 1855.

(Here enter F.h.P. No 72/1855)

Read also letter dated 20th February 1855 from the Sessions Judge of Masulipatam, bringing forward certain matters for the consideration of the Foujdaree Adalut in connection with the above case.

(Here enter F.h. No 539/1855)

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

} With the above Petition is submitted Copy of an Extract from the Proceedings of the Sessions Court of Masulipatam under date the 6th February last

5th March 1855. last, from which document the Court of Fouj-
-daree Udalut observe that sentence had
been passed in the case in question
at that date.

2 The Calendar has not yet
reached the Court of Foujdaree Udalut,
and they resolve therefore to call upon the
Sessions Judge to submit the same without
loss of time, and to explain the cause
of the delay in its transmission.

3. The Court furthermore require
the sentence passed upon the Prisoners to
be suspended until further orders.

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

Read Letter dated 14th February
1855 from the Sessions Judge of Bellary,
submitting an English Translation of the
Record of Proceedings in Case No 9 on
the Sessions file for 1855, for the final
judgment of the Foujdaree Udalut and
recommending that the Prisoners be sentenced
to transportation for life.

(Here enter F. R. No $\frac{535}{1855}$)

The

5th March 1855.

Mr G. T. Hopes

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 Kurrybupsummah
2nd Baliya Rama
and
3rd Golla Nagah

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

1st Kurrybupsummah

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 and the prisoners

2nd Baliya Rama
and
3rd Golla Nagah

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.

Sent in No

Read

5th March 1855.

Read Letter dated 20th February 1855 from the Sessions Judge of Mangalore, submitting an English translation of the record of the trial of Case No 24 of 1854 on the file of the Sessions Court for the consideration and final sentence of the Court of Foujdaree Udalut.

(Here enter F.H. Rs 555/1855.)

Mr. J. S. Hodges

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 Dodda Rama
2nd Ganga
4th Venkappa Shetty
and
5th Bullappa Annoo

is sufficient to convict them of having received stolen property knowing it to have been acquired in the perpetration of Robbery, do convict them severally thereof; and under the provisions of Clauses third and fifth, Section IV Regulation XII of 1803, and Section XXXIV Act VII of 1843, sentence the prisoners,

1st Dodda Rama
and
2d Ganga,

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the

5th March 1855. the period of (10) Ten Years, and the prisoners,

4th Venkappa Shetty.
and
5th Bullappa Annoo

to be imprisoned and kept to hard labor in irons, on the public roads or other public works, for, and during the period of (5) five years.

Sent in No

Read Copy of the Calendar dated 26th January 1855 from the Sessions Judge of Mangalore, in Case No 1 of 1855 with the remarks of the Sessions Court thereon.

(Here enter F.H. No 227/1855.)

In 1869.

Tuesday.
6th. March, 1855.

F. C.

At a Court of the Trajdaree Adalut.

Present.

G. L. Harper, Esqre.,
W. A. Morehead, Esqre.,
T. L. Strange, Esqre.,
} Puisne Judges.

Read Calendar in Case
No. 6 of 1855, on the file of the Sessions
Court of Cuddapah.

(Here enter F. C. No. 517 of 1855.)

1. Charge, "High way Robbery."—
It does not appear that the Sessions Judge
disbelieved the evidence adduced against
the Prisoners; the Court, therefore, desires
to know why he has not convicted them
upon it.

Ordered, that a Extract from
these proceedings be forwarded to the Sessions
Judge of Cuddapah by Precept returna-
able within III days from and after its receipt
(next following precept No.)

Read

Read Criminal Reports submitted through the Sessions Judge of Cuddalore, for January, 1855.

(Here enter F.C. No. 515 of 1855.)

Cases Nos. 260 and 261 of 1854. Perjury and subornation of Perjury.

1. It is superfluous to charge the Prisoners with Fraud. (2nd Count, in having by their false evidence deceived the Moonsiff.)

Case No. 7 of 1855.

2. The sentence in this case (Handcuffing and Fetters) is considered inadequate. — This remarks applies, applies also to Case No. 11.

3. The Court observe a very large proportion of Releases in this months Calendars — Seven Cases (three for "Gang Robbery") and no less than 32 prisoners. They reserve to call for Reports, Form A in these cases.

By the Magistrate, Case No. 1.

4. Two months' imprisonment with hard labor in irons appears excessive. The Prisoner's offence was the theft of 2¼ measures of horse-gram valued 2¼ Annas only.

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

(And following precept No. 1)

Read Calendars of Petty Cases disposed of by the Magistracy of Nellore for the 4th Quarter of 1854.

(Here enter F.C. No. 545 of 1855.)

Calendar No. 1.

1. The signature of the Acting Magistrate affixed to the foregoing Calendars, is altogether illegible.

2. The sentences of the Acting Joint Magistrate in the several

Read Criminal Reports sub-
-mitted through the Session Judge of Bellary
for January 1855.

/Vide inter Ft U. No 531 of 1855./

Case No 9. 1. The punishment awarded, six (6)
"Cattle Wounding" days imprisonment is altogether insufficient

Case No 12. 2. The Prisoner, at one time in the
Embezzlement keeping of the Prosecutor, had received from him
in trust certain Jewels, which she pawned to
one Gopaulloo - The Prisoner's act, the Court have
to observe does not constitute embezzlement. It
should have been termed "Breach of Trust".

Case No 13. 3 The Session Judge has remarked
that escape from custody effected by a party in
charge on a complaint of "Cattle stealing" does
not come within the scope of Foujdaree Udalut
Circular Order No 203. — This observations is too
general - the question depends entirely on the value
of the property stolen - whether, in short, the
larceny is considered petty or otherwise.

Case No 15 4. The Prisoners, who are beggars and
"Misdemeanour" vagrants and 7 (seven) in number were convicted
of Misdemeanour, in creating a serious disturbance
and tumult and have been sentenced to 1 Months
Imprisonment - The punishment is deemed in-
adequate.

Ordered

several cases of "Abuse of Authority"
here entered, appear very lenient.

3. The cases to be specified
in the Security Calendar (III and
IV) are Vagrancy cases only. A requi-
-sition of security to keep the
peace should be entered in Calen-
-dar No 1, whether or not it has
been taken in addition to a spe-
-cific sentence, and such cases
should be entered but once; the
call for the recognizances being
noted at the end of the
sentence.

Ordered, that by track
from these proceedings be sent to the
Session Judge of Bellary, for communication to
to the Magistrate.

/Sent in No /

Read

6th March 1855.

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

Sent in No.

Read Calendar of Case No. 4 of 1855 of the Sessions Court of Chingleput.

(Here enter F.H. No. 513 of 1855.)

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 House breaking and Theft be reduced to (4) four years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly

1st Muckaly alias Pasum
2d Cundun
3d Chellum.

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

Sent in No.

Read Calendar of Case No. 5 of 1855 of the Sessions Court of Chingleput.

(Here enter F.H. No. 514 of 1855)

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

1. Veeran
2. Mootten
3. V. Veeran

6th March 1855.

been adjudged to suffer on their conviction of Highway Robbery be reduced to (3) three 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 Chingleput for his information.

Sent in No.

Read Calendar of Case No. 6 of 1855 of the Sessions Court of Chingleput.

(Here enter F.H. No. 466 of 1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Robbery by open violence, be reduced to (5) five years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly

Coonden

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

Sent in No.

Read Criminal Reports submitted by the Sessions Judge of Chicacole for the month of January 1855.

(Here enter F.H. No. 516 of 1855)

The

The Court of Foujdaree Udalut direct that the attention of the Sessions Judge be drawn to the unintelligible manner in which the charge in this case has been drawn up.

Case No. 2
Mooftee v. A

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

/Sent in No./

Read letter dated 26th December 1854 from the Sessions Judge of Rajahmundry, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 20 of 1854 of the Calendar of the Sessions Court.

/Here enter No. 570 of 1855/

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 Ramdoss

2d Lutchmoodoo

3d Urjoonoodoo

and

4th Pynesing

is sufficient to convict them of having aided and abetted one Muddeckum Boochenna Dora in certain acts of violence and plunder, do convict them thereof and under the provisions of Clause 3d Section III Regulation XV

of

of 1803, and Section XXXIV Act VII of 1843 sentence them to be imprisoned and Kept to hard labor in irons on the public roads or other public works for and during the period of (5) five years.

1. The Court of Foujdaree Udalut are unable to concur with the Sessions Judge in deeming that sufficient grounds exist for placing the 5th and 6th Prisoners under a requisition of security, and the Court have accordingly directed their unconditional release.

2. The Court observe that the indictment in this Case has been drawn up in a very confused and indistinct manner. It is evident however that the offences set out in it should have formed separate charges, the acts alleged having been committed at different times and in different places.

3. A very unnecessary delay has, in the opinion of the Court, occurred in submitting the Record of this Case and also Case No. 21 to the Foujdaree Udalut.

Ordered that Extract from the Proceedings be forwarded to the Sessions Judge of Rajamundry for his information

/Sent in No./

Read letter dated 26th December 1854 from the Sessions Judge of Rajahmundry, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 21 of 1854 of the Calendar of the Sessions Court.

/Here enter F. U. No. 571 of 1854/

The Court of Foujdaree Udalut on a deliberate

6th M

Case No
Mosfe

6th March 1855.

deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the proof against the prisoner,

"Buttah Mallasah"

is sufficient to convict him of the offences charged, do convict him thereof, and under the provisions of Clause third section VII Regulation XIV of 1803 and Sec 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 (7) seven years.

Sent in No. 10

Ewn
J.H.S.

Thursday,
8th March 1855.

J.G.

At a Court of the Foujdaree Adawlut

Present.

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

Read Calendar in case No I of 1855 on the file of the Session Court of Salem.-

(Here Enter J.H. No 570 of 1855)

1. The Prisoners (three in number and of whom the first is an Ameen in the Government Service) are charged with having forged a certain document purporting to be a deed of sale, with intent to defraud one Carootamany of Gownden - and 2dly, with having uttered the same.-

2. The Futwah declared the Prisoners entitled to their release - in which verdict the Sessions Judge, apparently not without hesitation, concurred.-

3. The Court are of opinion that the evidence was sufficient for the conviction of all the Prisoners, and they consider that the Session Judge, with his views regarding the same, should have referred

the

the case.

4. The Court are unable, from the statements in the Calendar, to concur in the reflections cast by the Session Judge on the 1st witness Morison. They see no grounds to doubt that individuals deposition that he paid his money for the land and got the document in question in acknowledgment of his title as purchaser. Had he had any hand in the forgery, he need have made no such payment. It appears to the Court that the Session Judge has gone out of his way in stigmatizing the efforts of the 1st witness to make the purchase in question, and has done so on insufficient grounds. The 1st witness paid liberally for the services of the 1st Prisoner on the occasion, but the Court do not see that he meant to put them to an objectionable use in coercing the 2d witness to part with her land, nor does the disposal of the charge against the Prisoner call for any observations on this subject.

5. The Magistrate is instructed to dismiss the 1st Prisoner from his office of ameen. availing himself of the provisions of Clause second Section XXXIX Act

Act VII of 1843, should he think fit to do so, before taking that step.

Ordered that Extract from these Proceedings be sent to the Session Judge of Salem for his information and guidance and for communication of para 5 to the Magistrate.

(Sent in No

Read Form A of No 110 of 1855 disposed of by the Session Judge of Guntoor.

(Here Enter F.A. No 541 of 1855)

1. The Prisoner was found guilty of culpable neglect of his duty as a Jail Peon, whereby certain convicts effected their Escape.

2. The Court desire to point out to the Session Judge that the course pursued by him in sending out (4) four Prisoners in a detached party, is opposed to Circular Order of the Foujdaree Adalut No Sixty (60) the provisions of which the Session Judge is requested strictly to enforce for the future.

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

(Sent in No 1

Ed 8/3

Transcribed

F.Dc.

Friday &c. 9th March 1855. } At a Court of the Fouzdaree Adalut.

Present:

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

The Record of trial in &c. referred Case No. 104 of 1854 on the Calendar of the Session Court of Cuddalore which was set down for reference to the Fouzdaree Adalut on the 12th Ultimo not having been yet &c. received.

Ordered that the Session Judge of Cuddalore be required to submit the record aforesaid without delay.

/Sent in./

Read Calendar in Case No. VII of 1855 on the file of the Session Court of Trongalore.

(Here enter F.Dc. No. 577 of 1855)

"Assault with wounding (severe)." Convicted on the above charge the &c. Prisoner has been sentenced by the Sessions Judge to 18 Months imprisonment with hard

hard [illegible] irons. a punishment, in the opinion of this Court, altogether inadequate to the offence of which he was found guilty.

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

/Sent in Dr./

Read Calendar in Case No. XI of 1855 on the file of the Sessions Court of Calicut.

(Here enter F.M. No. 562 of 1855)

"Wounding with intent to [illegible]"

It is remarked by the Sessions Judge that the Law Officer has convicted the Prisoner, declaring him liable to Corroboration, and that the Case is therefore set down for reference to the higher Court.

2 As the Testimony to the foregoing effect would by no means, in itself, necessitate a reference to this Court, the Judges have yet to learn why the same is to be made.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Calicut by Receipt returnable within V days from and after its receipt.

/Sent following precepts &c

End
J.H.S.

F.M.

Saturday
10th March 1855

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 presented on the 22d. Ultimo by Mooktiar Vakeel on behalf of Shree Chintalapaty Chinna Simhadry Pauze of Zillah Vizagapatam a state Prisoner now under confinement in the Jail of Masulipatam

/Here enter F.M.D. No. 67 of 1855/

Mr. Hooper / The Court of Fouzdaree Adawlut cannot interfere on behalf of the Petitioner who has been placed in confinement by orders of Government for political reasons under Regulation 2 of 1819.—

2. This Petition is therefore rejected.—

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

Read

Read Miscellaneous Petition presented on the 19th February 1855 by E. Salmon Esquire Barrister at Law on behalf of Colunda Chetty 1st Prisoner in Case No. 37 of 1854 on the file of the Session Court of Chingleput.-

/Here enter F. Mo. P. No. 65 of 1855./

Mr. Cooper

The Court of Fonjdaree Adalut observe that the above Petitioner was ordered to be released on security under date the 16th February, and the Court therefore see no necessity for compliance with his application to be heard orally by his Pleader.-

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

Read Petition presented on the 8th February 1855 by Veerappa Naick of Zillah Tinnevelly.-

/Here enter F. Mo. P. No. 54 of 1855/

Mr. Cooper

Petitioner files an order of the Acting Session Judge of Tinnevelly under date the 7th April 1852, and prays for

for redress in regard to the matter therein referred to.-

2. The Court of Fonjdaree Adalut will not interfere with an order of so remote a date, Petitioner, if dissatisfied at the said order, should have preferred his appeal within the prescribed period. Petition rejected.-

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

Read Miscellaneous Petition presented on the 19th Ultimo by S. Tirumala Chavy Vakeel on behalf of Eliarajah of Zillah Calicut.-

/Here enter F. Mo. P. No. 63 of 1855/

Mr. Cooper

This is an Appeal from an order of the Session Court of Calicut under date the 13th November 1854 declining to interfere with the decisions of the Magistrate of Malabar dated the 5th October preceeding, whereby that Officer referred the Petitioner to a Civil Action to recover an Elephant which was put

put in possession of one Vaya poratha Runjee Pakee by order of the Head Assis=tant Magistrate but which the Petition=er states belongs to him.—

2 It appears from the Pro=ceedings of the Magistrate and Session Judge that neither party had proved the identity of the Elephant in question as the one which he had lost, but it is not therein stated in whose possession the animal was found. The Petitioner asserts that it was in possession of his people, and that when they were con=ducting it to him, the Defendant in=terfered to prevent it, and that then he /Petitioner/ placed it in charge of a third person and complained to the Police authorities. The Session Judge in his Proceedings of 13th November last merely observes that it is by no means clear that it was in possession of Petitioners people.—

3. The Court of Foujdaree Udalut are of opinion that the Elephant should

should have been delivered over to the par=ty in whose possession it was when pro=duced before the Tahsildar and if, as Petitioner asserts it was produced by the person to whom, Petitioner had deli=vered it, it should have been given up to the Petitioner and the Defendant left to prosecute his claim by a Civil Suit. They therefore resolve to issue or=ders to the Session Judge to require the Magistrate to pursue that course now, in case the above statement of Petitioner should be correct.—

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

/Sent in No /

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

Read again Miscellaneous Petition presented on the 8th January 1855, by B. Condadoo, B. Chinniah and P. Periah

P. Peeriah of Zillah Cuddapah, praying for the release of the 2d 4th 6th 7th 7th 8th 9th 13th 14th 15th 16th 28th and 29th Prisoners in Case No. 56 of 1854, on the file of the Session Court of Nellore. -

/ Here enter F. Mo. P. Nos. 10-11 and 12 of 1855 /

Read also again Return dated 31st January, made by the Session Judge of Nellore to the Precept of the Court of Fouzdaree Udalut under date the 20th January 1855 forwarding the above Petitions to the Session Judge for report, and requiring that Officer to set out the facts established against each of the above Prisoners. -

/ Here enter F. Mo. No. 328 of 1855 /

Read also Return dated 20th February, made by the Session Judge of Nellore to the Precept of the Court of Fouzdaree Udalut under date the 10th February 1855, directing that Officer to submit the entire record of the above case. -

/ Here enter F. Mo. No. 529 of 1855 /

Mr. Morehead /

In the foregoing case 30 Prisoners were charged with Robbery by open violence attended with murder, and with having in their possession a portion of the plundered property knowing it to be such. -

2. The Mahomedan Law Officer convicted the 1st 2d 3d 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th and 30th Prisoners of Robbery by open violence on strong presumptive proof - and the remaining Prisoners (with the exception of the 19th whom he acquitted and declared entitled to release) of concealing stolen property knowing it to have been stolen - The charge of Murder was not in the opinion of the Moofty established against any of the Prisoners.

3. In this finding the Session Judge concurred and sentenced the Prisoners from 1st to 15th and 30th to 14 years imprisonment with hard labor in irons, the 16th 17th and 18th to one years imprisonment, and the remaining Prisoners (females) to 6 months imprisonment with labor suited to their sex. -

A

4. A Petition having been pre-
-sented on behalf of the 1st Prisoner, a por-
-tion of the record was called for, and, on
its perusal the Court of Fouzdaree Ada-
-lut saw fit to direct the said Prisoner's
immediate and unconditional release.—

5. Further Petitions of appeal
having been subsequently presented on
behalf of the other Prisoners above men-
-tioned, the Court of Fouzdaree Adalut
directed the transmission of the entire
record of the case, and after a careful
and deliberate consideration thereof the
Court of Fouzdaree Adalut find
themselves unable to concur with the
Session Judge in deeming the evidence
sufficient for the conviction of any of
the Prisoners of the crime charged.—

6. The Prosecutor it is observed
states that he was robbed of property to
the value of nearly One thousand Ru-
-pees. The property found in the houses
of all the Prisoners, which does not a-
-mount to quite 100 Rupees, and consists
of

of bundles of thread & chillies, Tobacco and some
old cloths, and some gold beads. The Prosecu-
-tor admits that with the exception of one
cloth he can mention no marks by which
he can point to the property as being his
and to this effect also the 3d and 4th witness-
-es depose when examined as to their know-
-ledge of the property.—

7. There is therefore no proof that
the property found with the Prisoners belong
to the Prosecutor, and it is of such a com-
-mon description that in almost any Na-
-tive's house similar articles might be found.

8. The confessions of the Prison-
-ers before the Police, the Court cannot ac-
-cept unsupported as they are by any evi-
-dence that of itself casts suspicion on the
Prisoners.—

9. Under the above view of the case
the Court of Fouzdaree Adalut direct
that all the Prisoners be immediately
and unconditionally released.—

10. The Court direct that it be
pointed out by the Session Judge that
the

the list of stolen property sent up by the Shasildar has not been prepared in accord-
-ance with this Courts Circular Order dated
27th. September 1824.

Ordered, that Extract from
these Proceedings be sent to the Session Judge
of Nellore for his information by Precept
returnable within III days from and after
its receipt.-

/Sent following Precept No. /

Read Miscellaneous Petition
presented by Moottoosawmy Taven of Zed-
-lah Tinnevelly and forwarded by the 4th
Session Judge of that Station.-

/Here enter F. Mc. P. No. 69 of 1855/

Mr. Hooper

The Petitioner who is prisoner
in Criminal Case No. 131 of 1854 on the
file of the Principal Sudr Ameen of Tin-
-nevelly, prays for orders for his release.-

2. The Court of Fouzdaree Ada-
-lut observe from the Criminal Report for
December 1854, that the Petitioner was sen-
-tenced by the Principal Sudr Ameen of
Tinnevelly on the 12th. December last, to be

be imprisoned for 3 months on a charge of
having preferred false accusation before
the Head of Police of Brammadasum &
against Coothy lingu Southoo Royer of
Wooredaw. As this sentence will expire
in 2 days more, the Court consider it
useless to interfere in the matter now.-

3. Petition dismissed.-

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

Read Miscellaneous Petition
forwarded by the Session Judge of Madu-
-ra from Perracarroottoodian Servacaren
Prosecutor in Case No. 69 of 1854 on the
file of the Session Court of Madura.-

/Here enter F. Mc. P. No. 70 of 1855/

Mr. Hooper

The Court of Fouzdaree
Adalut having taken the Record of
the Case into mature consideration,
have, in their proceedings under date
the 22d. February 1855, acquitted the
Prisoners and ordered them to be released.
This order is final and the Petition is
therefore

therefore rejected.-

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

Read Petition forwarded by the Session Judge of Bellary from Madegay Goorovadoo 3d. Prisoner in Case No. 162 of 1854, on the file of the Session Court of Bellary, praying orders for his release.-

/ Here enter F. Mo. P. No. 71 of 1855 /

Mr. Hooper

The Court of Fouzdaree Adalut see no reason for interfering with the sentence passed on the Petitioner, and accordingly reject this Petition.-

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

Read Miscellaneous Petition presented on the 5th. Instant by Govindasawmy Naicken of Gillah Combaconum

/ Here enter F. Mo. P. No. 75 of 1855 /

Mr. J. Cooper

1. The Petitioner who was temporarily employed on the Jail establishment

ment, and discharged owing to the paucity of Convicts, prays the interference of the Court of Fouzdaree Adalut to order his appointment to the Office of a Jail Peon.-

2. In his Proceedings dated the 8th. December last, extract from which accompanies this Petition, the Session Judge observes that "the Petitioner was not dismissed, but "his services are in abeyance owing to the pau-"city of convicts, if their number increases, "the Petitioner will of course be again borne "on the Jail establishment in his proper "turn.-

3. Under these circumstances the Court of Fouzdaree Adalut refuse to interfere on behalf of the Petitioner, whose Petition is accordingly dismissed.-

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

Read Miscellaneous Petition presented on the 5th. Instant by Sandawa Moorty Standaw and 4 others of Gillah Chingleput.-

/ Here enter F. Mo. P. No. 78 of 1855 /

Petitioners

10th. 10th. March 1855

Mr. Hooper 1. Petitioners appeal from an orde
of the Session Judge of Chinglepute under
date the 3rd. February last directing them to
bring a Civil action if they consider that
they have been unjustly deprived of their right
to the grass, Rattan &c. referred to in the Petition.

2. The Court of Sonjdaree Adal.
but refuse to disturb the order of the Session
Judge, which is correct. The matter in dis-
=pute seems to be rather a Revenue, than
a Police, one.

3. Petition rejected. -

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

Read letter / No. 42 dated 19th
February 1855 / from the Acting Agent to the
Governor at Ganjam. -

/ Here enter H. Dl. No. 577 of 1855 /

In his letter of the 9th. January
last, the Acting Agent, reporting the capture
by his assistant of certain notorious robbers,
requested the Courts sanction for permission
to make use of the evidence of any Prisoner
who

who might turn Approver, and he was in-
=formed by the Court that his application
would more properly come under consider-
=ation, on its being reported to the Court
that confessions have been made by one
or more of the Prisoners. -

2. The Acting Agent now states
that several of the Prisoners have made
confessions in regard to "various crimes
committed by them during the period
of their connection with Chokra Bissoyee
gang," and reiterates the foregoing ap-
=plication.

3. The attention of the Acting
Agent is called to Circular order of the
Sonjdaree Adalut of the 13th. May
1854. He will understand / what it is
a matter of surprise to this Court that he
should be ignorant of / that before acced-
=ing to any such request, it is requisite that
the Court should be satisfied on certain
points, information in respect to which
has not been yet offered. The Acting Agent
will now supply the Court with the requis-
=ite explanation

explanations, submitting at the same time copies of the depositions given by the confessing parties.—

Ordered that Extract from these Proceedings be sent to the Acting Agent to the Governor of Fort St. George at Ganjam, by Precept returnable within V. days from and after its receipt.—

Sent following Precept &c.

The Petty Calendars for the 4th Quarter of 1854 not having as yet been received from the ....x.... that Officer is requested to forward the same without further delay.—

Ordered that Extract from these Proceedings be forwarded to the ....x.... for his information and guidance.—

Sent in &c.

x Bellary, Calicut, Chicacole, Chingleput, Chittoor, Cuddalore, Cuddapah, Honore, Mangalore, Masulipatam, Salem, Tellicherry, Tinnevelly, Kurnool, Agents Vizagapatam

The annual Criminal Reports for the year 1854, not having been received from the Session Judge of ....x.... the attention of that Officer is called to this Court's letter dated the 8th January last, and he

x Bellary, Calicut, Tellicherry, Chicacole, Chingleput, Coimbatore, Combaconum, Cuddalore, Cuddapah, Mangalore

10th March 1855

Honore, Masulipatam, Nellore, Salem, & Agents Ganjam, Vizagapatam, Kurnool

he is directed to transmit the Reports in question without further delay.—

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

Sent in &c.

10th 10th

Monday
12th March 1855. At a Court of the Foujdaree Udalut.

F. U.

Present

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

Read Petty Calendars of the Magistracy of Tanjore for the 4th Quarter of 1854.

(Here enter F. U. No 622 of 1855)

1 Calendar No 1. Cases 132-133- "False Complaints." These are cases where parties have been convicted of preferring false complaints of 'abuse of authority'- 'abuse of authority' is not punishable under either Section XXXII or XXXIII of Regulation IX of 1816- and consequently the parties preferring such false charges are not punishable under Section XXXV of the same Enactment- The fines, if levied, will be returned- The Court presume that the depositions of the Complainants were taken on oath- Those parties, if so, should have been committed for perjury-

2 Case 143- This case should have been disposed of, it would appear, under Section VIII Regulation V of 1822-

Cases

10th

12th March 1855. 3 Cases 148-149. "False Measures". The Sentences should have been under Section LIV Regulation XI of 1816.

4. Calendar № 11 Case 62 "Embezzlement". The act alleged against the Prisoner is not Embezzlement. He should have been charged, according to the circumstances of the case, with "Breach of Trust" or Theft. The offence was stated to have been committed in the adjoining Zillah. The Assistant Magistrate, therefore, in discharging the Prisoner, should have cited Clause Second Section XXXV Regulation XI of 1816.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Combaconum for communication to the Magistrate of Tanjore.

Sent in №

No return having been received from the Sessions Judge of Cuddapah to the precept of the Sunjaree Cowlut dated the 24th February 1855 requesting him to explain the grounds upon which he hesitated to convict the prisoner in Case No 2 of 1855 on the Calendar of the Sessions Court and on what point of the evidence the Sessions Judge relied for taking the prisoner to security.

Ordered that the Sessions Judge of Cuddapah be required to make a return to the above precept without further delay.

Sent in №

12th March 1855.

Read Calendar dated 22d February 1855 in Case № 15 on the file of the Sessions Court of Bellary for 1855.

(Here enter F. R. № 553 of 1855)

Read Calendar dated 21st February 1855 in Case № 5 on the file of the Sessions Court of Tinnevelly for 1855.

(Here enter F. R. № 554 of 1855)

Read Calendar dated 23d February 1855 in Case № 4 on the file of the Sessions Court of Chittoor for 1855.

(Here enter F. R. № 572 of 1855)

Read Calendar dated 26th February 1855 in Case № 103 on the file of the Sessions Court of Cuddalore for 1854.

(Here enter F. R. № 573 of 1855)

Read Calendar dated 26th February 1855 in Case № 178 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. № 593 of 1855)

Read

12th March 1855

Read Calendar dated— February 1855 in Case No 79 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 594 of 1855)

Read Calendar dated— February 1855 in Case No 80 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 595 of 1855)

Read Calendar dated— February 1855 in Case No 81 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 596 of 1855)

Read Calendar dated— February 1855 in Case No 82 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 597 of 1855)

Read Calendar dated— February 1855 in Case No 83 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 598 of 1855)

Read

12th March 1855.

Read Calendar dated— February 1855 in Case No 84 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 599 of 1855)

Read Calendar dated— February 1855 in Case No 85 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 600 of 1855)

Read Calendar dated— February 1855 in Case No 86 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 601 of 1855)

Read Calendar dated— February 1855 in Case No 87 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 602 of 1855)

Read Calendar dated— February 1855 in Case No 88 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 603 of 1855)

Read Calendar dated— February 1855 in Case No 89 on the file of the Session Court of Cuddalore for 1854.

(Here enter F. R. No 604 of 1855)

Read

12th March 1855

Read Calendar dated — Febuary 1855 in Case No 90 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 605 of 1855)

Read Calendar dated — Febuary 1855 in Case No 91 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 606 of 1855)

Read Calendar dated — Febuary 1855 in Case No 92 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 607 of 1855)

Read Calendar dated — Febuary 1855 in Case No 93 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 608 of 1855)

Read Calendar dated — Febuary 1855 in Case No 94 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 609 of 1855)

Read Calendar dated — Febuary 1855 in Case No 96 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 611 of 1855)

Read

12th March 1855

Read Calendar dated — Febuary 1855 in Case No 97 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 612 of 1855)

Read Calendar dated — Febuary 1855 in Case No 98 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 613 of 1855)

Read Calendar dated — Febuary 1855 in Case No 99 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 614 of 1855)

Read Calendar dated — Febuary 1855 in Case No 100 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 615 of 1855)

Read Calendar dated 26th Febuary 1855 in Case No 101 on the file of the Session Court of Caddalore for 1854.

(Here enter F. R. No 616 of 1855)

Read Calendar dated 1st March 1855 in Case No 7 on the file of the Session Court of Tellore for 1855.

(Here enter F. R. No 618 of 1855)

Read

10 12th March 1855.

Read Letter dated 8th March 1855 from the Session Judge of Chingleput reporting the arrival of 4 out of the 8 Convicts sent under sentence of transportation from Coimbatore and stating that of the other 4, 3 were reported to have died, and the other to have been detained at Salem owing to his sickness.

(Here enter F. R. No 619 of 1855.) JS

End
J. A. S.

Tuesday
13th March 1855

F. C.

At a Court of the Fouzdaree Udalut

Present.

G. S. Hooper Esqre ____ Puisne Judge
W. A. Morehead Esqre ____ Puisne Judge
T. L. Strange Esqre ____ Puisne Judge

Read letter dated 3rd March 1855 from the Session Judge of Calicut, submitting for the final judgment of the Fouzdaree Udalut the record of Case No 7 of 1855 on the Calendar of the Session Court.

(Here enter F. C. No 655 of 1855)

Mr Hooper
Mr Strange.

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,

"Cheroonatha Poliakote Kandy Oonikaren"

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

No

13th March 1855.

No final return having been received from the Session Judge of Salem, to the Precept of the Foujdaree Adalut under date the 27th January last directing that Officer to refund the amount of fine imposed by him on Tungummal and another.

Ordered that the Session Judge of Salem be required to make a final return to the Precept aforesaid without delay.

(Sent in &c

Ex 18 D.

F No.

Wednesday 14th March, 1855.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Cases No. 5 of 1855 of the Session Court of Mangalore.

(Here Enter F No. No. 575 of 1855.)

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Perjury, be reduced to (1) one year with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Dhor Babhoo-

Ordered

10 11th March, 1855.

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

/ Sent in No. /

Read Calendar of Case No. 6 of 1855 of the Sessions Court of Mangalore.—

/ Here Enter F. No. No. 576 of 1855 /.

The Court of Foujdaree Udalut approve of the recommendation made by the Sessions Judge in this Case that the period of imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Perjury, be reduced to (1) One year with hard labor instead, and they do authorize the Sessions Judge to issue his warrant accordingly.—

Dher Gopdda-

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

Dr 18 /

/ Sent in No. /

Thursday — 15th March 1855.

F. U.

At a Court of the Foujdaree Udalut.

Present.

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

} Divine Judges

Read again Criminal Reports forwarded through the Sessions Judge of Madura for December 1854.

(Here Enter F. U. No. 306 of 1855)

Read also Return furnished by the Acting Sessions Judge in reference to Proceedings of Foujdaree Udalut under date the 14th Ultimo

(Here Enter F. U. No. 544 of 1855)

/ The sentence pronounced against the Prisoners in Cases Nos. 210-211 and 212 (wherein Reports form A were called for by this Court) are reviewed as altogether inadequate. The 1st and 2d Prisoners, the Peons, will be dismissed from public employ-

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

(Sent in No.)

15th March 1855.

Read letter dated 28th February 1855
from the Sessions Judge of Chingleput.

(Here Enter F. R. No. 588 of 1855)

In the above communication the
Sessions Judge reports that on visiting the Gurneys
Jail he found a convicts in irons who had been sentenced
to 6 months imprisonment by the Magistracy and
had been forwarded thither direct; and with reference
to this circumstance he solicits the opinion of the
Court of Foujdaree Adalut, as to whether a Magistrate
is authorized to commit directly to a Jail under his
charge Prisoners disposed of by him under Act XVII
of 1843.

The Court of Foujdaree Adalut answer
the foregoing question in the negative. It is the duty
of the Magistracy on all occasions, except in those
trivial Cases referred to by the Sessions Judge, to forward
the Prisoners sentenced by them to undergo their period
of imprisonments in the Zillah Jail.

The Court would remark moreover that
the Jail at Guindy is not a Magistrates Jail, but
merely one into which certain Prisoners have been
transferred under the orders of Government for
Special purposes.

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

(Sent in A)

15th March 1855.

Read Calendar in No. 6 of 1855 on
the file of the Sessions Court of Tinnevelly.

(Here enter F. R. No. 623 of 1855)

The Prisoner, who was on his trial
for an attempt at Rape, accompanied by Robbery
and wounding, and was convicted on the two last
mentioned charges only. The Sessions Judge has
referred the Case under the provisions of Clause Second
Section IV Regulation XV of 1803.

The provisions of the Regulation
quoted do not apply. There was no gang. The sentence
should have been passed by the Sessions Judge
Clause Seventh. Section II. Regulation XV of 1803;
and the Sessions Judge will take that course now,
unless he shall be of opinion that the stated
punishment is inadequate.

Ordered that Extract from these
proceedings be sent to the Sessions Judge of
Tinnevelly by Precept returnable within X days.

Read

15th March 1855.

Read Calendar in Case No. 5 of 1855 on the file of the Session Court of Trichinopoly.

(Here Enter F.C. No. 624 of 1855.)

Charge Housebreaking with Theft. The Court resolve to call for the record in this case and the Session Judge will be pleased to suspend the sentence, pending further orders. The Court view with suspicion the evidence as to the alleged discovery to the stolen property on the 2d March or 10 (ten) days after the Prisoner had been taken into custody.

Ordered that Extract from these proceedings be sent to the Session Judge of Trichinopoly by precept returnable within VIII days from and after its receipt.

(Sent following precept No.

Saturday
17th March, 1855.

F.C.

At a Court of the Fairdares Adalut

Present

G. L. Hooper, Esqre.,
W. A. Morehead, Esqre.,
J. L. Strange, Esqre.,
} Puisne Judges.

Read again Criminal Reports for January, 1855, forwarded through the Sessions Judge of Chingleput.

(Here Enter F.C. No. 471 of 1855.)

Read also Return to the Proceedings of the Fairdares Adalut, held on perusal of the foregoing Calendars.

(Here Enter F.C. No. 632 of 1855.)

1. In regard to case No. 4 of 1855 to which, with reference to the trading of the charge, the Court directed the attention of the Sessions Judge; that Officer has given his opinion that the trading is correctly laid down as "Cattle killing", but observes that the charge has been unskilfully worded, furnishing, at the same time a revised form thereof

thereof.

2.

As it now appears that the Prisoner did steal the bullock, it seems to the Court altogether immaterial how the animal was disposed of by the thieves; such consideration not entering into the definition of the offence, larceny; and with reference to the charge as drawn up by the Sessions Judge, as suitable to describe the crime of Cattle-killing; the Court loves to observe that the allegation of malice, which is altogether a sine qua non in such an Indictment, has not been laid.

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

(Sub in No.)

Read letter dated 22nd February 1855 from the Sessions Judge of Masulipatam.

(Here enter F.R. No. 567 of 1855.)

1.

With the above letter the Sessions Judge submits for the consideration of the

the Court of Sudder Adalut copy of a communication from the Magistrate of Masulipatam in which a question is raised relative to the application of the provisions of Section XXXIII, Regulation IX of 1816 to cases of illegal extortion or attempts at such by Revenue Officials.

2.

It appears that the above reference has arisen out of a case in which a Prisoner One convicted by the Head Assistant Magistrate of having demanded from a Motursha Payer the sum of Rupee 1-8-0 (when he had been ordered to collect only 8 Annas) was sentenced by that officer to receive 4 dozen lashes under the provisions of the Regulation above quoted.

3.

It is unnecessary to recite the arguments by which the Head Assistant Magistrate upholds the justness of his sentence, it is sufficient to state that the Court of Sudder Adalut conceive them to be founded upon errors; and that they are of opinion that

17th March, 1854.

that the Head Assistant Magistrate had no legal authority to deal with the case in question as one of Theft. Had the offence been completed, it might have been punished under Regulation IX, of 1822; but the simple demand for extra cash cannot in the opinion of the Court be held to amount to a Criminal offence.

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

(Sent in No)

(Read Miscellaneous Petition presented on the 26th ultimo by Veeroyee of the zillah of Combaconum.

(Here enter S. M. P. No 73 of 1855.)

Wm. W. A. Morshead. 1. Petitioner prays for orders for the release of her husband, Prisoner in Case No. 22 of 1854 of the Session Court of Combaconum.

2. The Court of Foujdaree Adalut see no reason to interfere with the sentence

17th March, 1855. sentence passed upon the Prisoner and accordingly 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 ultimo by Mahommed Sheriff of the zillah of Cuddapah.

(Here enter S. M. P. No 79 of 1855.)

Wm. W. A. Morshead. 1. The Court of Foujdaree Adalut observe that this Petition contains Civil matter, should have been presented upon stamped paper. They therefore decline taking it into consideration.

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

Read again Miscellaneous Petition presented on the 27th February, 1855, by C. Salmon, Esqre, Barrister at Law on behalf of Lutchmanarow, late Tahsildar of Kykalore.

(Here enter S. M. P. No 72 of 1855.)

H

17th March 17th March, 1855.

Mr. V. A. Sharkawy

It having been brought to the notice of the Court of Sawdarree Udalut that in the Vakalutnamah filed by Mr Salmon on the 26th ultimo, is included the name of the 2nd Prisoner in Case No 108 of 1855, on the file of the Criminal Court of Masulipatam; and further, that it was the intention of the Pleader to appeal from the sentence recorded against both of the Prisoners in the said case, the Court of Sawdarree Udalut resolve to direct that the sentence passed upon the 2nd Prisoner be likewise held in abeyance pending their further instructions.

2.

The Court of Sawdarree Udalut also resolve to call upon the Sessions Judge to submit the Original Record of the said Case for their consideration without delay.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Masulipatam by Precept returnable within III days from and after the receipt thereof, following Precept No.)

Mr. V. S.

Ent 18

17th March, 1855.

Read Report, dated 1st March, 1855 submitted by the Sessions Judge of Chingleput of Cases pending on the 28th February 1855, and committed for trial before him during that Month.

(Here enter F. No. 621 of 1855.)

Read Letter dated 23rd February, 1855 from the Sessions Judge of Cuddalore, reporting the death on the 24th Instant from small pox of the Prisoner in Calendar No. 63 of 1854, whose case was referred on the 18th ultimo; as also the death on the 23rd ultimo from the same sickness of the Prisoner in Calendar Nos. 46 and 47 of 1854.

(Here enter F. No. 627 of 1855.)

Read Return dated 3rd March, 1855 from the Sessions Judge of Chingleput, with reference to the 12th para. of the Proceedings of the Court of Sawdarree Udalut under date the 23rd ultimo directing the Magistrate to notice the apathy of the Village authorities in Sessions Case No. 39 of 1854.

(Here enter F. No. 631 of 1855.)

Read Calendar of Cases No. 17 of 1855 submitted by the Sessions Judge of Bellary under date the 27th February, 1855.

(Here enter F. No. 636 of 1855.)

17th March, 1855.

Read Letter dated 2nd March, 1855 from the Sessions Judge of Combaconum, transmitting the returns of the Subordinate Judge, certifying that that the sentence of death was executed on the Prisoner Gunapady Padiachy together with a copy of his letter on the subject, dated 27th ultimo.

(Here enter F.R. No. 639 of 1855.)

Read Report dated 1st March 1855 submitted by the Sessions Judge of Rajahmundry of Cases pending on the 1st March 1855 before the Sessions Court, for a longer period than 25 days.

(Here enter F.R. No. 643 of 1855.)

Read Calendar of Case No. 3 of 1855 submitted by the Acting Sessions Judge of Ganjam under date the 28th February 1855.

(Here enter F.R. No. 652 of 1855.)

Read Calendar of Case No. 4 of 1855 submitted by the Sessions Judge of Mangalore under date the 3rd March, 1855.

(Here enter F.R. No. 653 of 1855.)

Read Calendar of Case No. 8 of 1855 submitted by the Sessions Judge of Cuddapah under date the 3rd March 1855.

(Here enter F.R. No. 649 of 1855.)

Read

17th March, 1855.

Read Letter dated 31st March 1855 from the Sessions Judge of Calicut, forwarding the Warrant issued for the execution of the Sentence of death passed on the prisoners in Cases Nos. 2 and 3 of 1855 on the Calendar, with the Subordinate Judges endorsement thereon and copy of his despatch.

(Here enter F.R. No. 656 of 1855.)

Read Calendar of Case No. 18 of 1855 submitted by the Sessions Judge of Bellary under date the 2nd March, 1855.

(Here enter F.R. No. 659 of 1855.)

Read Calendar of Case No. 3 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 2nd February 1855.

(Here enter F.R. No. 662 of 1855.)

Read Calendar of Case No. 4 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 2nd February 1855.

(Here enter F.R. No. 663 of 1855.)

Read Calendar of Case No. 5 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 3rd February 1855.

(Here enter F.R. No. 664 of 1855.)

Read

17th March, 1855.

Read Calendar of Cases No. 6 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 5th February, 1855.

(Here enter F.R. No. 665 of 1855.)

Read Calendar of Cases No. 8 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 23rd February, 1855.

(Here enter F.R. No. 666 of 1855.)

Read letter dated 27th February 1855 from the Sessions Judge of Masulipatam, relative to certain Petitions alleged to have been presented to the Fojdaree Adalut by the Prisoners in the Jail at Masulipatam.

(Here enter F.R. No. 628 of 1855.)

Read letter dated 1st March 1855 from the Sessions Judge of Chingleput, forwarding a list of Convicts under sentence of transportation in his Jail up to the 28th February, 1855.

(Here enter F.R. No. 620 of 1855.)

Read letter dated 27th February, 1855 from the Sessions Judge of Chittoor, forwarding the Labor Reports, &c. of the Convicts stationed at Arcot for the month of January, 1855.

(Here enter F.R. No. 580 of 1855.)

Read

17th March, 1855.

Read Extract, dated 26 February 1855, submitted by the Sessions Judge of Guntoor, from the Proceedings of the Sessions Court, held on review of the Police Statements for the 4th quarter of 1854.

(Here enter F.R. No. 584 of 1855.)

Read letter dated 23rd February 1855 from the Sessions Judge of Tellicherry, returning duly executed the Death Warrant in Case No. 19 of 1854 on the Calendar of the Sessions Court.

(Here enter F.R. No. 578 of 1855.)

Read Criminal Report under date the 15th February, 1855, submitting by the Sessions Judge of Masulipatam, for the month of January, 1855.

(Here enter F.R. No. 493 of 1855.)

Read Report, dated 1st March 1855, submitted by the Sessions Judge of Coimbatore, of Cases pending on the 30th January, and committed for trial during the month of February, 1855 before the Session Court.

(Here enter F.R. No. 641 of 1855.)

Rs 180

17th March, 1855.

Read Calendar of Case No. 6 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 5th February, 1855.

(Here enter F.H. No. 665 of 1855.)

Read Calendar of Case No. 8 of 1855 submitted by the Acting Sessions Judge of Cuddalore under date the 23rd February, 1855.

(Here enter F.H. No. 666 of 1855.)

Read Letter dated 27th February 1855 from the Sessions Judge of Masulipatam, relative to certain Petitions alleged to have been preferred to the Fiscal Adalut by the Prisoners in the Jail at Masulipatam.

(Here enter F.H. No. 628 of 1855.)

Read Letter dated 1st March 1855 from the Sessions Judge of Chingleput, forwarding a list of Convicts under Sentence of Transportation in his Jail up to the 28th February, 1855.

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Read

17th March, 1855.

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Read Report, dated 1st March 1855, submitted by the Sessions Judge of Coimbatore, of Cases pending on the 30th January, and committed for trial during the month of February, 1855 before the Session Court.

(Here enter F.H. No. 641 of 1855.)

Rs 180

17th Monday

Monday
19th March 1855. At a Court of the Fouzdaree Adalut.

F. A.

Present

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

Read Calendar in Case No III of 1855 on the file of the Sessions Court of Tellicherry.

(Here enter F. A. No. 65/1855)

1 Charge - "Knowingly receiving property stolen from a wreck" - Convicted on this charge the 1st 2d 3d & 4th Prisoners have been sentenced by the Session Judge to (6) Six months Simple Imprisonment - The Court consider that the circumstances of the case would have warranted a far severer punishment and that awarded by the Session Judge is, in their opinion, altogether inadequate.

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

Sent in No.

Read

19th March 1855.

Read Calendar in Case No. II of 1855 on the file of the Sessions Court Cuddalore.

(Here enter F.U. No. 661 of 1855)

1. Charge - 'Perjury' - The Sessions Judge has directed the Prisoner's release, without proceeding to the trial, it being apparent that the case has been irregularly committed by the Acting Principal Sudder Ameen, the point upon which the Prisoner is alleged to have perjured himself not being one material to the issue of the suit, in which he was under examination as a witness, before the District Moonsiff of Chenjee - and it not being shown that the Prisoner was duly cautioned by the Presiding Officer -

2. The Acting Sessions Judge will communicate the result of the trial, accompanied by appropriate directions for his guidance in future, to the District Moonsiff who advised the prosecution.

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

Ext. for Worst

Sent in Sp.

F. U.

Tuesday 20th March 1855 } At a Court of the Foujdaree Udalut.

Present.

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

Read letter dated 2nd March 1855 from the Subordinate Judge of Chittoor in charge of the zillah jail.

(Here enter F.U. No. 629 of 1855)

In the foregoing letter the Subordinate Judge has stated, that, owing to the combination of the dealers in grain, prices continue to range very high, and that his endeavours to induce parties at a distance to take up the jail contracts at more reasonable rates than those offered by the Chittoor merchants have not been attended with success. He therefore requests the Court's permission to purchase grain for the Convicts through the Collector at the various markets within the District or that the Judges will propound

propound some other plan to meet the present combination existing among the dealers.

2 The Court are of opinion that it would not be advisable to adopt the suggestion of the Subordinate Judge, and they are not prepared to recommend any other course than that which has already been taken by that officer in making known, as widely as possible, the demand for grain in the large Establishment under his Control, and inviting all parties to tender for the supply of the same.

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

(Sent in No.)

Read Calendar of Case No. 7 of 1855 of the Session Court of Coimbatore.

(Here enter F. H. No. 592 of 1855)

The Court of Foujdaree 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 on their conviction of Gang Robbery be

1 Combee
2 Ingru

be reduced to (3) Three Years 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 Coimbatore for his information.

(Sent in No.)

Read Calendar of Case No. 5 of 1855 of the Session Court of Chittoor

(Here enter F. H. No. 634 of 1855)

The Court of Foujdaree Adalut considering the mitigated sentence proposed to be passed upon the Prisoner in this Case insufficient for the offence of which he has been convicted resolve to direct that he be sentenced to (3) Three Years imprisonment with hard Labor in irons and that the Session Judge do issue his warrant accordingly.

Nullavadun

Ordered that Extract from these proceedings be sent to the Session Judge of Chittoor for his information

(Sent in No.)

Read

propound some other plan to meet the present
combination existing among the dealers.

2 The Court are of opinion that
it would not be advisable to adopt the
suggestion of the Subordinate Judge, and they are
not prepared to recommend any other course
than that which has already been taken by
that officer in making known, as widely as
possible, the demand for grain in the large
Establishment under his control, and inviting
all parties to tender for the supply of the same.

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

(Sent in No.)

Read Calendar of Case No 7
of 1855 of the Session Court of Coimbatore
(Here enter F. H. No. 592 of 1855)

The Court of Sunjdaree 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 Gang Robbery
be

1 Combee
2 Jeyen

be reduced to (3) Three 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 Coimbatore for his information.

(Sent in No.)

Read Calendar of Case No 5
of 1855 of the Session Court of Chittoor
(Here enter F. H. No. 634 of 1855)

The Court of Sunjdaree Adalut
considering the mitigated sentence proposed
to be passed upon the Prisoner in this Case
Nullavadun insufficient for the offence of which
he has been convicted resolve to direct
that he be sentenced to (3) Three years
imprisonment with hard labor in irons
and that the Sessions Judge do issue his
warrant accordingly.

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

(Sent in No.)

Read

Read Calendar of Case No. 16 of 1855 of the Sessions Court of Bellary.

(Here enter F. Co. No. 638 of 1855)

The Court of Foujdaree 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 Robbery may be reduced to (5) five years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

1. Hanumanagadoo
2. Mr. Venkatagah

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

(Sent in No.)

Read Calendar of Case No. 8 of 1855 of the Sessions Court of Combaconum.

(Here enter F. Co. No. 637 of 1855)

The Court of Foujdaree 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

1. Mootteeroolloo Chetty
2. Vengatchelum
3. Vaidamoottoo
4. Pichakarum
5. Amasee
Maureemoottoo

Conviction of Robbery by open violence be reduced to (2) Two 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 Combaconum for his information.

(Sent in No.)

Read Calendar in Case No. 11 of 1855 on the file of the Sessions Court of Cuddapah.

(Here enter F. Co. No. 650 of 1855)

"Accessary to Gang Robbery" 1

The facts alleged against the Prisoner do not constitute matter for any such charge - The heading will be amended to "receiving stolen property knowingly" and the Sessions Judge will proceed to pass such sentence as may appear proper under Clause second Section IV Regulation VI of 1823.

2 The Indictment charges the Prisoner as an accessary with before and after the fact - Before, as having consulted with the robbers to commit a robbery" and after, in having when informed of the perpetration thereof given no notice to the Police. It is

matter

Read Calendar of Case No. 16 of 1855 of the Sessions Court of Bellary.

(Here enter F. Co. No. 638 of 1855)

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 Robbery be reduced

1. Hanumanagudoo
2. M. Tenkutegah

to (5) five 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 Bellary for his information.

(Sent in No.)

Read Calendar of Case No. 35 of 1855 of the Sessions Court of Combaconum.

(Here enter F. Co. No. 637 of 1855)

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

1. Moottoomulloo Chetty
2. Vengatchelum
3. Vaidamoottoo
4. Sivakaroon
5. Amasee
6. Maureemoottoo

conviction of Robbery by open violence be reduced to (2) Two 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 Combaconum for his information.

(Sent in No.)

Read Calendar in Case No. IX of 1855 on the file of the Sessions Court of Cuddapah.

(Here enter F. Co. No. 650 of 1855)

"Accessory to Gang Robbery" 1 The facts alleged against the Prisoner do not constitute matter for any such charge. The heading will be amended to "receiving stolen property knowingly" and the Sessions Judge will proceed to pass such sentence as may appear proper under Clause second Section IV Regulation VI of 1822.

2 The Indictment charges the Prisoner as an accessary with before and after the fact. Before, as having consulted with the robbers to commit a robbery" and after, in having when informed of the perpetration thereof given no notice to the Police. It is

matter

matter of surprise to this Court that such allegations against the Prisoner have been accepted as in any way making up a charge of accessory.

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

(Sent in No.)

Read letter dated 6th March 1855 from the Sessions Judge of Tinnevelly, submitting for the final Judgment of the Foujdaree Adalut the Record of Trial in Case No. 6 of 1855 of the Calendar of the Sessions Court.

(Here enter F. C. No. 700 of 1855)

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 "Palany" 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

appoint there to be imprisoned and kept to hard labor, on the public roads or other public works for and during the period of his natural life.

The Court of Foujdaree Adalut observe that the charge of attempt at rape rests upon the Prosecutor's statement alone and they do not, in the opinion of the Court, suffice to establish it. The robbery is fully proved against the Prisoner, and the violence used by him towards the Prosecutrix and his throwing her when insensible into a tank indicate an intention on his part to take her life.

2 The Court of Foujdaree Adalut have accordingly sentenced the Prisoner to transportation for life.

3 The Court observe that the Sessions Judge should have sent up the Village Moonsiff's report Document No. 22 and the Mahazarnamah and list of property discovered No. 23, it being always of importance that the earliest information against a party accused should be on the record

Ordered

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

(Sentence No.)

Read Return dated 12th February 1855 from the Acting Sessions Judge of Combaconum to the Precept of the Fouzdaree Adalut under date the 9th February 1855 conveying observations and orders on the Criminal Reports for the Month of December 1854.

(Here enter F. Dc. No 454 of 1855)

Read Calendar of Case No. 14 of 1855 submitted by the Sessions Judge of Calicut under date the 3d Instant.

(Here enter F. Dc. No. 657 of 1855)

Read Extract from the Proceedings of the Sessions Court of Cuddalore dated 9th March 1855. submitting the remarks of the Sessions Court on the Calendars of Sessions Cases No 78 to 101 of 1854.

(Here enter F. Dc. No 668 of 1855)

Read Report dated 2d March 1855 submitted by the Sessions Judge of Bellary

Bellary, of a Case pending on the 31st January 1855 before him for a longer period than 25 days.

(Here enter F. Dc. No. 671 of 1855)

Read Calendar of Case No 7 of 1855 submitted by the Sessions Judge of Cuddalore under date the 8th March 1835.

(Here enter F. Dc. No. 676 of 1855)

Read Return dated 7th March 1855 from the Sessions Judge of Rajahmundry to the precept of the Fouzdaree Adalut under date the 28th February 1855 requiring transmission of the Reports of the Case No. 26 of 1854, on the Magistrates' file together with any explanation which that officer may have to offer in justification of the leniency of his sentence.

(Here enter F. Dc. No. 679 of 1855)

Read letter dated 9th March 1835 from the Sessions Judge of Bellary, transmitting the Original death warrant issued by his Court in Case No 204 on the Sessions Calendar for 1854 together with a copy of the Subordinate

Criminal

Criminal Judge's letter which accompanied it.

(Here enter F. C. No. 686 of 1855)

Read letter dated 9th March 1835 from the Session Judge of Bellary, transmitting copy of a letter from the zillah Surgeon to the address of the Subordinate Judge, and stating that there is no necessity for drafting any of the convicts confined in this Jail to another Jail.

Here enter F. C. No. 692 of 1855

Read Return dated 9th March 1855 from the Session Judge of Mangalore & the precept of the Tanjadore Udalut under date the 3rd March 1855, on review of the Calendar in Case No. 2 of 1835.

(Here enter F. C. No. 697 of 1835)

Read Calendars of Cases Nos. 8, 9 & 10 of 1835 submitted by the Session Judge of Tinnevelly

(Here enter F. C. Nos. 702 - 703 & 704 of 1835)

Read letter dated 12th March 1835 from the Session Judge of Bellary transmitting

transmitting the Original death warrant issued by his Court in Case No 11 on the Session Calendar for 1855 together with a Copy of the Subordinate Criminal Judge's letter which accompanied it.

Here enter F. C. No. 707 of 1835

Read Report dated 12th March 1835 from the Sessions Judge of Guntoor of Persons apprehended in zillah Guntoor and delivered to the Sessions Judge in the month of March 1835.

(Here enter F. C. No. 712 of 1835)

Read Return dated 15th March 1855 from the Session Judge of Nellore & the precept of the Tanjadore Udalut under date the 10th March 1835, directing the unconditional release of the Prisoners in Case No. 56 of 1854.

(Here enter F. C. No. 713 of 1855)

Read Calendar of Case No 2 of 1855 submitted by the Session Judge of Chingleput under date the 14th March 1835.

(Here enter F. C. No. 715 of 1835)

End

J. H. S.

Criminal Judge's letter which accompanied it.

(Here enter F. C. No. 686 of 1855)

Read letter dated 9th March 1855 from the Sessions Judge of Bellary, transmitting copy of a letter from the zillah Surgeon to the address of the Subordinate Judge, and stating that there is no necessity for drafting any of the convicts confined in this Jail to another Jail.

Here enter F. C. No. 692 of 1855

Read Return dated 9th March 1855 from the Sessions Judge of Mangalore to the precept of the Sunjdaree Udalut under date the 3d March 1855 on review of the Calendar in Case No. 2 of 1835.

(Here enter F. C. No. 697 of 1835)

Read Calendars of Cases Nos. 8, 9 & 10 of 1835 submitted by the Sessions Judge of Tinnevelly

(Here enter F. C. Nos. 702 - 703d. 704 of 1835)

Read letter dated 12th March 1835 from the Sessions Judge of Bellary transmitting

the Original Death warrant issued by his Court in Case No. 11 on the Sessions Calendar for 1835 together with a Copy of the Subordinate Criminal Judge's letter which accompanied it.

Here enter F. C. No. 707 of 1835

Read Report dated 12th March 1835 from the Sessions Judge of Guntoor of Persons apprehended in Zillah Guntoor and delivered to the Sessions Judge in the month of March 1835.

(Here enter F. C. No. 712 of 1835)

Read Return dated 15th March 1855 from the Sessions Judge of Nellore to the precept of the Sunjdaree Udalut under date the 10th March 1835, directing the unconditional release of the Prisoners in Case No. 56 of 1834.

(Here enter F. C. No. 713 of 1855)

Read Calendar of Case No. 2 of 1855 submitted by the Sessions Judge of Chingleput under date the 14th March 1835.

(Here enter F. C. No. 715 of 1835)

End.

J. H. S.

Wednesday
24th March 1855.

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 again Calendar of Case No. 53 of 1854, submitted by the Sessions Judge of Nellore.

(Here enter F. U. No. 1112/1854.)

Read also again Miscellaneous Petition presented on the 21st February 1855 by Narasammah of Lillah Nellore.

(Here enter F. M. P. No. 59/1855)

Read also Return dated 15th March 1855 from the Sessions Judge of Nellore to the Precept of the Foujdaree Udalut under date the 24th February 1855 directing the submission of the original record in Case No. 53 of 1854.

(Here enter F. U. No. 745/1855)

1 In the above case the Prisoner "Crapana Lakshmaya" was charged with Highway-robbery in having in company

with B.

with two others gone forth armed with sticks, and a knife, attacked the Prosecutrix and the 1st and 2nd Witnesses on the highway of Eatamukkula in the Talook of Dugale and robbed them of their property to the value of Rupees 13:12:-.

2. The Sessions Judge concurring in the Futwah of the Mahomedan Law Officer which convicted the Prisoner of the crime charged, sentenced him to 14 years' imprisonment with hard labor, submitting however at the same time his recommendation for a mitigation of that sentence to 7 years' imprisonment.

3 On perusal of the above Petition the Court of Sudder Udalut seeing cause to question the justness of the Prisoner's conviction called for the entire Record of the case and after a careful and deliberate consideration of the same the Court find themselves unable to concur with the Sessions Judge in deeming the guilt of the Prisoner satisfactorily established and they resolve to direct his immediate and unconditional release.

The

4. The only testimony against the Prisoner is that to his identification by the Prosecutrix and the 1st and 2nd Witnesses; but in reference to this it must be remarked that previous to the occurrence of the robbery the Prisoner was not known by these parties.

5 There is another point in the case which also in the opinion of the Court strongly indicates the absence of guilt on the part of the Prisoner, viz., that he gave himself up to the Head of Police when he learnt that the Police were making enquiries after him.

6 The Court cannot discover from the record of trial on what grounds a warrant was issued for the Prisoner- no one present at the robbery being aware of the names of the robbers.

7 The Court observe that no copy of the warrant issued is with the record as required by Circular Order dated 4th March 1822 and they direct that it may now be submitted together with further information on the above points.

Ordered

with two others gone forth armed with sticks and a knife, attacked the Prosecutrix and the 1st and 2nd Witnesses on the highway of Eatamukkula in the Talook of Engole and robbed them of their property to the value of Rupees 13:12:-.

2 The Sessions Judge concurring in the Futwah of the Mahomedan Law Officer which convicted the Prisoner of the crime charged, sentenced him to 14 years' imprisonment with hard labor, submitting however at the same time his recommendation for a mitigation of that sentence to 7 years' imprisonment.

3 On perusal of the above Petition the Court of Sudder Adalut see no cause to question the justness of the Prisoner's conviction called for the entire Record of the case and after a careful and deliberate consideration of the same the Court finds themselves unable to concur with the Sessions Judge in deeming the guilt of the Prisoner satisfactorily established and they resolve to direct his immediate and unconditional release.

4 The only testimony against the Prisoner is that to his identification by the Prosecutrix and the 1st and 2nd Witnesses; but in reference to this it must be remarked that previous to the occurrence of the robbery the Prisoner was not known by these parties.

5 There is another point in the case which also in the opinion of the Court strongly indicates the absence of guilt on the part of the Prisoner, viz:, that he gave himself up to the Head of Police when he learnt that the Police were making enquiries after him.

6 The Court cannot discover from the record of trial on what grounds a warrant was issued for the Prisoner no one present at the robbery being aware of the names of the robbers.

7 The Court observe that no copy of the warrant issued is with the record as required by Circular Order dated 4th March 1822 and they direct that it may now be submitted together with further information on the above points.

Ordered

21st March 1855.

Ordered that Extracts from these Proceedings be sent to the Session Judge of Nellore for his information by Precept returnable within III days from and after its receipt.

(Sent following Precept No)

Read Calendar of Case No 14 of 1855 of the Session Court of Masulipatam.

(Here enter F. C. No 617/1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the × Prisoner noted in the margin has been adjudged to suffer on his conviction of "Highway robbery with wounding" be reduced to (18) eighteen months with hard labor in irons and they do authorize the Session Judge to issue his warrants accordingly.

× Moondroo Mauregandoo.

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

F. C.

21st March 1855.

(Sent in No)

Read letter dated 10th March 1855 from the Acting Sessions Judge of Madura submitting for the final judgement of the Foujdaree Udalut the records of Case No 69 of 1855 of the Calendar of the Session Court.

(Here enter F. C. No 699/1855)

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 "Savoondra Ummal" of the crime is sufficient to convict her × 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.

The Court of Foujdaree Udalut are unable to concur with the Acting Sessions Judge in considering the grounds urged by that Officer sufficient to justify their exempting the Prisoner from undergoing the extreme penalty of the law. The Murder was a deliberate and cruel one, and perpetrated

on

on the person of a helpless and unprotected old woman

2 The Court direct that it be pointed out to the Acting Sessions Judge that his letter of reference is very defectively drawn out. It does not convey the names of the parties or the date or manner of the crime neither a sufficient description of the evidence.

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

(Sent in No)

Read letter dated 13th March 1855 from the Sessions Judge of Calicut submitting for the final judgment of the Foujdaree Udalut the Records of Case No 11 of 1855 on the Calendar of his Court.

(Here enter F. Dt. No 447/1855)

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

"Makanat, alias Ponatoor Mayate Numbra Nair"

is sufficient to convict him of the crime of "wounding with intent to kill" for which according to the Futwahs of their Law Officers discretionary punishment is awardable under the Mahomedan Law, do convict him thereof and in conformity with the Provisions of Clause third, Section VII, Regulation XV of 1803, and Section XXXIII Act VII of 1843 sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (10) ten years.

(Sent in No)

Read letter under date the 13th March 1855 from the Acting Sessions Judge of Cuddalore assigning certain reasons for the omission to comply within Structions of the Foujdaree Udalut dated 16th February 1855 regarding the division of a case of the Petty Calendars for the 4th Quarter of 1854.

(Here enter F. Dt. No 425/1855)

Read letter under date 14th March 1855 from the Sessions Judge of Cuddapah reporting with reference to the Extract from

the

21st March 1855.

the Proceedings of the Tuydaree Udalut of the 10th Instant, that the Petty Calendars for the 4th Quarter of 1854 will be submitted immediately as they are received from the Magistrate.

(Here enter F. C. No. 736/1855)

Read letter under date the 14th March 1855 from the Session Judge of Cuddapah reporting with reference to the Extract from the Proceedings of the Tuydaree Udalut of the 10th Instant that that the annual Criminal Reports will be submitted as soon as they are received from the Magis=trate.

(Here enter F. C. No. 737/1855)

Read Return dated 15th March 1855 from the Session Judge of Cuddapah to the Precept of the Tuydaree Udalut under date the 6th March 1855 requesting information as to whether the Prisoners in No 6 of the Calendar for 1855 were not convicted.

(Here enter F. C. No. 740/1855)

Read Return dated 14th March 1855 from the Session Judge of Cuddapah to the Precept of the Tuydaree Udalut under

F. C.

21st March 1855.

under date the 26th February 1855 requiring further explanation of the grounds on which that Officer ordered the commitment of certain Prisoners released in Case No. of 1855 on the file of the Subordinate

(Here enter F. C. No. 739/1855)

Read Calendar of Case No. 39 1855 submitted by the Session Judge of Cuddapah

(Here enter F. C. No. 727/1855)

Read Calendar of Case No. 12 of 1855 of the Session Court of Tinnevelly

(Here enter F. C. No. 728/1855)

Read Calendar of Case No. 18 of 1855 of the Session Court of Calicut.

(Here enter F. C. No. 748/1855)

End

J. B. S.

F. R.

Thursday 22d March 1855. At a Court of the Foujdaree Adaulut

Present:

C. A. Hooper Esquire
W. A. Morehead Esqre
T. L. Strange Esqre
} Puisne Judges.

Read again Calendars in case No 2 of 1855 on the file of the Session Court of Cuddapah.-

(Here Enter F. R. No 378 of 1855)

Read also return made to the Precepts of the Foujdaree Adaulut under date the 21st February last, calling for explanation in regard to the foregoing case.-

(Here Enter F. R. No 688 of 1855)

1. It appears by the more detailed remarks of the Session Judge now under review, that the whole of the Evidence implicating the Prisoner has, on one ground or the other, been rejected by that Authority. The Prisoner is therefore entitled to his release, and the Court direct that he be released unconditionally.

2. The Sessions Judge has alluded to the indifferent character borne by the Prisoner and the contradictory statements

F. C.

Thursday, 22d March 1855. At a Court of the Foujdaree Adalut

Present:

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

Read again Calender in case No 2 of 1855 on the file of the Sessions Court of Cuddapah.-

(Here Enter F. C. No 378 of 1855)

Read also return made to the Precept of the Foujdaree Adalut under date the 21st February last, calling for explanation in regard to the foregoing case.-

(Here Enter F. C. No 688 of 1855)

1. It appears by the more detailed remarks of the Sessions Judge now under review, that the whole of the Evidence implicating the Prisoner has, on one ground or the other, been rejected by that authority. The Prisoner is therefore entitled to his release. and the Court direct that he be released unconditionally.

2. The Sessions Judge has alluded to the indifferent character borne by the Prisoner and the contradictory statements

statements made by him as to his mode of livelihood, at various stages of the Investigation. The attention of the Sessions Judge is again called to this Courts Circular Order No 204 and he will be pleased to understand that considerations of the nature adverted to by no means justify a requisition of security from any Prisoner on trial before him.

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 1)

Read Calendar of case No 205 of 1855 of the Sessions Court of Coimbatore.-

(Here Enter Fl No 590 of 1855)

1. The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Gang Robbery be reduced to (7) Seven years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.-

2nd Rogers

2. From the abstract of the Evidence

evidence given in the Calendar the Court of Foujdaree Adalut are of opinion that there were sufficient grounds for the conviction of the 1st Prisoner also.-

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

(Sent in No)

Read calendar of case No 95 of 1854 of the Sessions Court of Cuddalore.

(Here Enter Fl No 610 of 1855)

1. Adverting to the remarks of the Sessions Judge in the Sentence passed in this case, the Court of Foujdaree Adalut direct that a report may hereafter be submitted to them of the result of the Magistrates' enquiry into the allegations of the 1st 2d and 3d Prisoners, that during their detention in custody they were subjected to torture and other ill treatment at the hands of the Poroor Zemindar and his people, and some Circar Peons, to make them confess and implicate others; and further, that the 3d and 5th Prisoners were during the same period forcibly compelled to labor at the construction of a wall for the said Zemindar without

without fee or reward of any kind.

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

(Sent following Precept No.

Read Criminal Returns for February 1855, forwarded through the Sessions Judge of Nellore.-

(Here Enter Fl No 3174 of 1855)

No 1 of 1855 before the Acting Joint Magistrate.

1. The Court of Foujdaree Adalut observe that no mention is made in the charge in this case of the time or of the manner in which the house was entered.

No 1 of 1855 before the Assistant Magistrate.

2- The amount of fine leviable should have been distinctly stated in the sentence in this case. The act with which the prisoner was charged appears to come more under the head of Fraud or obtaining money under false pretences, than that of embezzlement.-

No 20 of 1855, on the Criminal file of the Principal Sudr Ameen.

2- 3. The mere fact of concealing the crime from the Police did not render the 6th prisoner in this case an accessary after the fact.-

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

(Sent in No.

Read again return dated 30th January

Fl

January 1855 from the Acting Session Judge of Combaconum to the Precept of the Foujdaree Adalut under date 8th January last, calling for Translation of the record in the case of the Petitioner Balagooroomoorty Chetty, Prisoner in Sessions case No 57 of 1854.-

(Here Enter Fl No 3170 of 1855)

Read also Return by the same to the Precept of the Foujdaree Adalut under date the 13th February last, pointing out certain deficiencies in the Examination of the foregoing Sessions case- and directing that they may be supplied.

(Here Enter Fl No 589 of 1855-)

1. In regard to the first point on which the Court required explanation the Acting Session Judge has replied that "the two items of Receipt to which "the charge against the prisoner has "reference, have not been credited in "the cash accounts of the Court;" while "the balance of cash lying at the "credit of the Court in the Collectors' "Treasury and that in the custody of the "Court, correspond with the balance "shewn in the cash accounts."

2. It appears by the sentence in the Calendar that the two sums in question were paid out of the cash

cash chest to the parties to whom they were due. If they had not been received into the cash chest, the sum actually in deposit would be deficient to their amount. The Acting Sessions Judge, therefore, has not made it apparent that there has really been a deficiency; neither beyond sending up extracts from the accounts shewing that the sums in question have not been entered therein, has he afforded any thing like evidence connected with the alleged fact of their being a deficiency. For example, where he says that the balance of the Court account tallies with that of the deposit, the Judges have only before them his report on the subject without having the balances themselves put before them by extract from the accounts prepared in the manner directed in the 2d para of the circular letter dated 5th September 1846.-

3. Ordered therefore that the Acting Session Judge in view of the foregoing remarks, be called upon to furnish the Court with the required explanations.

Ordered that Extract from these

these Proceedings be sent to the Acting Session Judge of Combaconum by Precept returnable within V days from and after its receipt.

Sent following Precept &c

Read Calendar of case No 102 of 1854. of the Session Court of Trichinopoly

(Here Enter I R No 658 of 1855)

1. In the above case the Prisoners, five in number, were charged with Gang Robbery, and with being in possession of a portion of the plundered property knowing it to be such.-

2. The Acting Session Judge, in concurrence with the Futwa of the Mahomedan Law Officer, convicted the first and second Prisoners of the Gang Robbery and the third of being in possession of stolen property knowingly. The fourth and fifth Prisoners were acquitted and released.-

3. In the absence of violence in their perpetration of the crime the Acting Session Judge recommends that the Sentence passed upon the 1st and 2d Prisoners may be mitigated to 7 years imprisonment with hard labor in irons.-

4. Looking to the fact that the evidence against all the Prisoners with

cash chest to the parties to whom they were due. If they had not been received into the cash chest, the sum actually in deposit would be deficient to their amount. The Acting Sessions Judge, therefore, has not made it apparent that there has really been a deficiency; neither beyond sending up extracts from the accounts shewing that the sums in question have not been entered therein, has he afforded any thing like evidence connected with the alleged fact of their being a deficiency. For example, where he says that the balance of the Court account tallies with that of the deposit, the Judges have only before them his report on the subject without having the balances themselves put before them by extract from the accounts prepared in the manner directed in the 2d para of the Circular letter dated 5th September 1846.-

3. Ordered therefore that the Acting Sessions Judge in view of the foregoing remarks, be called upon to furnish the Court with the required explanations.

Ordered that Extract from

these Proceedings be sent to the Acting Session Judge of Combaconum by Precept returnable within V days from and after its receipt.

Sent following Precept No

Read Calendar of case No 102 of 1854 of the Session Court of Tuticorin

(Here Enter F R No 6580 of 1855)

1. In the above case the Prisoners, five in number, were charged with Gang Robbery, and with being in possession of a portion of the plundered property knowing it to be such.-

2. The Acting Session Judge, in concurrence with the Futwa of the Mahomedan Law Officer, convicts the first and second Prisoners of the Gang Robbery and the third of being in possession of stolen property knowingly. The fourth and fifth Prisoners were acquitted and released.-

3. In the absence of violence in their perpetration of the crime the Acting Session Judge recommends that the sentence passed upon the 1st and 2d Prisoners may be mitigated to 7 years imprisonment with hard labor in irons.-

4. Looking to the fact that the evidence against all the Prisoners, with

with the exception of that of the first witness (whose testimony is apparently distrusted both by the Law officer, and the Acting Session Judge) is simply that stolen property was found with them, the Court of Tanjore are at a loss are unable to comprehend upon what grounds the distinction has been made between the guilt of the 1st and 2d Prisoners, and that of the 3d; the former having been convicted of the Gang Robbery, and the latter of merely receiving the stolen property.-

5.

Before passing their orders on the recommendation of the Acting Session Judge, the Court of Tanjore require to be furnished with explanations on the above point.-

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

(Sent following Precept &c.

Read calendar of case No 80 of 1855 submitted by the Acting Session Judge of Combaconum under date the 19th ultimo.-

(Here Enter F R No 525 of 1855

Read

F. R.

22ᵈ March 1855.

Read calendar of case No 30 of 1855 submitted by the Session Judge of Guntoor under date the 23d ultimo.-

(Here Enter F R No 542 of 1855

Read calendar of case No 4 of 1855 submitted by the Session Judge of Nellore under date the 24th ultimo.

(Here Enter F R No 543 of 1855

Read accounts submitted by the Acting Session Judge of Combaconum under date the 28th ultimo, of the Gaols under charge of the Magistracy for the month of January 1855.-

(Here Enter F R No 667 of 1855

Ex'd Nos W

Geo Taylor

with the exception of that of the
witnesses (whose testimony is app
distrusted both by the Law Off
and the Acting Session Judge) is de
that stolen property was found
them, the Court of Enquiry are
are unable to comprehend upon w
grounds the distinction has been
made between the guilt of the
Prisoners, and that of the 3d; the
having been convicted of the Bu
Robbery, and the latter of merely
the stolen property.-

Before passing this
on the recommendation of the
Session Judge, the Court of Enquiry
require to be furnished with Proceed
on the above point.-

Ordered that Extract
these Proceedings be forwarded to
Session Judge of Cuddalore by Dis
returnable within 10 days from
its receipt.-

(Sent following Precepts

Read Calendar of Ca
No 80 of 1855 submitted by the
Session Judge of Combaconum under
date the 19th Ultimo.-

(Here Enter F.R. No 5

F.R.

22d March 1855.

Read Calendar of case No 30 of
1855 submitted by the Session Judge
of Guntoor under date the 23d Ultimo.-

(Here Enter F.R. No 542 of 1855)

Read Calendar of case No 4
of 1855 submitted by the Session Judge
of Nellore under date the 24th Ultimo.

(Here Enter F.R. No 543 of 1855)

Read accounts submitted
by the Acting Session Judge of
Combaconum under date the 28th
Ultimo, of the Jails under charge
of the Magistracy for the month
of January 1855.-

(Here Enter F.R. No 669 of 1855)

Ex'd Tho W

Chamberlain

F. C.

Friday ---- 23rd March 1855. At a Court of the Fouzdaree Adalut

Present

G. S. Hooper Esqr^re^ — Puisne Judges
W. A. Morehead Esqr^re^ —
T. L. Strange Esqr^re^ —

Read again Calendar in Case No 204 of 1854 on the file of the Sessions Judge of Bellary.—

(Herewith F. C. No 447 of 1855.)

Read also Return to the Precept of the Fouzdaree Adalut under date the 1st March 1855. calling for an explanation of the delay noticed in the disposal of the foregoing Case.—

(Herewith F. C. No 673 of 1855.)

1. By a reference to the usual 'delay' Report furnished by the Sessions Judge, it appears that a week's delay was occasioned the Sessions Judge having closed his Court for that period at Christmas. Such closing was not authorized and the Court have to direct that the

Sessions

Sessions Judge will refrain from taking a similar course in future.-

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

(Sent in &c)

Read Calendar in Case No. IV of 1855 on the file of the Sessions Court of Trichinopoly

(Here enter F.C. No. 675 of 1855.)

1. Charge "Gang Robbery by open violence." The 1st and 2nd Prisoners, who were found in possession of the stolen property the day succeeding the robbery, and who confessed their implication therein have been found guilty and sentenced under the provisions of Clause Third. Section 4 Regulation XV of 1803.-

2. The remaining prisoners have been called upon to furnish security on the ground of their having been committed by the 1st Prisoner in his deposition before the Police and their general character.-

23rd March 1855.

3. Evidence as to the identification of these Prisoners was adduced but this seems to have been rejected by the Sessions Judge though his judgment thereon is not entered in the sentence, as it should have been.

4 The grounds given by the Sessions Judge for requisitions of security are altogether untenable, and the Court direct the unconditional release of Prisoners 3 to 7 inclusive. The attention of the Sessions Judge is again called to this Courts Circular Order No. 204

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

(Sent in &c)

Read Petty calendars of the Magistracy of Masulipatam for the 4th Quarter of 1854, forwarded through the Sessions Judge.-

(Here enter F.C. No. 746 of 1855.)

These Calendars have been

1. very

very late in reaching this Court. No explanation has been offered in regard to the delay.-

Calendar No. I 2. The Sessions Judge will ascertain from the Record whether the gist of the offence here is not rather Larceny, and if he finds it so, he will direct the heading to be amended to "Cattle stealing".

No. 70 "Cattle killing" If on the other hand the gist of the offence is the killing, it was material to charge that the Prisoners acted with malice.-

Calendar No. II Case No. 72. 3. "Abuse of authority" is the proper heading for the offence here charged. The Prisoners are Village officials, and the investigation into their conduct on a criminal charge by the Head of Police reported in the Column for Remarks, was highly irregular and disproved to the rules orders of this Court

Case No. 76 "Child stealing" 4. The intent should have been laid.-

Case No. 77 "Assault" 5. The Prisoners being Peons, it is presumed the charge should have been headed "abuse of authority". If the Prisoners were not charged to have committed

committed the alleged wrongful acts under cover of their authority as public servants, it is obvious that their designation as such should have been omitted in the Calendar.-

Case No. 82. 6. The offence here charged is not of the nature of 'embezzlement'. The heading will be amended to Breach of Trust.-

Case No. 84. 7. To constitute the Possessing Stolen property" criminal, it is essential that the possession should be with knowledge, which is not charged.-

Calendar No. III Case No. 85. 8. The charge against the Prisoners was one of 'arson'. They were acquitted but held to security as Vagrants. The charge of Vagrancy alone, therefore, should have been alleged in the present Calendar, and the charge of Arson entered in the Calendar of Releases. The charges are two.-

Calendar No. IV 9. Case No. 87 should not have found entry here. The Assistant Magistrate was acting under Regulation X of 1816. It is observed that the sentence has been reversed

very late in reaching this Court. No explanation has been offered in regard to the delay.-

Calendar No. I 2. The Sessions Judge will ascertain
No. 70 from the Record whether the gist of the
"Cattle killing" offence here is not rather Larceny, and
if he finds it so, he will direct the
heading to be amended to "Cattle stealing".
If on the other hand the gist of the offence
is the killing, it was material to charge
that the Prisoners acted with malice.-

Calendar No. II 3.
Case No. 72. Abuse of authority" is the
proper heading for the offence here charged.
The Prisoners are Village officials, and the
investigation into their conduct on a
criminal charge by the Head of Police
reported in the Column for Remarks, was
highly irregular and disproved to the satisfaction
Case No. 76 4. orders of this Court
"Child stealing"
laid.-
Case No. 77 5.
"Assault" The Prisoner being Parent
is presumed the charge should have
been headed "abuse of authority". If the
Prisoners were not charged to have

committed the alleged wrongful acts
under cover of their authority as public
servants, it is obvious that their designation
as such should have been omitted in
the Calendar.-

Case No. 82. 6. The offence here charged is
not of the nature of 'embezzlement'. The
heading will be amended to Breach of
Trust.-

Case No. 84. 7. To constitute the Possessing
Stolen property" criminal, it is essential
that the possession should be with
knowledge, which is not charged.-

Calendar No. III 8. The charge against the
Case No. 85. Prisoners was one of 'arson'. They were
acquitted but held to security as Vagrants.
The charge of Vagrancy alone, therefore,
should have been alleged in the present
Calendar, and the charge of Arson entered
in the Calendar of Releases. The charges
are two.-

Calendar No. IV 9. Case No. 87 should not have found
entry here. The Assistant Magistrate was
acting under Regulation X of 1816. It is
observed that the sentence has been

reversed

reversed in Appeal. Sentences passed under the above enactment should not be mixed up with the Petty Calendars.

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

(Sent in No)

Read Petty Calendars of Cases disposed of by the Magistracy in the Zillah of Honore for the 4th Quarter of 1854.-

(Here enter Fl. No. No 708 of 1855.)

Read also Extract from the Proceedings of the Civil Judge of Combaconum of Honore dated 8th March 1855 reviewing the above Calendars.-

Gen. No 95

1. The Court of Foujdaree Adalut observe that the name of the prisoner in this Case should have been entered in red ink as he is also the prisoner in No 94.-

No 104.

2. If the defendant in this Case was a Police Peon, and committed the act charged in illegal exercise of his authority as such, he should have

have been punished under clause second Section III Regulation III of 1819, and the charge entered as abuse of authority.

No 109. 3 The prisoner in this Case does not appear to have committed any indictable act, no threat or violence having been used nor any injury done by him to the Prosecutor, or his premises, nor is he charged with having entered the house with intent to commit any crime. Under these circumstances the Court of Foujdaree Adalut direct that the fine if levied from the prisoner be returned to him.-

No 114. 4. The nature of the prisoner's offence in this Case is not sufficiently clearly defined in the charge. If there was any dispute as to whom the cocoanuts belonged, a criminal charge should not have been entertained. The Court desire to know what the prisoner pleaded in his defence, and what was proved against him.-

No 117. 5. If the act charged in this Case was done maliciously and premeditatedly

23d. March 1855.

premeditatedly the prisoner should have been committed for trial before the Criminal Court. If on the other hand it was unintentional the prisoner should have been acquitted.—

Prisoner discharged Sr. 27.

6. The charge in this Case should have been headed "Housebreaking with theft."—

O. Sr. 28.

7. The offence of the prisoners in this Case (or at least of the 1st and 2d) was "abuse of authority."—

O. Sr. 29.

8. This charge should have been brought under the head of "Housebreaking with theft."—

Ordered that Extract from these Proceedings be sent to the Session Judge of Honore by precept returnable within V days from and after its receipt

2 (Sent following precept Sr.)

Read Calendar in Case Sr. III of 1855 on the file of the Session Court of Rajahmundry.—

(Here enter Fde. Sr. 677 of 1855.)

Charge "Theft and Trespass"

1. The Court are of opinion that the additional Count inserted by the Criminal

23d. March 1855.

Criminal Judge, charging the Prisoner with a Trespass, was not necessary.

2. The Session Judge in sentencing the 1st Prisoners under Section II Regulation VI of 1827 to 100 Lashes and (7) years Imprisonment with hard labor in Irons has applied for a mitigation of the Imprisonment of one (1) year only and for a like reduction in the punishment awarded against the 2d Prisoner who has been sentenced under Section XXI Regulation VIII of 1803.—

2. The Court resolve to give effect to the latter recommendation only. The 1st Prisoner, they observe, has been already convicted of a Highway Robbery.—

3 With reference to the note of the Session Judge, the Court object to the infliction of stripes at the close of the term of Imprisonment awarded against a Prisoner, such Punishment should always be carried out within a reasonable period after the sentence has been declared.

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

(Sent in Sr.)

premeditatedly the prisoner should have been committed for trial before the Criminal Court. If on the other hand it was unintentional the prisoner should have been acquitted.

Prisoner discharged No. 24.

6. The charge in this Case should have been headed "Housebreaking with theft."

C. No. 28.

7. The offence of the prisoner in this Case (or at least of the 1st and 2nd) was "abuse of authority."

C. No. 29.

8. This charge should have been brought under the head of "Housebreaking with theft."

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Honore by precept returnable within X days from and after its receipt

(Sent following precept No.)

Read Calendar in Case No. III of 1855 on the file of the Sessions Court of Rajahmundry.

(Here enter F.R. No. 677 of 1855.)

Charge, "Theft and Trespass"

1. The Court are of opinion that the additional Count inserted by the Committing Magistrate in the Criminal Judge, charging the Prisoner with a Trespass, was not necessary.

2. The Sessions Judge in sentencing the 1st Prisoner under Section II Regulation VI of 1827 to 100 Lashes and (7) years Imprisonment with hard labor in Irons has applied for a mitigation of the Imprisonment of one (1) year only and for a like reduction in the punishment awarded against the 2nd Prisoner who has been sentenced under Section XXI Regulation VIII of 1803.

The Court resolve to give effect to the latter recommendation only. The 1st Prisoner, they observe, has been already convicted of a Highway Robbery.

3. With reference to the note of the Sessions Judge, the Court object to the infliction of stripes at the close of the term of Imprisonment awarded against a Prisoner, such Punishment should always be carried out within a reasonable period after the sentence has been declared.

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

(Sent in No.)

F. U.

Saturday. At a Court of the Fouzdaree Udalut
24th March 1855. Present

G. L. Hooper Esqr. ——— Puisne Judge
W. A. Morehead Esqr. ——— Puisne Judge
T. L. Strange Esqr. ——— Puisne Judge

Read Calendar of Case No. 1 of
1855 of the Session Court of Cuddalore.
(Here enter F. U. No. 660 of 1855)
The Court of Fouzdaree Udalut
1. are of opinion that a sentence of 2 years imprison-
ment with hard labor in irons will be adequate
punishment for the offences of which the Prisoner
in this case has been convicted, and they resolve
to call upon the Session Judge to reduce his
sentence accordingly.

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

The Court direct that it be pointed
3. out to the Principal Sudr Ameen that he was himself
competent

competent to dispose of this case, without committing it for trial before the Session Court. the offence of which the Prisoner was previously convicted as set forth in the 3rd count of the Indictment and falling under the provisions of Clause second Section II Regulation XI of 1822 and which would alone render its committal called for.

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

(Sent following Receipt No

Read Calendar in Case No 97 of 1855 on the file of the Session Court of Cuddalore

(Here enter F. C. No 680 of 1855)

Charge - "Murder". The charge here has been drawn up by "a writer in the office" a course of proceeding deprecated by this Court so far back as the year 1833. The attention of the Acting Session Judge is called to Fouzdaree Udalut Circular Order A of the 10th April of this year. If the Criminal Judge is not qualified to draw up Indictments with clearness and correctness, it then becomes the duty of the Session Judge to do so.

Besides

24th March 1855.

2. Besides the error of language in the charge, the sentence and the Futwah betray similar mistakes. The Court presume that the Prisoner has been convicted of concealment only, the 'suspicion' being that she also committed Murder.

3. In the opinion of the Court the Acting Session Judge is bound to provide against the transmission of any Calendar with the inaccuracies above adverted to.

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

(Sent in No

Read Calendar of Case No 80 of 1855 of the Session Court of Mangalore.

(Here enter F. C. No 683 of 1855)

The Court of Fouzdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of House breaking with theft, be reduced to (4) four years with hard labor in irons

1 Villa Devos

competent to dispose of this case without committing it for trial before the Session Court - the offence of which the Prisoner was previously convicted as set forth in the 3rd count of the Indictment and falls under the provisions of Clause second Section I Regulation XI of 1822 and which would alone subject its committal called for.

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

(Sent following Receipt &c

Read Calendar in Case No. 1 of 1855 on the file of the Session Court of Cuddalore

(Hereinafter F. C. No. 680 of 1855)

1. Charge - "Murder". The charge has been drawn up by "a writer in the office" a course of proceeding deprecated by this Court as far back as the year 1833. The attention of the Acting Session Judge is called to Foujdaree Udalut Circular Order A of the 10th April of the year. If the Criminal Judge is not qualified to draw up Indictments with clearness and correctness, it then becomes the duty of the Session Judge to do so.

2. Besides the error of language in the charge, the sentence and the Futwah betray similar mistakes. The Court presume that the Prisoner has been convicted of concealment only, the 'suspicion' being that she also committed Murder.

3. In the opinion of the Court the Acting Session Judge is bound to provide against the transmission of any Calendar with the inaccuracies above adverted to.

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

(Sent in No.

Read Calendar of Case No. 8 of 1855 of the Session Court of Mangalore.

(Hereinafter F. C. No. 683 of 1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of House breaking with theft, be reduced to (4) four years with hard labor in irons

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rious, 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 Mangalore for his information.

(Sent in &c.

Read again Miscellaneous Petition presented on the 8th January 1855 by I. Tamboo Menon Vakeel on behalf of Kodally Tayattan Coonhy Kolusseppen and another of Zillah Tellicherry

(Here enter F. M. C. No. 16 of 1855)

Read also Miscellaneous Petition presented on the 12th March 1855 by Messrs A. Mc. Ritchies Vakeels on behalf of Coonjamboo of Zillah Tellicherry

(Here enter F. M. C. No. 82 of 1855)

Read also return dated 22d February made by the Session Judge of Tellicherry to the Precept of the Foujdaree Udalut under date the 27th January issued in the matter of the above Petition.

(Here enter F. Uc. No. 569 of 1855)

Mr. Morehead. 1

In the above return the Session Judge adverting to the exigency of the above Precept of the Foujdaree

F. 26
24th March 1855.

Foujdaree Udalut states that "the decision of the "Magistrate in favor of the opposite party Coon= "jamboo was grounded on a will executed by the "deceased Karnaoor in 1851, and on the fact which the "Magistrate considered to be established that Coon= "jamboo was in the actual possession of the disputed "property in virtue of the will"

In reference to the above explanation the Court of Foujdaree Udalut resolve to reject the prayer of Petition No. 16 of 1855.

Ordered that Extract from these Proceedings be granted to the Petitioners and Counter Petitioners Vakeels on their respective applications

Read Miscellaneous Petitions presented on the 19th Ultimo and 12th Instant by Ramasamy Veroomundroo Vakeel on behalf of Nunjeeya Calingaroya Gounden of Zillah Coimbatore

(Here enter F. M. Os. Nos. 57 and 84 / 1855)

Mr. Strange. 1

This is an Appeal from the order of the Session Judge of Coimbatore under date the 2d February last, declining to accept bail from Moottoo Kristna Calingaroya Gounden and 4 others, the first 5 Prisoners in Case No. 2 of 1855 on the Calendar of the Session Court of Coimbatore

The Court of Foujdaree Udalut

2.

resolve

resolved to request the Session Judge to reconsider the request of the prisoners to be admitted to bail should there be a prospect of any further material delay in the disposal of the case.

3.

The Court observe that the Session Judge must now be in a position to judge whether the circumstances of the case are such as to prevent his allowing the Petitioners the privilege of bail to which, under ordinary circumstances, they would be entitled when placed on trial on such a charge as that pending against them.

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

(Sent in No.

Read Miscellaneous Petition presented on the 12th Instant by Iyen Puttee and another of Zillah Trichinopoly.

(Herewith entered T. M. P. No. 81 of 1855)

Mr. Strange.

This is an appeal from an order of the Session Court of Trichinopoly under date the 5th December 1854 releasing the Prisoners in Case No. 40 of 1854 on the file of that Court without trial.

2.

The Court of Foujdaree Udalut see no grounds to question the correctness of the Session

A.S.R.

Session Judge's proceedings held in this case, and decline therefore to interfere therewith.

Petition dismissed.

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

Read Miscellaneous Petition presented on the 12th March 1855 by Daavayganamy Moodely of Zillah Chittoor.

(Herewith entered T. M. P. No. 83 of 1855)

Mr. Strange

The Petitioner is informed that the Court of Foujdaree Udalut have no authority to interfere in the matter referred to in this Petition which is accordingly dismissed.

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

Read Miscellaneous Petition presented on the 14th March 1855 by Coolluppa Moodely and 4 others of Zillah Chingleput.

(Herewith entered T. M. P. No. 85 of 1855.)

Mr. Hooper

Mr. Strange

The object of this Petition is to induce the Court of Foujdaree Udalut to reverse the order of the Session Court of Chingleput under date the 26th August 1854, declining to interfere

in

in behalf of the Petitioners, who, the Acting Sessions Judge observes, "appears to have blocked up a thoroughfare by throwing down earth, and to have been properly fined by the Magistrate for doing so."

2 Before disposing of this Petition the Court of Foujdaree Udalut resolve to direct the Session Judge of Chinglepet to procure and transmit to this Court, a copy of the order passed by the Magistrate in the matter.

Ordered that Extract from these Proceedings be sent to the Session Judge of Chinglepet by Precept returnable in x days from and after its receipt.

Sent following Precept No.

Read Miscellaneous Petition presented on the 15th Instant by Mungatoy of St. Thomas' Mount.

(Here enter F. M. P. No. 86 of 1855)

Mr. Hooper

The Court of Foujdaree Udalut resolve to reject this Petition and refer the Petitioner to the order passed by them on the 20th January last in the matter to which she adverts.

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

Read Miscellaneous Petition of Agasaly Mooda received on the 19th March 1855 from the Session Judge of Mangalore, appealing from the sentence recorded against him in Case No. 1 of 1855 on the file of the Session Court.

(Here enter F. M. P. No. 87 of 1855)

Read also Calendar of the case aforesaid, submitted by the Session Judge of Mangalore

(Here enter F. Vol. No. 297 of 1855)

Mr. Strange.

On consideration of the Calendar and the sentence passed by the Session Judge this Court of Foujdaree Udalut see no ground to question the propriety of the said sentence and therefore reject this Petition.

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

(Sent in No.)

Et. Hall

F. No.

Monday
26th March, 1855.

At a Court of the Foujdaree Adalut

Present

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

Read Calendar of Case No. 10 of 1855 of the Sessions Court of Cuddalore:-

Here Enter F. No. No. 730 of 1855.

1. The Sessions Judge in concurrence with the futwah of his law Officer found the Prisoner guilty of the crime charged (Highway Robbery) and in sentencing him to the prescribed penalty recommends that it may be mitigated to 3 months' imprisonment with hard labor in irons with 50 lashes:-

2. The punishment proposed is in the opinion of this Court altogether

26th March, 1855.

altogether inadequate to the offence of which the Prisoner has been convicted, and they accordingly direct that he be sentenced to (2) Two years imprisonment and to corporal punishment to the extent proposed.—

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. 12 of 1855 of the Session Court of Coimbatore.—

/Here Enter F.No. No. 749 of 1855/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case, that the period of imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery, be reduced to (7) seven years with hard labor in irons, and they do authorize the

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26th March, 1855.

the Session Judge to issue his warrant accordingly.

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

/Sent in No. /—

Read Return made by the Session Judge of Mangalore to the Precept of this Court under date the 19th February 1855.—

/Here Enter F.No. No. 750 of 1855/—

Read also return of the Magistrate of Canara to the Precept of the Sessions Court of Mangalore under date the 27th February 1855, enclosed with the foregoing.—

The Court of Foujdaree Udalut observe that they left the matter for the Magistrate to deal with in the manner proposed at the close of the 4th para: of his return to the Precept of the Session Court.—

Ordered,

altogether inadequate to the offence of which the Prisoner has been convicted, and they accordingly direct that he be sentenced to (2) Two years imprisonment and to corporal punishment to the extent proposed.—

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. 12 of 1855 of the Session Court of Coimbatore.—

/Here Enter F.M.C. No. 749 of 1855/

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case, that the period of imprisonment to which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery, be reduced to (7) seven years with hard labor in irons, and they do authorize the

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the Session Judge to issue his warrant accordingly.—

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

/Sent in No. /—

Read Return made by the Session Judge of Mangalore to the Precept of this Court under date the 19th. February 1855.—

/Here Enter F.M.C. No. 750 of 1855/—

Read also return of the Magistrate of Canara to the Precept of the Session Court of Mangalore under date the 27th. February 1855, enclosed with the foregoing.—

The Court of Foujdaree Udalut observe that they left the matter for the Magistrate to deal with in the manner proposed at the close of the 4th. para: of his return to the Precept of the Session Court.—

Ordered,

26th March, 1855.

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

(Sent in No. /5

Ed 1 Ad.

Tuesday
27th March 1855. } At a Court of the Foujdaree Adalut.

Present

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

Read return made by the Acting Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 15th February 1855, calling for certain explanations in the matter of the Petitioner Balagooroomoorty Chetty, late Shroff of the Civil Court, and prisoner in Session case No. 57 of 1854, Combaconum file.

Circular. (Here enter L. R. No. 589 of 1855)

The prisoner was indicted for "Embezzlement."

2. It is stated in the sentence that "the money mentioned in the 1st Count "was collected by the Nazir of the Court "from the Defendant in a suit on the "Sudr Ameens file, and was by him paid "into the Treasury of the Civil Court on the

"the 26th December 1849, the Prisoner acknow-
"=ledging the receipt of the money in an
"endorsement on the process (Exhibit A)
"issued to the Nazir by the said Ameen".—

3. The money mentioned in the
2nd Count" it is further stated" was sent by
"the Moonsiff of Keevalore with an Urzee
"in the month of March 1850, to be deposited
"in the Courts' Cash Chest on account
"of the Plaintiff in a certain suit. The
"receipt of this money is acknowledged
"by the Prisoner in an endorsement on
"the Moonsiff's Urzee Exhibit B".—

4. The Court of Enjdaree Adalut
directed the Acting Session Judge to put
in evidence and send up for the Judges'
information any corresponding receipts that
may have been furnished to the Nazir and
District Moonsiff aforesaid for the satis-
=faction and protection of those persons.

5. In reply the Acting Session
Judge has stated that no such receipts
were furnished, "as it was not customary
to do so".—

The

6. The omission the Court observe,
is irregular, and they resolve to issue instructions
to all the lower Courts, requiring them to furnish
Vouchers for all sums received by them.—

Ordered that Extract from
these proceedings be forwarded to the
several Session Judges for their information
and guidance and for Communication
to Subordinate Courts.—

(Sent in No)

Read again Criminal Reports
Submitted through the Session Judge of
Madura for the Month of December 1854.—

(We enter S. R. No. 306 of 1855)

Read also letter from the Acting
Session Judge forwarding Copy of the expl:
=anation of Joint Magistrate in regard
to Case No 9 of 1854 disposed of by him
and remarked on by the Enjdaree Adalut
in their proceedings held in review of the
foregoing Reports.—

(Here enter S. R. No. 718 of 1855)

In his letter the Joint
Magistrate has entered at length
into

27th March 1855.

into the circumstances of the charge and of the delay observable in the disposal thereof. These explanations appear to the Court to be satisfactory. They are of opinion that the charge against the prisoners was correctly adjudicated upon and the delay unavoidable. —

Ordered that the extract from these proceedings be sent to the Acting Sessions Judge of Madura for his information and for communication to the Magistrate. —

(Sent in No. 15

End
J.W.S
—

Wednesday.
28th March, 1855.

F. C.

At a Court of the Tanjore Adalut.

Present.

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

Read Criminal Reports submitted through the Sessions Judge of Tanjore for the month of February, 1855.

(Vide entry F. C. No. 757 of 1855.)

Case No. 23. "House breaking with Theft."

1. The course adopted by the Sessions Judge in this case, in sending back the Prisoners to the Criminal Court after committal and holding them to bail pending the appearance of the Prosecutor is irregular. The offence charged is not a bailable one.

Cases Nos. 14 and 15. "Fraud."

2. The Prisoner is charged with having fraudulently obtained, in the first case a Turband, and in the second certain Shorties, the property of the Prosecutor.

The

28th March, 1855.

The Indictments in either case is vague. Where a Prisoner is charged with obtaining money or goods by false pretences, the pretence made use of by him, should invariably be alleged.

Cases Nos. 17 and 18, are charges of "Murder."

3. The assault in each case should have been charged as perpetrated with "Malice aforethought."

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

Ordered also, that Extract from these proceedings (Para. 2.) be forwarded to the Sessions Judges for their information and for communication to the Subordinate Courts and Magistrates.

(Sent in No)

Read Report B. of persons apprehended in the Zillah of Cuddalore and delivered to the Magistracy in the month of February, 1855, forwarded through the

28th March, 1855.

No. 8 of 1855 before the Head Assistant Magistrate.

the Sessions Judge of Cuddalore.

(See enter J. Bk. No. 731 of 1855.)

The Court of Sudder Dewanny Adawlut observe that the period of labor to which the 1st prisoner in this case was sentenced, in default of paying the fine, was disproportionate to the amount of fine imposed. If his being amerced in the sum of 15 Rupees was a sufficient punishment for the offence proved against him, the period of imprisonment provided by Section XXXII, Regulation IX of 1816 would also have sufficed to meet the requirements of the case, which might have been disposed of under that enactment.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Cuddalore for communication to the Magistrate.

(Sent in No)

Read

Read Calendar in Case
No. 4 of 1855, on the file of the Sessions
Court of Pillicherry.

(Here enter F. H. No. 753 of 1855.)

The Court of Sujdaree
Udalut observe that the prisoner's crime
was "Theft", and that the sentence should
have been passed under Section II, Regula-
tion XV of 1803.

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

(Sent in No.)

Read Calendar of Case
No. 8 of 1855, of the Sessions Court of
Nellore.

(Here enter F. H. No. 754 of 1855.)

1.

The Court of Sujdaree
Udalut are of opinion that a sentence
of 7 years' imprisonment with hard labor
in irons will be adequate punishment for the
offence

offence of which the prisoners in this case
have been convicted, and they resolve to call
upon the Session Judge to reduce their 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 Criminal Report
B. for the month of February, 1855, received
through the Session Judge of Cuddapah.

(Here enter F. H. No. 758 of 1855.)

The Court of Sujdaree
No. 29 of 1855. 1.

Udalut observe that the Court against
the

28th March, 1855.

the 1st prisoner in this case is vague and indefinite. To render him an accessory before the fact, it should have distinctly charged him with counselling or procuring the particular crime for which the principals were indicted. As the latter, that is the 2nd, 3rd, and 4th prisoners, with whom it is presumed he conducted, were acquitted, it is not clear how this part of the charge could be sustained against him, (1st prisoner).

The Court further observes that the bare concealment of the crime did not render the 1st prisoner an accessory after the fact, and that his receiving part of the property robbed should have been considered as a distinct offence and an additional count framed upon it.

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

(Sent in No)

Read

28th March, 1855.

Read Criminal Reports submitted by the Acting Sessions Judge of Madura for the month of February, 1855.

(Here enter F. No. No 760 of 1855.)

Case No 14.

The Court of Foujdaree Adalut observe that the Assault if actually committed which is not apparent from the statement of the charge, should have formed a separate indictment against the 3rd, 4th, 5th, and 6th Prisoners; if not committed there was no indictable offence upon which to proceed against the said Prisoners and who should not therefore, have been sent up to the Criminal Court.

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

(Sent in No)

Read Criminal Reports submitted through the Sessions Judge of Bellary for February, 1855.

(Here enter F. No. No 767 of 1855.)

The

28th March, 1855.

Cases Nos 29 and 30.

1.

The prisoner in either case is the same, and has been convicted on two Indictments of "House-breaking with Theft." The sentence passed upon him, viz., seven (7) months' imprisonment with hard labor in irons is altogether insufficient.

2.

The Session Judge has observed in his Review of Case No 53, that he was "obliged to call up the Record, failing to understand from a perusal of the usual Report A. on what grounds the Prisoner's conviction was based. It appears to the Court that the sentences of the Subordinate Judges are extremely meagre in their respect in all the Reports A. under review. They resolve to instruct him to be careful to give in greater detail for the future, the facts in evidence against the accused, and which have been relied upon for conviction.

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

28th March, 1855.

Judge of Bellary for his information, and for communication to the Subordinate Judge.

(Sentence No.)

Read Criminal Reports submitted by the Session Judge of Calicut for the month of February, 1855.

(Referred to Cl. No. 775 of 1855.)

Principal Sudr Ameen of Cochin. Report B. Case No 8 of 1855.

1.

The punishment awarded in this case appears to the Court of Sudr Adalut unnecessarily severe, and they direct that the sentence be reduced to six months' imprisonment with hard labor in irons.

Magistrate. Report B. Cases Nos 4 and 5.

2.

The offence charged in the former of these two cases should have been designated "Assault with attempt to extort money under fraudulent pretences," and in the latter "Abuse of Authority." The Court presume that the Prisoner has been dismissed from the office of Batta Peon.

Subordinate Judge. Report B. Case No 16.

3.

The Court of Sudr Adalut require to be informed whether in the committal of this case the instructions laid

28th March, 1855.

laid down in Tinnevelly Adalut Circular Orders, No. 200, Dated 7th December, 1853, have been duly conformed to.

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

(Sent following precept No.)

Read Criminal Reports submitted by the Session Judge of Salem for the months of January, 1855.

(Here enter J. R. No. 797 of 1855.)

Magistrates Report, B. Case No. 1.

1.

The Court of Tinnevelly Adalut observe that the charge against the Prisoners in this case of being in possession of the stolen property knowingly should have been set forth in a second Count of the indictment.

2.

The Acting Session Judge will be pleased to expedite the transmission of the Reports for February which are now due.

Ordered that Extract from these

28th March, 1855.

proceedings be forwarded to the Acting Session Judge of Salem for his information and guidance, and for communication to the Magistrate.

(Sent in No.)

Read fifty Calendars of the Magistracy of Tinnevelly for the 4th Quarter of 1854, forwarded by the Session Judge.

(Here enter J. R. No. 701 of 1855.)

1.

Great delay is observable in the transmission of these Calendars. No explanation has been offered as to the ground thereof.

Calendar No. II. Case No. 60.

2.

In this Case the Prisoners were charged with "Robbery." The 1st and 2nd were apprehended by the Tahsildar on the 5th of September, and the 3rd on the 20th idem. The examination was continued in the Talook on the 27th, at which date the Proceedings were closed. The Court do not understand why at this stage of the examination, the Prisoners were not either committed or released by the Head of Police. That that Officer should then have forwarded the parties to the Magistrate in

irregular

28th March, 1855.

irregular.—Vide Circular Order, No. 22.

Case No. 62.

3.

The Court desire to know what notice has been taken by the Magistrate of the misconduct of the Tahsildars referred to in the "Remarks" to this Case.

4.

Case No. 77, as well as others of a similar nature, should have been disposed of on the Tahsildar's report, under the provisions of Act XXXIII of 1837.

Case No. 78.

5.

A Sappal nuzzer has been held by this Court under date the 21st of August, 1835, not to be information, such as a Magistrate is to proceed on. This petty case was three months and a half under inquiry.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Tinnevelly for communication to the Magistrate by Precept returnable within V days from and after its receipt.

(Sent following precept No.)

Read Calendar in Case No. 10 of 1855 on the file of the Session Court of

28th March, 1855.

of Combaconum.

(Here enter F. Gb. No. 744 of 1855.)

1.

The Court of Sunjdaree Adalut observe that the sentence in this case is drawn up in a very unsatisfactory way. The Acting Session Judge convicts the 1st prisoner, but shows no other ground for doing so than that rice was found in his house. It is not stated that proof has been afforded that this rice belonged to the prosecutor and was part of that stolen, or how such proof was obtained. Nor has the Acting Session Judge recorded any opinion upon other facts deposed to against this prisoner.

2.

The Acting Session Judge considers the 3rd and 4th prisoners to be under strong suspicion, and requires them to produce security, the ground being that rice, not clearly identified as the prosecutor's, was found in their possession. As to other facts in evidence against these prisoners, no judgment is given, and it is plain that if nothing more appears established than what the Acting Session Judge has

28th March, 1855.

has noticed in his sentence, they are entitled to unconditional release.

3. The Court of Sessions Udalut desire to draw the attention of the Acting Session Judge to these points, and to call upon him to afford explanation respecting them, before passing final orders on the subject.

Ordered that Extract from these proceedings be forwarded to the Acting Session Judge of Combaconum by Precept returnable within V days from and after its receipt.

(Sent following precept &c.)

Read Report B. of Cases disposed of by the Subordinate Judge of Rajahmundry in the month of February, 1855.

(Here enter F.R. No. 729 of 1855.)

No. 7 of 1855.

1. The Court of Sessions Udalut desire to know the nature of the offence brought home to the 1st and 2d prisoners in this case, whether they were convicted of an assault, or of merely obstructing the Palayet and Coolies. The second Count should have stated in definite terms the nature of the obstructions offered by the prisoners.

28th March, 1855.

It seems not improbable that the prosecutors may have given them cause of provocation; but if on the other hand they committed a wilful breach of the peace, a heavier punishment should have been inflicted than that passed by the Acting Subordinate Judge.

No. 8 of 1855.

2. In this case the manner in which the house was entered is not stated in the Count for trespass should have clearly defined the Act committed by the prisoners and the injury, if any, done by them, or the intent with which they entered the premises if such were of a criminal character.

Ordered that Extract from these proceedings be forwarded to the Session Judge of Rajahmundry by Precept returnable in V days from and after its receipt.

(Sent following precept &c.)

Read Calendar of Cases No. 7 of 1855 of the Session Court of Tinnevelly.

(Here enter F.R. No. 693 of 1855.)

The Court of Sessions Udalut

1. approve of the recommendation made by the Session

Judge

28th

Sentence as to Prisoner

Judge in this case that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of House-breaking &c., be reduced to (4) four years with hard labor in irons, and they do authorize the Session Judge to issue his Warrant accordingly.

2. And in further mitigation of the above sentence the Court resolve to direct that the lashes, which the Prisoner has been adjudged to receive, be remitted.

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

(Sent in &c.)

Read Criminal Reports submitted by the Session Judge of Masulipatam for the month of February, 1855.

(Vide inter J.R. No. 759 of 1855.)

Report B. case No. X.

1. In this case two Prisoners were charged with Abuse of Authority; the 1st in having about 9 or 10 months ago (date unknown) in the Talook Cutcherry at Ellore, while in the discharge

discharge of his duties as Tahsildar of that Talook, illegally caused the Prosecutor, a Ryot, to be tortured by the 2nd Prisoner by introducing the fingers of his right hand into a wooden instrument called "Charatalou" in order to induce the Prosecutor to discharge the arrears of Revenue due by him; and the 2nd Prisoner with having at the time and place above specified illegally tortured the Prosecutor in the manner above mentioned.

2. In his capacity of Criminal Judge, Mr. Cotton convicted the Prisoners of the crime charged, and sentenced them to be imprisoned with hard labor in irons for six months, the 1st to pay a fine of 200 Rupees, and the 2nd, a fine of 25 Rupees, or to be severally imprisoned for a further period of 6 months, under Section VII, Regulation X of 1816. In recording this sentence the Criminal Judge remarked that he did not consider it necessary to send for any of the witnesses named for the defence, as their evidence was "quite immaterial to the issue of the case."

Confirming

28th March 1855

3. Looking to the circumstance that the witnesses for the defence were cited by the Prisoners to prove, among other things, the fact that on the day in question no oppression of any sort was made use of by the 1st prisoner, either directly, or indirectly, towards the Prosecutor, the Court of Foujdaree Adalut are unable to comprehend upon what grounds the Criminal Judge deemed this Evidence to be immaterial, and the Court are of opinion that in his refusal to examine them, that officer committed a very grave error.

4. The Court now direct that the said witnesses be summoned to appear before the Criminal Judge, and that their depositions, when taken, be submitted for the consideration of the Foujdaree Adalut, together with the original Record.

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

(Seal) (Sd) Henry Ellis

(Seal following precept &c)

End
J. W. S.

Thursday
29th March 1855. } At a Court of the Foujdaree Adalut.

Present

G. L. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read Miscellaneous petition presented on the 31st January 1855 by Timma-
-nah of the Zillah of Bellary.

(Here Enter F. H. P. No 47 of 1855)

Mr G. L. Hooper } The Petitioner, Prosecutor in case No 159 of 1854, on the Calendar of the Session Court of Bellary, complains that the ends of Justice have been defeated by the acquittal of the Prisoners of the charge of Murder pre-ferred against them in that case, and he prays that measures may be now taken for their re-apprehension and punishment.

2. The Court of Foujdaree Adalut have already gone through the record of the case in question, and passed such remarks as appeared to them to be called for, as to the manner in which the case was disposed of.

and

29th March 1855.

and they can do no more.—

3. This Petition is therefore rejected.

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

No 1819.

F.11.

Friday 30th March 1855. } At a Court of the Foujdaree Adalut

Present

G. T. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Circular Order

No 205.

Read letter No 91 under date the 5th March 1855 from the Sessions Judge of Bellary.

/Rec'd Enter F.11. No 642 of 1855/

1. In the foregoing letter the Sessions Judge, in accordance with the suggestion of the Magistrate of Bellary, recommends that the reports of Cases disposed of by all classes of the Magistracy under Regulation X of 1816 shall be transmitted direct to the Sessions Judge; and that the practice of submitting the same through the Office of the Zillah Magistrate be discontinued.

2. The practice which prevails at present was instituted, the Court remark, by Circular Order No 179 — promulgated

promulgated under date the 17th December 1845. wherein it was observed that "it is the "duty of Magistrates previous to submitting the "monthly report of Cases decided by their subor- "-dinates" under the foregoing enactment "to "require the amendment of the report of "sentences passed, whenever they may be "considered by the Magistrate contrary to "Law or objectionable as not affording the "information necessary for a proper and "complete understanding of the grounds on "which the case has been disposed of."

3 By a latter Order (Circular Nº 185 dated 18 January 1847) it was directed that a Report of such Cases should be invariably made within forty eight hours of the sentence to the Session Judge, who was immediately to proceed to review the same, submitting at the same time to the Court of Foujdaree Adalut copies of every case which elicited his remarks or orders, with copies also of such remarks and orders.

4 It is obvious, therefore, that the appeal in and review of such cases must be held to lie with the Sessions Judge

Judge alone, and that, with the procedure laid down in Circular Order Nº 185 strictly enforced, no necessity can exist for any intermediate revision by the Zillah Magistrate of the decisions under the enactment in question, of his subordinates, but that on the contrary such a course is attended with much delay counter-balanced by no conceivable advantage whatsoever.

5. The Court of Foujdaree Adalut resolve therefore to cancel their Circular Order Nº 179. The jurisdiction under Section VII Regulation X of 1816 now granted by section LIV. Act VIII of 1843 to the Magistracy is primarily that of a Criminal Judge, and the Court are clear that the appeal in either case is before the Session Judge alone.

6. In circulating this view of the law, the Court have at the same time to direct the attention of Magistrates to the Order of Government of the 26th May 1854 which provides impliedly against the exercise of the particular powers

now

now under review by any Assistant Magistrate who has not served six (6) months in the Mofussil and failed to pass his examination of the first grade.

/ Sent in No /

Read letter under date the 15th March 1855 from the Agent to the Governor of Fort St. George at Rumool submitting for the final judgment of the Toyjdaree Adalut a report of the trial of Criminal Case No. 105 of 1854 on his file.

/ Here Enter Dft. No 778 of 1855 /

The Court of Toyjdaree Adalut concurring in the conviction of the Prisoner Kottaracunala Naregador of the crime of Wounding with intent to kill" (resolve to confirm the sentence proposed to be passed upon him by the Agent viz 14 years Imprisonment with hard labor in irons under Section VII Clause III Regulation XV of 1803.

Ordered, that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St George at

at Rumool.

/ Sent in No /

Read the Criminal Reports submitted by the Acting Sessions Judge of Tinnevelly for the year 1854.

/ Here Enter Dft. No 357 of 1855 /

Appendix C to Statement No 2. 1. The Court of Toyjdaree Adalut observe that the number of persons Imprisoned and fined entered in the Appendix A should also be included in this Appendix as was done in the Statement submitted for the year 1857.

Do A to State No 3B 2. The entries in Columns "Fined" and "Imprisoned and fined" Viz 30 does not correspond with those under head "Fined" — Minor Columns "Fines levied" and "Imprisoned in default of payment" (24.)

3. The number of persons Imprisoned in default of payment should also be included under the head "Imprisoned" minor Columns "under 3. 6. 12 & 24 months."

Statement No. 4. 4. Columns 22 and 23 should exhibit the number of Cases and not the number of persons - This was corrected in the Register's Office.

The

Statement shewing the Cases involving grave injury.

5 The entry of 13 persons punished by the Magistrate under Act VII of 1843 should be excluded from this Statement it being intended to embrace only such cases as may involve grave injury to person or property.

6. This Statement should have been engrossed upon printed form.

7. The number of persons Convicted by the Foujdaree Adalut appears to be 10 and not 12 as entered in Column 46.

Statement No 10 Bengal form.

8. The aggregate of the entries in Columns 4 to 9 under head "Principal Sudr Ameen" Vide 57 does not tally with the number of persons convicted and punished by the same Officer as entered in the Statement No 3 B (59).

9. The aggregate of the entries in Columns 7 & 89 under head "Sudr Ameen Vide 37 does not tally with the number of persons convicted and punished by the same Officer as entered in the Statement No 3 A (39).

Statement No 13 Bengal form 10 This Statement will be affected by the foregoing remarks.

11.

In the Total of Cols: 2, 10 & 23 of the Statement No 1 ——— 6,415
Do Cols: 13 & 31 of State No 2. 1417
Deduct sentence by Police to Magistracy ——— 100 1617
In the total of Col: 3 of State No 3A ——— 2
——— Do ——— Cols: 3 & 11 of State No 3B 11
——— Do ——— Cols: 3 & 7 of State No 4 ———
8045.

The total number of persons entered in Column 2 of this Statement should be 8045 as shown in the Margin.

12.

Appendix A with under section LIV Act VII of 1843" as unconstitutionally released appear to have been entered in Column 28 of this Statement instead of being entered in the appropriate Column 27.

The 5 Persons entered in the to Statement No 2 head "dead

13 The number of errors in the foregoing Statements reflects most seriously on the efficiency of the ministerial establishment of the Court below. The Sessions Judge is therefore requested to conform strictly to the instructions contained in Para 4 of the Circular letter dated the 8th January 1855 on all occasions of a similar nature.

14. The Court return these Statements for amendment with great reluctance, the errors pointed out herein being

being such as cannot be corrected in their Register's Office and they trust that the Sessions Judge will obviate the necessity of returning his future reports for amendment

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

/ Sent following Precept No /

Read the Criminal Reports submitted by the Sessions Judge of Rajahmundry for the year 1854.

/ Here Enter D^t No 464 of 1855 /

Statement No 4.

1. The Court of Foujdaree Adalut observe that the No. of Cases in which the 4 prisoners in column 18 were concerned should be entered in Column 17 opposite to head No 26.

2. Columns 22 & 23 should exhibit the number of Cases and not the number of persons.

Comparative Abst. Statement of Petty Offences & Crimes and Misdemeanors

3. In Columns 2 & 8 head "Crimes and Misdemeanors" the Cases of attempts at Murder, and Robbery without aggravating circumstances

30th March 1855.

circumstances should be included.

Statement No 10 Bengal form.

4. The 6 persons forwarded to the Subordinate Criminal Courts should be excluded from Column 28 under the head "Magistrates".

5. The 64 persons committed to the Sessions Court should be excluded from Column 28 under the head "Subordinate Judges".

6. The 279 persons forwarded to the Subordinate Criminal Court and Magistracy should be excluded from Column 28 under head "District Police".

7. The necessary amendment has been made in the Register's Office.

8 The Memorandum shewing the names of each Judicial and Magisterial Officer should be forwarded without delay.

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

/ Sent in Re. /

Read

30. March 1855.

Read the Criminal reports submitted by the Session Judge of Chittoor for the year 1854.

/Here Enter P.R. No 647 of 1855/

Statement No 2. 1. The Court of Foujdaree Adalut direct that the Session Judge will explain whether in Columns 2, 3, 4 and 5 of this Statement the actual Number of Cases and persons is entered as directed in para 1 of their proceedings under date the 26. May 1852.

2. The entry in Column 16 under head 48 should be 3.

Comparative Abstract. 3. In Columns 6 and 9 of the Statement of Petty Offences the one person charged with attempt at Theft should have been included.

4. In Columns 8, 9, 10 and 11 of the Statement of Crimes and Misdemeanors the persons charged with attempt at Robbery, House Breaking, and Theft should have been included.

Statement shewing the Cases involving grave injury. 5. The entry in Column 46 of this Statement appears to be incorrect.

Re

30. March 1855

Statement No 13 Bengal form. 6. The No of Persons concerned in the Cases referred to at the foot of the Statement No 2 as charged with Riotous plunder of granaries should be entered opposite to head No 58 of this Statement as directed in para 2 of this Court's Proceedings under date the 21st April 1854.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Chittoor by precept returnable within 2 days from and after its receipt.

/Sent following Precept No./

Read the Criminal Reports submitted by the Session Judge of Tirchinopoly for the year 1854.

/Here Enter P.R. No 436 of 1855/

Statement No 1. 1. The Court of Foujdaree Adalut observe that the Number of Persons charged with "Crimping" should have been entered in the Statement No 2 Crimping being classed under the head of Heinous Crimes.

Re

Statement No 10 Bengal form

2. The entry of one person in Column "Detained in default of Security" of the Appendices A to Statement No 2 should be entered in Column 2 under the head "Magistrates &c." of this Statement.

3. The total of Columns 6 and 7 under the head "Magistrates &c." should be 6 and not 7.

Do No 13. Do 4. This Statement will be affected by the foregoing remark.

5. The Number of Persons concerned in the Cases referred to at the foot of the Statement No 2 as charged with Riotous plunder of granaries should be entered opposite to head No 58 of this Statement as directed in para 2 of this Courts Proceedings under date the 21st April 1854.

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

/ Sent following Precept No /

Read

Read miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from A. Ramiah and 2 others the 1st 2d and 5th Defendants in Case No 26 of 1854 on the file of the Magistrate of Rajahmundry.

/ Here Enter G.M.P. No 76 of 1855 /

Mr Hooper

1. This is an appeal from the Proceedings of the Sessions Court of Rajahmundry under date the 15th February 1855 declining to interfere with the decision passed by the Magistrate in the aforesaid Case, wherein the 1st and 2d Defendants were sentenced to 4 months imprisonment and the 5th Defendant to 3 months with hard labor in irons on a charge of mal-treatment preferred against them by the Prosecutrix in the aforesaid case.

2. The Petitioners have not produced Copy of the Magistrates order in the case in question. But the Court of Foujdaree Adalut see no reason to interfere in the matter, as the Sessions Judges proceedings show that he had gone

gone thro the whole of the proceedings heeds before the Magistrate, and no satisfactory reasons are given by him for preferring the charge preferred against the Petitioner, and confirming the Magistrates Order. This Petition is therefore rejected.

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

/ Sent in No /

Read Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from Commereddy Narasingarayadoo 2d Defendant in Case No 25 of 1854 on the file of the Magistrate of Rajahmundry.

Mr Q.S. Hooper / Dere Enter D.M.P. No 77 of 1855 /

1. This is an appeal from the order of the Sessions Judge of Rajahmundry under date the 13th February 1855 declining to disturb an order of the Magistrate dated the 30th December 1854 whereby the Petitioner was sentenced to

to 2 months imprisonment with a fine of 25 Rupees commutable, in default, to one month more.

2. The Court of Sudder Adalut see no reason to interfere with the Order appealed against. Moreover, the period of imprisonment to which the Petitioner was sentenced, has already expired. This Petition is therefore rejected.

Ordered, that Extract from these Proceedings be sent to the Sessions Judge of Rajahmundry for his information. / Sent in No /

Read Miscellaneous Petition presented on the 8th March 1855 by Mr John Pachor Munor Vakeel on behalf of Moideen Kotty, Canjee zillah Tellicherry.

Mr Q.S. Hooper / Dere Enter D.M.P. No 80 of 1855 /

1. Petitioner prays the Courts interference to set aside the orders passed by the Sessions Judge of Tellicherry on the 11th December 1854 on petitions presented by Petitioner and

his

his nephew; in which Orders the Sessions Judge upheld the determination of the Magistrate of Malabar not to interpose his authority to secure to petitioner, who is a Down Cauze, the exclusive privilege of performing all religious ceremonies, within his jurisdiction.

2.

The Court of Foujdaree Adalut see no reason to interfere with the Orders of the Sessions Judge appealed against, which appear correct and proper. The Regulation for the appointment of Cauzees contains no prohibition against the duties being performed by others, and if the Petitioner considers that his legal rights and privileges have been encroached upon by any party his proper course is to seek redress by a Civil action for damages, as declared by the Sessions Judge. This petition is therefore rejected.

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

/ Sent in Ro. /

Ordered

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

Read Miscellaneous Petition of Mootoosawmy of Calicut praying for the reversal of the sentence recorded against him in Case No 51 of 1854 of the Sessions Court of Calicut.

Here Enter P.M. No 89 of 1855.

The Court of Foujdaree Adalut see no reason to question the justness of the above Prisoners conviction or the propriety of the sentence passed upon him. They accordingly resolve to dismiss his Petition.

Wm G.S. Cooper

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Calicut for communication to the Petitioner.

/ Sent in Ro. /

Read Miscellaneous Petition of Yadakaje Moolakel Kadun of Calicut appealing from the sentence passed upon him in Case No 50 on

the

30th March 1855.

the Calendar of the Sessions Court of Calicut.

Mr G.S. Hooper

/ Here Enter D.No. Nº 90 of 1855 /

The Court of Foujdaree Adalut see no reason to question the justness of the above Prisoner's conviction or the propriety of the Sentence passed against him. They accordingly resolve to dismiss his Petition.

Ordered, that Extract from these Proceedings be forwarded to the Sessions Judge of Calicut for communication to the Petitioner.

/ Sent in Rr. /

Read Miscellaneous Petition presented on the 19th March 1855 by S.N. Canteravachary Vakeel on behalf of Sweetaroo of Zillah Mangalore.

Mr G.S. Hooper /

/ Here Enter D.No. Nº 93 of 1855 /

The Petitioner appeals from an Order passed by the Magistrate and confirmed in appeal by the Sessions Judge dismissing a charge of assault preferred by him against a Moonshee and 2 Peons attached to the Head Assistant Collector's Office.

The

30th March 1855.

2.

The Court of Foujdaree Adalut are of opinion that the Order of the Sessions Judge appealed from is correct and proper, and they accordingly decline to disturb it.

Petition rejected.

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

4th Mar

Thomas

F. C.

Saturday
31st March 1855 } At a Court of the Foujdaree Adalut

Present.

G. S. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read again Calendar of Case
No 11 of 1855 on the file of the Session
Court of Calicut.
(Here enter F. C. No 362 of 1855)
Read also Return dated the
15th March 1855 from the Session Judge of
Calicut to the Precept of the Foujdaree
Adalut of the 9th idem requesting to be
informed why a reference was made in
Calendar Case No 11 of 1855, as a Futwa
of Dakroolut would by no means, in
itself necessitate such a reference to
this Court.
(Here enter F. C. No 774 of 1855)
In the above Return the
Session Judge states that he resolved
to refer the aforesaid case being of opinion
that

"that the prescribed punishment for wounding
"was insufficient in the case of this Prisoner"

2 The Court of Tinjdaree
Udalut observe that the above information
should have been set out in the Calendar
as the ground of reference.

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

(Sent in No)

Read Calendar of Case No 10 of
1855 submitted by the Sessions Judge of Coimbatore

Here enter F. H. No 812 of 1855

1 The Court of Tinjdaree Udalut
seeing reason to question the justness of the
conviction in the above case resolve to direct that
the original record be submitted for their
consideration

2 The Sessions Judge will in the
mean time cause the Prisoner to be detained
in Custody without labor and without irons.

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Coimbatore by Precept returnable
within

31st March 1855

within III days from and after its receipt.

Sent following Precept No

Read the Criminal Statement
submitted by the Sessions Judge of Guntoor
for the year 1854.

Here enter F. H. No 345 of 1855

Statement of Cases involving grave injury

The Court of Tinjdaree Udalut
observe that the entry of 15 persons in Column
42 as punished by the Magistracy under
Act XIV of 1839 is incorrect as no Case of
Crimping has been entered in Column 20. The
No of persons punished by the Magistracy
under Section I. IV Act VII of 1843 should not
be included in Column 42 this statement
being intended to embrace only such cases
as may involve grave injury to person or
property.

2 The one person who has been
sentenced to punishment by the Tinjdaree
Udalut in Case No 19 of 1853 should be
included in Column 46.

3 The annual Report of the
Magistrate on the state of Police, and the

Proceedings

Proceedings of the Sessions Judge thereon not having accompanied the above statements the Court direct that they may be forwarded without delay.

4 The Sessions Judge will also report the manner in which the Subordinate has exercised the Criminal Jurisdiction vested in him as required under Circular Proceedings of this Court dated 18th February 1835.

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 following Precept No

Read Letter dated 15th Instant from the Sessions Judge of Bellary, explaining the cause of the delay in submitting the annual Criminal Reports for the year 1834

(Here enter F. Co. No 769 of 1835.)

Read Letter dated 17th Instant from the Acting Sessions Judge of Combaconum Forwarding Copies of Correspondence and translations of the Examinations made regarding the allegations that the Sessions Case No 9 of 1833 had been got

got up by the Criminal Jawabnavis of the Subordinate Court.

(Here enter F. Co. No 781 of 1835)

Read Calendar of Case No 2 of 1833 submitted by the Sessions Judge of Chicacole under date the 17th Instant.

(Here enter F. Co. No 791 of 1835)

Read Calendar of Case No 7 of 1835 submitted by the Sessions Judge of Trichinopoly under date the 20th Instant.

Here enter F. Co. No 796 of 1835

End

J. H. S.

Proceedings of the Sessions Judge thereon not having accompanied the above statements the Court direct that they may be forwarded without delay.

4 The Sessions Judge will also report the manner in which the Subordinate has Exercised the Criminal Jurisdiction vested in him as required under Circular Proceedings of this Court dated 18th February 1835.

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.

Smt. following Precept. Nos

Read letter dated 15th Instant from the Sessions Judge of Bellary, explaining the cause of the delay in submitting the annual Criminal Reports for the year 1834.

(Here enter F. Cc. No 769 of 1835.)

Read letter dated 17th Instant from the Acting Sessions Judge of Combaconum forwarding copies of correspondence and translations of the examinations made regarding the allegation that the Sessions Case No 9 of 1835 had been got up by the Criminal Jawabnavis of the Subordinate Court.

(Here enter F. Cc. No 781 of 1835)

Read Calendar of Case No 2 of 1835 submitted by the Sessions Judge of Chicacole under date the 17th Instant.

(Here enter F. Cc. No 791 of 1835)

Read Calendar of Case No 7 of 1835 submitted by the Sessions Judge of Trichinopoly under date the 20th Instant.

(Here enter F. Cc. No 796 of 1835)

End

J. H. S.

Chas Elliott

31st Marc

F. G.

Monday ---
2nd April 1855. At a Court of the Fouzdaree Adalut

Present

G. S. Hooper Esq^re
T. L. Strange Esq^re
} Puisne Judges.

Read Report B of Criminal Cases disposed of by the Acting Subordinate Judge and Moosfty Sudder Ameen of Combaconum during the Month of February 1855.

(Here enter F. G. N° 776 of 1855.)

The Court of Fouzdaree Adalut

N° 24 by the Act^g Sessions Judge

1. observe that the charge does not accuse the prisoner of any crime - If the plea of Homicide by misadventure was satisfactorily supported before the Police, the prisoner should not have been committed.-

N° 27 do

2. As the prisoners in this Case were not charged with being in any way accessary to the crime, they were not liable to be brought to trial

Had-

2d April 1855.

Had they been guilty at all their crime would have been murder.

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

(Sent in Ms.)

Read the following Letter dated 14th March 1855. from the Sessions Judge of Cuddapah.

(Here enter Lr No. 738 of 1855)

1. With the foregoing Letter the Sessions Judge submits for the consideration and orders of the Court of Foujdaree the copy of a communication from the Subordinate Judge of Cuddapah having reference to a case of Arson in which an Assistant Overseer by name Brown a British-born subject, and no Moorman or Hindoo have been charged before the Magistrate with setting fire to certain dwelling huts occupied by a party of Coolies employed at the Nundidroog

2. It appears from the evidence taken before the Subordinate Judge

2d April 1855

[illegible] to question the justice of the Conclusion [illegible] upon the 5th Prisoner [illegible] but with [illegible] Overseer's house, and that being annoyed by the noise which the accused [illegible] would be compelled the Prisoner Moonen with threatening language to set fire to them all.

3 The Subordinate Judge has requested instructions for his guidance in regard to the disposal of the Case, and the Sessions Judge, adverting to the fact that both the Prisoners are Principals and to the probability that the Assistant Overseer will be forwarded to the Presidency for trial before the Supreme Court, requests the opinion of the Judges of the Foujdaree Adalut as to whether the charge against one of the Principals should, or should not be entertained and disposed of in that Province.

4 It appears to the Court of Foujdaree that the offence committed by the Prisoners in this Case has been viewed by all the local authorities in far too serious a light, it being obvious that the

Overseer

Overseer Mr. Brown acted with no felonious intent, but under a misapprehension, and upon motives of public expediency; and this Court would therefore suggest to the Magistrate the propriety of his taking steps to adjust the matter between the parties, pointing out to the Overseer the serious error which he has committed and, if necessary, punishing him for trespass and assault.-

The Prisoner Mooneaswamy should be also forwarded to the Magistrate by the Subordinate Judge.-

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

(Sent in Ltr)

Read Miscellaneous Petition presented on the 19th March and 7th April 1855 by one Chinnanah of Zillah Cumbum praying for the release of the 5th Prisoner in Case No. 43 of 1853 on the Calendar of the Sessions Court.-

(Here enter F. M. P. No. 92 4 10 / 1855.)

The Court of Foujdaree Adalut do

Mr. T. L. Strange 1.

See no reason to question the justice of the sentence passed upon the 5th Prisoner above mentioned. They accordingly resolve to dismiss this Petition.-

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

Read letter under date the 21st March 1855 from the Magistrate of North Arcot.

(Here enter F. M. P. No. 782 of 1855.)

With the foregoing letter the Magistrate submits Copy of a communication from the Joint Magistrate dated the 17th March 1855 reporting the depredations committed by a formidable Gang of well armed robbers, supposed to be about to be about 40 in number, infesting the South western frontier of the Talook of Poloor, and he requests the permission of the Court of Foujdaree Adalut to offer, in accordance with the provisions of Section XXI Regulation IX of 1816, a reward of 200 Rupees for the discovery and apprehension of the Ringleaders

and

Overseer Mr Brown acted with no felonious intent, but under a misapprehension upon motives of public expediency, and the Court would therefore suggest to the Magistrate the propriety of his taking steps to adjust the matter between the parties, pointing out to the Overseer the serious error which he has committed and, if necessary, punishing him for trespass and assault.-

The Prisoners Memorandum should be also forwarded to the Magistrate by the Subordinate Judge.-

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

(Sent in &c.)

Read Miscellaneous Petition presented on the 19th March and 2d April 1855 by one Chinnanah of Zillah Cuddapah praying for the release of the 5th Prisoner in Case No 143 of 1853 on the Calendar of the Session Court.-

(Here enter S. M. P. No 92 4/104 1855.)

The Court of Foujdaree Adalut &c.

Mr T. L. Strange 1.

See no reason to question the justice of the sentence passed upon the 5th Prisoner above mentioned. They accordingly resolve to dismiss this Petition.-

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

Read letter under date the 21st March 1855 from the Magistrate of North Arcot.

(Herewith S. M. P. No 782 of 1855.)

With the foregoing letter the Magistrate submits Copy of a Communication from the Joint Magistrate dated the 17th March 1855 reporting the depredations committed by a formidable Gang of well armed robbers, supposed to be about to be about 40 in number, infesting the South western frontier of the Talook of Polore, and he requests the permission of the Court of Foujdaree Adalut to offer, in accordance with the provisions of Section XXI Regulation IX of 1816, a reward of 200 Rupees for the discovery and apprehension of the Ringleaders

and

Overseer Mr Brown acted with no felonious intent, but under a reasonable apprehension upon motives of public expediency, and this Court would therefore suggest to the Magistrate the propriety of his taking steps to adjust the matter between the parties, pointing out to the Overseer the serious error which he has committed and, if necessary, punishing him for trespass and assault.

The Prisoner Moonesawmy should be also forwarded to the Magistrate by the Subordinate Judge.

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

(Sent in Mr)

Read Miscellaneous Petition presented on the 19th March and 2nd April 1855 by one Chinnanah of Zillah Cuddapah praying for the release of the 5th Prisoner in Case No 43 of 1853 on the Calendar of the Sessions Court.-

(Here enter Fl. M. P. No 9 2 4 10 / 1855.)

The Court of Foujdaree Adalut

Mr T L Strange 1.

2nd April 1855.

See no reason to question the justice of the sentence passed upon the 5th Prisoner above mentioned. They accordingly resolve to dismiss this Petition.-

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

Read letter under date the 21st March 1855 from the Magistrate of North Arcot.

(Herewith Fl. M. No 782 of 1855.)

With the foregoing letter the Magistrate submits Copy of a Communication from the Joint Magistrate dated the 17th March 1855 reporting the depredations committed by a formidable Gang of well armed robbers, supposed to be about to be about 40 in number, infesting the South western frontier of the Talook of Polore, and he requests the permission of the Court of Foujdaree Adalut to offer, in accordance with the provisions of section XXI Regulation IX of 1816, a reward of 200 Rupees for the discovery and apprehension of the Ringleaders

and

and 50 Rupees for each of the inferior offenders.-

2 The Court of Foujdaree Udalut sanction the offer of the above rewards proposed by the Magistrate.-

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

(Sent in No)

Read letter dated 22d February 1855. from the Sessions Judge of Cuddalore submitting for the final Judgement of the Foujdaree Udalut the Record of Case No 104 of 1854 of the Calendar of the Sessions Court.-

(Here enter F.C. No 833 of 1855.)

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.-

"Moorooga Coonden"

is sufficient to convict him of the crime of Housebreaking and Theft for which according to the Moohummedan Law is declared

declared in pursuance of their Law offence the penalty of Hurd is awardable, do convict him thereof, and under the provisions of Section XXI, Regulation VII of 1802, Clause 2d Section VI Regulation I of 1825, and Section XXXIV Act VII of 1843 — sentence him to be imprisoned and kept to hard labor in irons on the public roads, or other public works, for and during the period of (4) four years.-

(Sent in No)

Read Calendar of Cases for Trial of 1855. Submitted by the Acting Sessions Judge of Cuddalore under date the 22d March 1855.

(Here enter F.C. No 815 of 1855.)

Read Communication dated 22d March 1855, from the Acting Sessions Judge of Coimbatoor, Forwarding with reference to the Sessions Courts Proceedings dated 17th March 1855, copy of a return made by the Acting Subordinate Judge to the Precept of this Court dated 11th March 1855 directing him to pass fresh sentence in Criminal Case No 12 of 1855.-

(Here enter F.C. No 818 of 1855.)

Read

T. April 1855.

Read report B dated 22d March 1855. Submitted by the Sessions Judge of Mangalore, of Persons apprehended in the Zillah of Canara, and delivered to the Magistracy in the Month of February 1855.

Here enter F. No. 820 of 1855.

Read letter dated 21st March 1855. from the Sessions Judge of Calicut, Transmitting the Warrant issued for the execution of the sentence of death passed on the Prisoner in Case No 5 of 1855 on the Calendar, with the Acting Subordinate Judge's Endorsement thereon

(Here enter F. No. 822 of 1855)

Read Calendar of Case No 17 of 1855. Submitted by the Sessions Judge of Calicut, under date the 23d March 1855

(Here enter F. No. 828 of 1855)

Read Calendar of Case No 14 of 1856. Submitted by the Sessions Judge of Coimbatore, under date the 20th March 1855.

(Here enter F. No. 830 of 1855.)

Read Report dated 22d March 1855 Submitted by the Acting Sessions Judge of Combaconum

T. April 1855.

Combaconum, of the Jails under charge of the Magistracy for the Months of February 1855.

(Here enter F. No. 832 of 1855.)

Read letter dated 23d March 1855. from the Sessions Judge of Calicut, Transmitting the Warrant issued for the execution of the Sentence of death passed on the Prisoner in Case No 7 of 1855 on the Calendar with the Acting Subordinate Judge's endorsement thereon.

(Here enter F. No. 838 of 1855.)

Read

J. A. S

Read Return dated 27th March 1855, from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 23d March 1855 directing the unconditional release of the 3d 4th 5th 6th and 7th Prisoners in Calendar Case No 4 of 1855.

(Here enter F. No. 852 of 1852)

Read return dated 28th March 1855 from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date

T. April 1855.

Read report B dated 29th March 1855. Submitted by the Sessions Judge of Mangalore, of Persons apprehended in the Zillah of Canara, and delivered to the Magistracy in the Months of February 1855.-

Here enter F. Co. No. 820 of 1855.

Read letter dated 21st March 1855. from the Sessions Judge of Calicut, Transmitting the Warrant issued for the execution of the sentence of death passed on the Prisoner in Case No. 5 of 1855 on the Calendar, with the Acting Subordinate Judge's endorsement thereon

(Here enter F. Co. No. 822 of 1855)

Read Calendar of Case No. 17 of 1855. Submitted by the Sessions Judge of Calicut, under date the 23rd March 1855

(Here enter F. Co. No. 828 of 1855)

Read Calendar of Case No. 14 of 1855. Submitted by the Sessions Judge of Coimbatore, under date the 20th March 1855.

(Here enter F. Co. No. 830 of 1855.)

Read Report dated 22d March 1855 Submitted by the Acting Sessions Judge of Combaconum, of the Jails under charge of the Magistracy for the Month of February 1855.

(Here enter F. Co. No. 832 of 1855.)

Read letter dated 23rd March 1855. from the Sessions Judge of Calicut, Transmitting the Warrant issued for the execution of the sentence of death passed on the Prisoner in Case No. 7 of 1855 on the Calendar with the Acting Subordinate Judge's endorsement thereon.-

(Here enter F. Co. No. 838 of 1855.)

Excl

J. A. S

Read Return dated 27th March 1855, from the Sessions Judge of Trichinopoly to the precept of the Foujdaree Adalut under date the 23rd March 1855 directing the unconditional release of the 3rd 4th 5th 6th and 7th Prisoners in Calendar Case No. 4 of 1855.-

(Here enter F. Co. No. 852 of 1852)

Read return dated 28th March 1855 from the Acting Sessions Judge of Cuddalore to the precept of the Foujdaree Adalut under date

27th April 1855.

dated the 24th March 1855 reviewing the Calendar in Session Case No 1 of 1855.

(Here enter F. C. No 854 of 1855.)

Read Return dated 20th March 1855, from the Session Judge of Tinnevelly to the precept of the Foujdaree Adalut under date the 15th March 1855 directing the Session Judge to pass sentence in Case No 6 of 1855 under clause 7 Section II Regulation XV of 1803 unless he shall be of opinion that the Stated punishment is inadequate.-

(Here enter F. C. No 802 of 1855.)

Read Criminal Report B dated 17th March 1855. Submitted by the Session Judge of Honore, for the Months of February 1855.

(Here enter F. C. No 804 of 1855.)

Read Report dated 7th March 1855 Submitted by the Session Judge of Chittoor, of Persons apprehended in the Zillah of Chittoor and tried by the Magistracy during the month of February 1855.-

(Here enter F. C. No 805 of 1855.)

Read Report A dated 21st March 1855 Submitted by the Session Judge of Guntoor, of Case No 14 of 1855.-

(Here enter F. C. No 806 of 1855.)

Read

27th April 1855.

Read Report A dated 22nd March 1855, Submitted by the Session Judge of Guntoor, of Case No 17 of 1855.-

(Here enter F. C. No 807 of 1855.)

Read Calendar of Case No 11 of 1855, Submitted by the Session Judge of Combaconum, under date the 21st March 1855

(Here enter F. C. No 814 of 1855.)

Recd

Read

Tuesday
3d. April 1855.

F U

At a Court of the Foujdaree Udalut.

Present.

G. A. Hooper Esqre.
W. A. Morehead Esqre. Puisne Judges.
J. L. Strange Esqre.

Read Petty Calendars for the 4th quarter of 1854, forwarded by the Session Judge of Calicut.

Here enter Enclosure 1 in F U. No. 773 of 1855.

The Court of Foujdaree Udalut

Nos. 47 & 48 of persons released by the Magistrate

1.

observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the

prosecutor.

Tuesday
3d. April 1855.

K U

At a Court of the Foujdaree Udalut.

Present.

G. A. Hooper Esqre.
W. A. Morehead Esqre. Puisne Judges.
J. L. Strange Esqre.

Read Petty Calendars for the 4th quarter of 1854, forwarded by the Session Judge of Calicut.

Here enter Enclosure 1 in F U. No. 773 of 1855.

The Court of Foujdaree Udalut

Nos. 47 & 48 of persons released by the Magistrate

1.

observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the

prosecutor.

Tuesday
3d. April 1855.

K U

At a Court of the Foujdaree Udalut.

Present.

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

Read Petty Calendars for the 1st quarter of 1854, forwarded by the Session Judge of Calicut.

Vide enclosure 1 in
F. U. No. 773 of 1855.

The Court of Foujdaree Udalut

Nos. 47 & 48 of persons released by the Magistrate

1.

observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the

prosecutor.

Tuesday
3d. April 1855.

F.U.

In a Court of the Foujdaree Udalut.

Present.

G. A. Cooper Esqre.
W. A. Morehead Esqre. Puisne Judges.
J. L. Strange Esqre.

Read Petty Calendars for the 4th quarter of 1854, forwarded by the Session Judge of Calicut.

Here enter Enclosure 1 in F.U. No. 773 of 1855.

The Court of Foujdaree Udalut

Nos. 47 & 48 of persons released by the Magistrate

1.

observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the prosecutor.

Tuesday
3d. April 1855.

J U

In a Court of the Fouzdaree Udalut.

Present.

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

Read Petty Calendars for the 4th quarter of 1854, forwarded by the Session Judge of Calicut.

Here enter Enclosure 1 in J U. No. 773 of 1855.

The Court of Fouzdaree Udalut observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the

Nos. 47 & 48 of persons released by the Magistrate

prosecutor.

Tuesday
3d. April 1855.

F.U.

In Court of the Foujdaree Udalut.

Present.

G. A. Hooper Esqre.
W. A. Morehead Esqre. Puisne Judges.
J. L. Strange Esqre.

Read Petty Calendars for the 4th quarter of 1854, forwarded by the Sessions Judge of Calicut.

Here enter Enclosure 1 in F.U. No. 773 of 1855.

The Court of Foujdaree Udalut observe that the name of the 1st prisoner in No. 47, and of the prisoner in No. 48 should have been entered in red ink, he being also the prisoner in Case No. 46. In case No. 48, the prisoner should have been indicted for a common assault, provided force was alleged to have been used; - and if he was not distinctly charged with violence, a Police complaint should not have been entertained against him at all - In the indictment for assault it might have been stated, after the act of violence had been particularized, that the prisoner's object was to make a Christian of the prosecutor.

1.

Nos. 47 & 48 of persons released by the Magistrate

prosecutor against his will.

No. 49 2. This case should have been entered in Calendar No. II. the prisoner not being accused of any specific crime.

No. 50. 3. The indictment in this Case should have charged the 1st prisoner with having fired a loaded gun at the prosecutor with intent wilfully and of malice aforethought to murder him. The prosecutor's name should also have been mentioned.

No. 55. 4 The weapon with which the wound was alleged to have been inflicted should have been named in the charge in this case.

No. 57 and 58. 5 No seperate charge was necessary in these cases. The evidence adduced in the cases of Theft referred to would, if sufficient, have justified the Magistrate in demanding security from the prisoners for their good behaviour and appearance when required.

No. 53 of persons released by Joint Magistrate. 6. The prisoner in this Case should have been indicted for murder if what is stated in the charge was the information laid against him, and duly sworn to.

No. 13 & 14. 7. There is nothing in the charge in either of these cases to show that any personal violence was used an indictment therefore did not lie. The remedy in such cases is by Civil action. The

same remarks applies equally to Case No. 15.

No. 15. No. 79 of persons released by Special Assistant Magistrate 8. The heading and charge in this case should have contained the additional words knowing them to have been stolen" without which the act possesses no criminality.

No. 86. 9 In this case the instrument with which the wound was inflicted should have been mentioned.

No. 88. 10. As the prisoners are not charged with the Theft, the heading should have been poss=ing stolen cattle "knowingly" and the charge should have accused the prisoners of "knowing them to have been stolen."

No. 81. 11 The mere fact of its being done against the will of the prosecutrix did not render the prisoners act an indictable offence. If no violence was alleged the prosecutrix should have been referred to an action.

No. 91 & 92. 12. The headings in these cases should have been "Abuse of authority"

No. 93. 13. It does not appear from the charge in this case how the prosecutor's room was entered by the prisoner.

No. 105. 14 If it was admitted by the prose=cutor that the death of the deceased was caused unintentionally the prisoners act was merely

homicide

homicide by misadventure and not indictable.

Calendar No III Case No 49 by Joint Magistrate and Cases Nos 83 & 87 by Special Appellate Magistrate.

15. Security should have been demanded from these prisoners in connection with the cases during the trial of which suspicion rested upon them - They were not liable to be tried again on the same charge - They are not herein charged with being notorious bad characters as to their general conduct

16. The Court of Foujdaree Udalut see reason to fear from the very large number of persons releasid and the vague nature of many of the charges contained in the Petty Calendars under perview, that many of the prisoners have been unlawfully brought to trial, they are also under the necessity of expressing their dissatisfaction at the delay which has taken place in submitting these Calendars.

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

Sent in No

Read letter dated 19th March 1855 from the Acting Agent to the Governor of Fort Saint George in Ganjam forwarding the Monthly Criminal Reports for February

Recorded No 825 of 1855

The

No 5.

1. The charge of assault and theft is incorrect such a combination of Crime would constitute "Robbery by open violence." In the present instance it does not appear that the Prosecutors property was taken feloniously but rather as an act of oppression

No 7.

2. The indictment should have charged the peon with having unlawfully and negligently permitted the prisoners to escape.

No 41.

3. The conspiracy itself constituting the offence, the 1st prisoner should have been indicted as a principal equally with the others, the acts done by each of the conspirators in pursuance of the conspiracy being comparatively immaterial.

No 73

4. The reception of this charge after so long a period had elapsed and the prisoner had ceased to be employed in the same capacity, was objectionable - Complainant should have been referred to an action - the same remark applies to Cases Nos 5 and 6 of Statement No II.

Nos 5 & 6 of Statement No II

5. The charge is defective the act constituting the attempt at house breaking should have been specified.

6. The Court of Foujdaree Udalut are of opinion that the evidence against the prisoner was insufficient

5th April 1855. insufficient to justify his conviction of an "attempt at house breaking" and therefore resolve to cancel the sentence passed in this case: but as there is enough in evidence to lead to a strong suspicion against the prisoner, they direct the Agent to call upon him for security for his good behaviour and appearance when required in such a sum and for such a period as the Agent may think proper.

No. 15 J. No Breach of the peace is alleged against the prisoners although the charge is thus headed.

Ordered that Extract from these Proceedings be sent to the Acting Agent to the Governor of Fort Saint George at Ganjam by precept returnable within 7 days from and after its receipt.

/Sent following Precept No /

Read again Miscellaneous Petition presented on the 27th February 1855 by C. Salmon Esqre Barrister at Law on behalf of Lutchmanarow late Jaseldar of Kykaloor Talook appealing from the sentence passed by the Session Judge of Masulipatam in Case No. 10 of 1855.

/Here enter F. M. P. No. 72 of 1855./

Reade

3d April 1855

Read also again Letter dated 20th February 1855 from the Session Judge of Masulipatam bringing forward certain matters for the consideration of the Court of Foujdaree Udalut in connection with the above case.

/Here enter F. U. No. 539 of 1855/

Read also Return dated 9th March 1855 from the Session Judge of Masulipatam to the precept of the Foujdaree Udalut under date the 5th Idem directing him to submit the Calendar in connection with the above case without loss of time explaining the cause of delay in its transmission and to suspend the sentence passed upon the 1st prisoner until further orders.

/Here enter F. U. No. 689 of 1855./

Read also Return dated 21st March 1855 from the Sessions Judge of Masulipatam to the precept of the Foujdaree Udalut under date the 17th Idem directing the sentence passed upon the 2d Prisoner in the abovementioned Case be held in obeyance pending their further instructions and that the original record of the said Case be submitted for their consideration without delay.

/Here enter F. U. No. 834 of 1855./

In

insufficient to justify his conviction of an "attempt at house breaking" and therefore resolve to cancel the sentence passed in this case: but as there is enough in evidence to lead to a strong suspicion against the prisoner, they direct the Agent to call upon him for security for his good behaviour and appearance when required in such a sum and for such a period as the Agent may think proper.

No. 15

7. No Breach of the peace is alleged against the prisoners although the charge is thus headed.

Ordered that Extract from these Proceedings be sent to the Acting Agent to the Governor of Fort Saint George at Ganjam by precept returnable within V days from and after its receipt.

/Sent following Precept No. /

Read again Miscellaneous Petition presented on the 27th February 1855 by C. Salmon Esqr. Barrister at Law on behalf of Lutchmanarow late Jaseldar of Kykaloor Talook appealing from the sentence passed by the Session Judge of Masulipatam in Case No. 10 of 1855.

/Here enter F. M. P. No. 72 of 1855./

Reade

Read also again Letter dated 20th February 1855 from the Session Judge of Masulipatam bringing forward certain matters for the consideration of the Court of Foujdaree Udalut in connection with the above case.

/Here enter F. U. No. 539 of 1855/

Read also Return dated 9th March 1855 from the Session Judge of Masulipatam to the precept of the Foujdaree Udalut under date the 5th Idem directing him to submit the Calendar in connection with the above case without loss of time explaining the cause of delay in its transmission and to suspend the sentence passed upon the 1st prisoner until further orders.

/Here enter F. U. No. 659 of 1855./

Read also Return dated 21st March 1855 from the Session Judge of Masulipatam to the precept of the Foujdaree Udalut under date the 17th Idem directing the sentence passed upon the 2d Prisoner in the abovementioned Case be held in obeyance pending their further instructions and that the original record of the said Case be submitted for their consideration without delay.

/Here enter F. U. No. 834 of 1855./

In

3d April 1855

1. In the above Case two Prisoners were charged with abuse of authority the 1st Prisoner in having about 9 or 10 Months ago (date unknown) one day at about 4 Oclock P.M. in the Talook Cutchery at Ellore in the Zillah of Masulipatam while in the discharge of his duties as Tasildar of that Talooke, illegally caused the Prosecutor a Ryot, to be tortured by the 2d Prisoner by introducing the fingers of his right hand into a wooden instrument called "Cheratalu" in order to induce him, Prosecutor to discharge the arrears of Revenue due by him

2. The 2d Prisoner was charged with having at the time and place above specified illegally tortured the Prosecutor in the manner specified in the first Count under the directions of his superior the 1st Prisoner.

3. The Prisoners were convicted by the Criminal Judge and sentenced to 6 Months imprisonment with hard labor in irons the first Prisoner being further adjudged to pay a fine of Rupees 200 — — and the second, a fine of Rupees 25 or to be severally imprisoned for a further period of 6 Months under Section VII Regulation X of 1816.

4. In the letter above recorded, the Criminal Judge states that the sentence imposed was purposely

3d April 1855 severe for the sake of an example to others and to give full effect to the orders and Proceedings of Government lately promulgated on the subject of Torture so called in the Provinces" The Criminal Judge adds that it will remain for the Judges to determine on the appeal whether or no the sentence should be in any way mitigated.

5. The Court of Foujdaree Udalut seeing cause to question the justness of the Prisoners conviction called for the entire record, and after due and careful consideration of the same, they are of opinion that it would be unsafe to depend upon the evidence offered in the case. It has been given by cultivators of the village of Konally and traders some if not all of whom are connected with them in dealings. The prosecutors statement was originally made by petition to the Government and not offered to any of the local authorities. It was put forward close upon six months after the date alleged as that of the occurrence complained of and at a time when the Government had raised inquiry as to the existence of practices such as the prosecutor says he was subjected to.

6. The Tasildar (1st prisoner) complains

of attributes the charge to his having materially raised the revenue of the village from which the prosecutor and his witnesses come. The evidence teems with discrepancies such as indicate falsehood rather than defect of memory. It appears to the Court of Foujdaree Udalut further improbable that the prosecutor should have been paraded through the bazar with the instrument of torture on his hand, as is alleged to have been the case, and that he should have managed eventually to secure the said instrument and have kept it to produce several months after the occurrence although in the meanwhile he had no idea of venturing to make a complaint and consequently had no reason for thus preserving the instrument. The Court further doubt whether so many persons would have joined in giving evidence of the kind affecting a Tasildar without a cabal among them.

7. The Court of Foujdaree Udalut being unable therefore to place confidence in the truth of the evidence offered, resolve to acquit the said Prisoners and to direct their immediate and unconditional release.

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 12

E. W. C.

Read again Calendar of Case No 139 of 1854 of the Session Court of Bellary.

(Hereunter Fol No 289 of 1854)

Read also again Miscellaneous Petition presented on the 31st January 1855 by Trimanco of Gillalu Bellary.

(Hereunter F. M. Mis P. No 47)

Read also return dated 23rd February made by the Session Judge of Bellary to the Precept of the Court of Foujdaree Udalut under date the 31st January 1855. directing the submission of an English translation of the record of the above case.

(Hereunter Fol No 582 of 1855)

1. In this case two Prisoners were arraigned before the Session Judge of Bellary upon an indictment charging them with having at 7 o'clock P.M. on the 1st October 1854 during a quarrel wilfully

of attributes the charge to his having materially
passed the revenue of the village from which the
prosecutor and his witnesses come. The evidence bears
with discrepancies such as indicate falsehood
rather than defect of memory. It appears to the
Court of Foujdaree Udalut further improbable
that the prosecutor should have been paraded through
the bazar with the instrument of torture on his
hand, as is alleged to have been the case, and that
he should have managed eventually to secure the
said instrument and have kept it to produce
several months after the occurrence although in the
meanwhile he had no idea of venturing to make a
complaint and consequently had no reason for thus
preserving the instrument. The Court further doubt
whether so many persons would have joined in
giving evidence of the kinds affecting a Tasildar
without a cabal among them.

7. The Court of Foujdaree Udalut being
unable therefore to place confidence in the truth of
the evidence offered, resolve to acquit the said
Prisoners and to direct their immediate and
unconditional release.

Ordered that Extract from these

Proceedings

Proceedings be sent to the Sessions Judge of Masu-
lipatam by Precept returnable in 7 days from and
after its receipt

Sent following Precept No 12

Read again Calendar of Case No 159 of 1854
of the Sessions Court of Bellary.

Here enter Fol No 2891 of 1854

Read also again Miscellaneous
Petition presented on the 31st January 1853
by Trimmaco of Gillah Bellary.

Here enter F. Ct. Ga P. No 47

Read also return dated 23rd
February made by the Sessions Judge of
Bellary to the Precept of the Court of
Foujdaree Udalut under date the 31st January
1853. directing the submission of an English
translation of the record of the above Case.

Here enter Fol No 582 of 1853

1. In this case two Prisoners were
arraigned before the Sessions Judge of
Bellary upon an indictment charging
them with having at 7 oclock P.M. on
the 1st October 1854 during a quarrel
wilfully

wilfully and feloniously stabbed the 1st Pro-
=secutor his father Chinna Ramanah
and his uncle Vobannah with a dagger
Knife, and sword, and thereby wounded
them, from the effects of which wounds the
said Chinna Ramanah expired at
1 A.M. of the same date and Vobannah
on the morning of the following days.

The Sessions Judge concurring
in the Futwa of the Law officer which acquit
=ted the Prisoners of the crime charged
directed their release.

A Petition appealing against
the above sentence of acquittal was subse-
=quently presented to the Court of Foujdaree
Udalut by the aforesaid 1st Prosecutor
and the Court with reference to the statements
therein made, and after a further Consideration
of the abstract of the evidence recorded in
the Calendar, seeing reason to question the
Validity of the grounds upon which the
Prisoners had been released directed the
Submission of the entire record of the case.

After a very careful and deliberate
Consideration of the record the Court of
Foujdaree

Foujdaree Udalut have no hesitation in
pronouncing the acquittal of the Prisoners
by the Sessions Judge to have been most im-
=proper. The evidence to their guilt is
full and distinct, while the exceptions
taken thereto by the Law Officer and adopted
by the Sessions Judge are on points of no
material importance.

The facts of the murder of the
deceased persons, and of the severe wounding
of the 1st Prosecutor are not questioned
but the version of the story as related
by the Prisoners in their defence has been
accepted as true by the Sessions Judge and
it is under this view of the circumstances
of the case that his sentence of acquittal
has been based.

This story appears however to the
Court of Foujdaree Udalut to bear upon
the face of it the manifest stamp of
improbability. No reason has been assigned
by the Prisoners for their detention in the
first instance by the Village authorities
nor for the accusation subsequently

preferred

preferred against them before the Head of Police
The Prisoners cite no witnesses to prove their
defence but merely assert that without
cause they have been unjustly accused
from which it may be inferred that the
truth was so well known in the Village
that the Prisoner feared to name witnesses
in support of their plea.

The crime was committed
shortly after dusk on the evening of the 1st
of October, and on that same night a report
of its occurrence was submitted by the
Carcoon /& witness/ to the Head of Police which
report corresponds with the deposition given
by the 1st Prosecutor and the 1st 2d and 3rd
witnesses so that no time was afforded to
the parties to get up this case against the
Prisoners.-

The Court of Longdarea are of
opinion therefor that the charge of Murder
was fully brought home to the Prisoners
and that in their acquittal there has
been very serious failure in the administration
of justice, evincing on the part of the

Sessions Judge a lamentable want of judg-
ment.

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

Sentence No /

preferred against them before the Head of Police
The Prisoners cite no witnesses to prove their
defence but merely assert that without
cause they have been unjustly accused
from which it may be inferred that the
truth was so well known in the Village
that the Prisoner feared to name witnesses
in support of their plea.

The crime was committed
shortly after dusk on the evening of the 1st
of October, and on that same night a report
of its occurrence was submitted by the
Carcoon [1st witness] to the Head of Police which
report corresponds with the deposition given
by the 1st Prosecutor and the 1st 2d and 3rd
witnesses so that no time was afforded to
the parties to get up this case against the
Prisoners.-

The Court of Foujdaree are of
opinion therefor that the charge of Murder
was fully brought home to the Prisoners
and that in their acquittal there has
been very serious failure in the administration
of justice, evincing on the part of the
Sessions

Sessions Judge a lamentable want of judg-
ment.

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

Sent in N° /

Wednesday
4th April 1855.

F. C.

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. 4 of 1855 on the file of the Session Judge of Guntoor.-

/ Here enter F. C. No. 808 of 1855. /

1. The prisoner was indicted for having feloniously stolen Rupees 660, entrusted to his care for delivery to the prosecutors.-

2. The Session Judge convicted the prisoner and sentenced him to seven years imprisonment with hard labor in irons, adding his opinion that the sentence might hereafter be in part remitted should the prisoner make amends to the prosecutors by restoring their property.-

3. The Court of Foujdaree Udalut observe that no sentence can be subject to alteration on a contingency

The

Wednesday
4th April 1855.

F. D.

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. 4 of 1855 on the file of the Session Judge of Guntoor.-

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3. The Court of Foujdaree Udalut observe that no sentence can be subject to alteration on a contingency

The

The Session Judge however had it in his power to inflict a fine upon the prisoner under Act X, the provisions of Act XVI of 1850 in addition to the punishment of imprisonment.-

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

/Sent in No /

Read again Calendar of Case No 102 of 1855 of the Session Court of Cuddalore.

/Here enter F.H. No 658 of 1855/

Read also Return dated 24th March 1855 from the Acting Session Judge of Cuddalore, to the precept of the Foujdaree Adalut under date the 22d Idem, reviewing the Calendar in Session Case No 102 of 1855.-

/Here enter F.H. No 846 of 1855/

With reference to the explanation afforded in the above Return, the Court of Foujdaree Adalut resolve to direct that the original Record of the case be submitted for their consideration.-

Ordered that Extract from these Proceedings be forwarded to the Acting Session

Session Judge of Cuddalore by precept returnable within 7 days from and after its receipt.-

/Sent following precept No /

Rec'd 18

Recorder

The Session Judge however had it in his power to inflict a fine upon the prisoner under Act X, the provisions of Act XVI of 1850 in addition to the punishment of imprisonment.-

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

/Sent in No /

Read again Calendar of Case No 102 of 1855 of the Session Court of Cuddalore.

/Here enter F.H. No 658 of 1855/

Read also Return dated 24th March 1855 from the Acting Session Judge of Cuddalore, to the precept of the Foujdaree Adalut under date the 22d Inst. reviewing the Calendar in Session Case No 102 of 1855.-

/Here enter F.H. No 846 of 1855/

With reference to the explanation afforded in the above Return, the Court of Foujdaree Adalut resolve to direct that the original Record of the case be submitted for their consideration.-

Ordered that Extract from these Proceedings be forwarded to the Acting Session

Session Judge of Cuddalore by precept returnable within V days from and after its receipt.-

/Sent following/ precept No /

Rec 18th.

4th Apr

F. Cs.

Thursday
5th April 1855 } At a Court of the Foujdaree Adalut.

Present

G. L. Hooper Esquire
T. L. Strange Esquire } Puisne Judges.

Read letter under date the 21st March 1855 from the Acting 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. 6 of 1855 on his file.

(Here Enter F. C. No. 826 of 1855)

Mr. G. L. Hooper. / The Court of Foujdaree Adalut concur in the Conviction of the Prisoner

Gollapilly Venkadoo

of "Culpable Homicide" and Sentence him as proposed by the Acting Agent, to 18 months Imprisonment with hard labor in irons under Clause Second Section XV Regulation VII of 1802.

Ordered that Extract

from

4th Ap

F. Cl.

Thursday
5th April 1855 } At a Court of the Foujdaree Adalut.

Present

G. L. Hooper Esquire
T. L. Strange Esquire } Puisne Judges.

Read letter under date the 21st March 1855 from the Acting 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 6 of 1855 on his file.

(Here Enter F. A. No 826 of 1855)

Mr G. S. Hooper. The Court of Foujdaree Adalut concur in the Conviction of the Prisoner

Gollapilly Venkadoo

of "Culpable Homicide" and Sentence him as proposed by the Acting Agent, to 18 months Imprisonment with hard labor in irons under Clause Second Section XV Regulation VII of 1802.

Ordered that Extract from

5th April 1855.

From these proceedings be forwarded to the Acting Agent to the Governor of Fort St. George at Vizagapatam for his information.

(Sent in No. /

Read Criminal Reports submitted by the Acting Sessions Judge of Salem for the year 1854.—

(Here Enter F. R. No. 816 of 1855)

Statement No. 10 Bengal form.

The Court of Zeyjdaree Adalut observe that the 5 persons entered in Column 3 as dismissed from office appear to have been included also in other Columns but they cannot clearly see in what particular Columns they have been so included, and they therefore direct that the Sessions Judge will in future explain at the foot of this statement in which of the other Columns such entries have been made.—

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

(Sent in No. /

Read Calendar of Case No. 11 of 1855 on the file of the Sessions Court of Coimbatore.

(Here enter F. R. No. 786 of 1855/

5th April 1855.

The Court of Zeyjdaree Adalut observe that it was hardly necessary for the Principal Sudr Ameen to commit this case to the Sessions Court on the sole ground of the value of the property stolen exceeding 300 Rupees, the excess having only amounted to the insignificant sum of one anna and two pies.—

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

(Sent in No. /

Read again Calendar of Case No. 50 of 1854 of the Sessions Court of Tinnevelly.—

(Here enter F. R. No. 220 of 1855/

Read also again Miscellaneous Petition presented on the 19th February 1855 by Nagalinga Tauen of Zillah Tinnevelly.

(Here enter F. M. P. No. 62 of 1855/

Read also return dated 16th Ultimo from the Sessions Judge of Tinnevelly to the precept of the Zeyjdaree Adalut under date the 3d idem directing

him

from these proceedings be forwarded to the Acting Agent to the Governor of Fort St. George at Vizagapatam for his information.

(Sent in No. /

Read Criminal Reports submitted by the Acting Sessions Judge of Salem for the year 1854.

(Here Enter L.R. No. 816 of 1855)

Statement No. 10 Bengal form

The Court of Zeyndaree Adalut observe that the 5 persons entered in Column 3 as dismissed from office appear to have been included also in other Columns but they cannot clearly see in what particular Columns they have been so included, and they therefore direct that the Sessions Judge will in future explain at the foot of this statement in which of the other Columns such entries have been made.

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

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

(Sent in No. /

Read again Calendar of Case No. 50 of 1854 of the Session Court of Tinnevelly.—

(Here enter L.R. No. 220 of 1855/

Read also again Miscellaneous Petition presented on the 19th February 1855 by Nagalinga Tauen of Zillah Tinnevelly.

(Here enter L.M.P. No. 62 of 1855/

Read also return dated 16th Ultimo from the Sessions Judge of Tinnevelly to the precept of the Zeyndaree Adalut under date the 3d idem directing him

him to forward the Original Record of Trial in Case No. 50 of 1854. —

(Here enter L.R. No. 780 of 1855)

1.

In this Case two prisoners were arraigned before the Session Court of Jennevelly on the charges of Gang robbery by open violence and of being found in possession of the stolen property knowing it to be such.—

2.

The Session Judge in Concurrence with the Futwah of the Law officer Convicted the 1st Prisoner of being in possession of the plundered property knowing it to be such, and Sentenced him to 4 Years' imprisonment with hard labor in irons under Clause Second Section XI Regulation VI of 1822.—

3.

The 2d Prisoner was acquitted and released.—

4.

On perusal of a Petition appealing from the above Sentence the Court of Sujdaree Adalut seeing Cause to question the justness of the 1st prisoner's Conviction, called for the Record of the Case, and after a careful consideration of the same they find

themselves unable to concur with the Session Judge in convicting the 1st Prisoner of the crime Charged and accordingly direct his unconditional release.—

5.

The robbery is said to have been committed on the 16th November 1854. The Prosecutor and his brother Alaghery Naik were examined on the 20th and were unable to give any information respecting the robbers. On the 5th December the Prosecutor stated that he had been told by Chocalinga Nadan and Permal Naik that the Prisoners and others were concerned in the robbery. These individuals professed to have identified the one five, and the other five of the robbers, the latter naming the same persons as the former, and among the number were the prisoners. It is not credible, in the opinion of the Court, that persons describing themselves to have been in different places should have thus recognized exactly the same parties out of a gang of about 35 men. It is equally incredible that considering they held

as

as they affirm communication with the prosecutor on the night of the Robbery, their information should not have been then given to the prosecutor, or have come out earlier than the aforesaid 5th of December. The said individuals furthermore retracted before the Criminal Court and denied having made the statements attributed to them on the police record. —

6. The above circumstances cast much suspicion on the integrity of the prosecution which thus breaks down in the important particular of how the earliest information affecting the Prisoners was obtained. —

7. The prisoners were in the custody of a peon from the 2nd November on account of an assault. The Sessions Judge has come to the conclusion that the prisoner whom he has convicted was absent from the said custody at the very time the robbery was committed. The Court do not think the evidence of the 4th and 5th witnesses satisfactory on this head, as it does not appear probable

probable that they should have noted the day of their alleged casual meeting with the prisoners, so as to have been able to depose thereto a month after the occurrence, when examination was first held of them by the Head of Police. —

8. The Prisoner's conviction depends upon the discovery of property in his possession. The said property is not of a description to be identified, and seeing the suspicion cast upon the prosecution connected with the grounds for suspecting the prisoner and searching his premises, the Court are not disposed to place that confidence in the evidence to the fairness of the search which the Sessions Judge has accorded thereto. —

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

Sent following precept &c /

Read the Criminal reports Submitted by the Acting Sessions Judge

of

of Combaconum for the year 1854. —

(Here enter D. R. No. 831 of 1855.)

Appendix D to Statement No. 2. — 1 The Court of Foujdaree Adalut direct that the Session Judge will explain in the Column of Remarks of this appendix the cause of the detention of Persons before the Magistracy and Police for more than 30 days. —

Statement shewing the nature and the result of Charges preferred against the Police. — 2. The 8 persons already disposed of by the District Police should be entered in this Statement so as to correspond with the entries under the heads 1 and 2 of the Statements Nos. 1 and 2. —

Statement shewing the Cases involving grave injury. — 3. The entries in Columns 2 and 3 of this Statement do not tally with the entries in Columns 2 and 3 of the Statement No. 2. —

Statement No. 13. Bengal form. 4. The entry of 2 persons whose cases were remanded by the Sessions Judge and entered in the Statement No. 3 B should be excluded from the Statement noted in the margin.

5. The numbers of persons Concerned

concerned in the cases referred to at the foot of the Statement No. 2 as Charged with "Pistons plunder of grain &c should be entered under the head of Plunder with violence" Number 38 of this Statement as directed in Para 2 of this Court's proceedings under date the 21st April 1854. —

Statement No. 10. Bengal form. 6. This statement will be affected by the remark in para 4.

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Combaconum by precept returnable within II days from and after its receipt. —

(Sent following precept No. /

Read the Criminal Reports submitted by the Acting Sessions Judge of Madura for the year 1854. —

(Here Enter D. R. No. 552 of 1855.)

Appendix E to Statement No. 1. — The Court of Foujdaree Adalut direct that the Sessions Judge will explain in the Column of Remarks of the Appendix the cause of the detention of Persons before the Magistracy and Police for

of Combaconum for the year 1854. —

(Here enter D. R. No. 831 of 1855.)

Appendix D to Statement No. 2. — The Court of Foujdaree Adalut direct that the Session Judge will explain in the Column of Remarks of this appendix the cause of the detention of Persons before the Magistracy and Police for more than 30 days. —

Statement shewing the nature and the result of Charges preferred against the Police. — 2. The 8 persons already disposed of by the District Police should be entered in this Statement so as to correspond with the entries under the heads 1 and 2 of the Statements Nos. 1 and 2. —

Statement shewing the Cases involving grave injury. — 3. The entries in Columns 2 and 3 of this Statement do not tally with the entries in Columns 2 and 3 of the Statement No. 2. —

Statement No. 13. Bengal form. 4. The entry of 2 persons whose Cases were remanded by the Sessions Judge and entered in the Statement No. 3B should be excluded from the Statement noted in the margin.

5. The number of persons Concerned

concerned in the cases referred to at the foot of the Statement No. 2 as Charged with "Riotous plunder of granaries should be entered under the head of Plunder with violence" Number 38 of this Statement as directed in Para 2 of this Courts' proceedings under date the 21st April 1854. —

Statement No. 10. Bengal form. 6. This statement will be affected by the remarks in para 4.

Ordered that Extract from these proceedings be sent to the Acting Sessions Judge of Combaconum by precept returnable within II days from and after its receipt. —

(Sent following precept No. /

Read the Criminal Reports submitted by the Acting Sessions Judge of Madura for the year 1854. —

(Here Enter D. R. No. 552 of 1855.)

Appendix E to Statement No. 1. — The Court of Foujdaree Adalut direct that the Sessions Judge will explain in the Column of Remarks of the Appendix the cause of the detention of Persons before the Magistracy and Police for

for more than 30 days.—

Statement No. 2. 2. The foot note shewing whether the Housebreaking has been effected into substantial dwellings or insecure dwellings should have been given also in regard to the entries in Columns 2 and 3 opposite to head No. 32.—

Appendix C to Statement No. 2. 3. The entry of one person imprisoned and fined entered in the Appendix A should also be included in this Appendix.—

Statement shewing the cases involving grave injury. 4. The entries in Columns 2-3-26 and 27 should be 23-238-35-and 108.—

Statement shewing the executive Police force. 5. The Police Force employed in the taluks referred to at the foot of this statement should also be included in one and the same statement.—

Statement No. 10 Bengal form. 6. The aggregate of the entries in Columns 4 to 15 under the Head "Session Judge" should be 71 according to the entry in Column 15 of the Statement No. 4 and the entry in Column 28 should be 345.—

7. The entry of 21 Persons in Column 2 under the head "Magistrates" should be transferred to Column 28 so as to correspond with the Statement Nos. 1 and 2.—

Statement No. 13 Bengal form. 8 This statement will be affected by the foregoing remarks.

9. The entry of 21 persons under the head "Affray" No. 29 of this statement should be transferred to that of No. 90 and those set opposite to the head No. 78 to that of No. 77 according to the Memorandum appended to the Circular letter of this Court dated 20th June 1853.—

10. The number of persons concerned in the cases referred to at the foot of the Statement No. 2 as charged with Dacoity plunder of granaries should be entered under the head No. 58 of this Statement as directed in para 2 of this Court's Proceedings under date the 21st April 1854.

11. The Court return these statements for amendment with great reluctance the errors pointed out herein being such as cannot be corrected in

for more than 30 days.—

Statement No 2. 2. The foot note shewing whether the Housebreaking has been effected into substantial dwellings or insecure dwellings should have been given also in regard to the entries in Columns 2 and 3 opposite to head No 32.—

Appendix C to Statement No 2. 3. The entry of one person imprisoned and fined entered in the Appendix A should also be included in this Appendix.—

Statement shewing the cases involving grave injury. 4. The entries in Columns 2-3-26 and 27 should be 23-238-35-and 108.—

Statement shewing the executive Police force. 5. The Police Force employed in the talooks referred to at the foot of this statement should also be included in one and the same statement.—

Statement No 10 Bengal form. 6. The aggregate of the entries in Columns 4 to 15 under the Head "Session Judge" should be 7, according to the entry in Column 15 of the statement No 4 and the entry in Column 28 should be 345.—

7. The entry of 21 Persons in Column 2 under the head "Magistrates" should be transferred to Column 28 so as to correspond with the Statement Nos 1 and 2.—

Statement No 13 Bengal form. 8 This statement will be affected by the foregoing remark.

9. The entry of 21 persons under the head "Affray" No 29 of this statement should be transferred to that of No 90 and those set opposite to the head No 78 to that of No 77 according to the Memorandum appended to the Circular letter of this Court dated 20th June 1853.—

10. The number of persons concerned in the cases referred to at the foot of the statement No 2 as charged with Riotous plunder of granaries should be entered under the head No 58 of this statement as directed in para 2 of this Court's Proceedings under date the 21st April 1854.

11. The Court return these statements for amendment with great reluctance the errors pointed out herein being such as cannot be corrected—

in

in their Registers office and they trust that the Session Judge will obviate the necessity of returning his future reports for amendment.

12. The number of errors in the foregoing statements reflects seriously on the efficiency of the Ministerial establishment of the Civil and Session Court. The Session Judge is therefore requested to conform strictly to the instructions contained in para 4 of the Circular letter dated the 8th January 1855 on all occasions of a similar nature.—

Ordered that Extract from these proceedings be sent to the Acting Session Judge of Madura by precept returnable within 14 days from and after its receipt.—

(Sent following precept No.

Read Calendar of Case No. 22 of 1855 on the file of the Session Court of Masulipatam.—

(Were Enter'd No. 811 of 1855)

1 The Prisoners were charged with

with having feloniously murdered one Motoocoory Chendrapa and been found in illegal possession of some of his Clothes and Chattels.—

2. The Assessors in their verdict acquitted the prisoners of the Charge of Murder, but convicted them of a Misdemeanor in having unlawfully thrown the corpse into a well, and been in possession of the deceased's personal property.—

3. The Session Judge sentenced each of the prisoners to one month's imprisonment, without labor or irons.—

4. The Court of Foujdaree Adalut observed that the prisoners were clearly guilty of Theft, and should have been convicted of that crime.—

5. It appears that the prisoners were apprehended on the 30th December last detained in the Talook until the 2d of March. The Court of Foujdaree Adalut resolve to call upon the Session Judge to enquire into and report upon the reason of this delay.—

Ordered.

5th April 1855

5th

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. —

Sent following precept No

4 2/16 W

F. U.

Saturday
7th April, 1855.

At a Court of the Fouzdaree Udalut

Present.

G. S. Hooper, Esqre, } Puisne Judges.
T. L. Strange, Esqre, }

Read Miscellaneous Petitions presented on the 22nd and 29th ultimo by Annammal and Moroozay of the zillah of Combaconum, praying for the release of the 1st and 2nd Prisoners in Case No 9 of 1855 of the Sessions Court of Combaconum.

(Here sulted S. M. P. Nos 94, 97 and 100 of 1855.)

Messrs G. S. Hooper and T. L. Strange.

Before disposing of the above Petitions, the Court of Fouzdaree Udalut resolve to direct the Acting Session Judge of Combaconum to submit an English translation of the entire record connected with the Case in Question.

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Combaconum by Precept returnable within XV days from and after its receipt.

(Sent following precept No)

Read

5th April 1855.

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. —

4 Sheets

(Sent following precept &c

Saturday.
7th April, 1855.

Ft. U.

At a Court of the Foujdaree Udalut

Present.

G. S. Hooper, Esqre. } Puisne Judges.
T. L. Strange, Esqre. }

Read Miscellaneous Petitions presented on the 22nd and 29th ultimo by Ananthammal and Moroogay of the zillah of Combaconum, praying for the release of the 1st and 2nd Prisoners in Case No 9 of 1855 of the Sessions Court of Combaconum.

(Vide rules S. M. P. Nos 94, 97 and 100 of 1855.)

Mr. Hooper and T. L. Strange.

Before disposing of the above Petitions, the Court of Foujdaree Udalut resolve to direct the Acting Sessions Judge of Combaconum to submit an English translation of the entire record connected with the Case in Question.

Ordered, that Extract from these proceedings be sent to the Sessions Judge of Combaconum by Precept returnable within XV days from and after its receipt.

(Sent following precept &c)

5th 7th April 1855.

Read Miscellaneous Petition presented on the 19th ultimo by Dawasica-many Modelly of the zillah of Chittoor.

(Vide entry S.M.P. No. 885 of 1855.)

Mr. J. L. Strange. This is an application for a certified copy of the Proceedings passed by the Court of Foujdaree Adalut in Case No. 66 of 1854 on the file of the Sessions Court of Chittoor.

2. The Remarks, a copy of which, Petitioner asks for, were addressed to the Magistrate. The Court of Foujdaree Adalut see no grounds for furnishing the Petitioner with a transcript thereof. His Petition is therefore rejected.

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

Read Miscellaneous Petition presented on the 22nd ultimo by Chinna-tumby Modelly of the zillah of Cuttack.

(Vide entry S.M.P. No. 95 of 1855.)

Mr. J. L. Strange. The Court of Foujdaree Adalut resolve

7th April 1855.

resolve to reject this Petition and refer the Petitioner to the orders formerly passed by them in the matter to which the Petition relates.

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

Read Miscellaneous Petition presented on the 22nd ultimo by Veerayer of the zillah of Combaconum.

(Vide entry S.M.P. No. 96 of 1855.)

Mr. J. L. Strange. The Court of Foujdaree Adalut resolve to dismiss this Petition and refer the Petitioner to the order passed by them on her former Petition No. 40 of 1855.

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Rajah-mundry from Madana Gopalorder, late prisoner in Case No. 16 of 1854 of the Sessions Court of Rajahmundry, praying orders for his

7th April 1855.

Read Miscellaneous Petition presented on the 19th ultimo by Dawasicamany Modelly of the zillah of Chittoor.

(Here enter F.M.P. No. 88 of 1855.)

Mr. J. L. Strange.

This is an application for a certified copy of the Proceedings passed by the Court of Foujdaree Adalut in Case No. 66 of 1854 on the file of the Sessions Court of Chittoor.

2.

The Remarks, a copy of which, Petitioner asks for, were addressed to the Magistrate. The Court of Foujdaree Adalut see no grounds for furnishing the Petitioner with a transcript thereof. His Petition is therefore rejected.

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

Read Miscellaneous Petition presented on the 22nd ultimo by Chinnacumby Modelly of the zillah of Cuddapah.

(Here enter F.M.P. No. 95 of 1855.)

Mr. J. L. Strange.

The Court of Foujdaree Adalut resolve

7th April 1855.

resolve to reject this Petition and refer the Petitioner to the orders formerly passed by them in the matter to which the Petition relates.

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

Read Miscellaneous Petition presented on the 22nd ultimo by Verrayer of the zillah of Combaconum.

(Here enter F.M.P. No. 96 of 1855.)

Mr. J. L. Strange.

The Court of Foujdaree Adalut resolve to dismiss this Petition and refer the Petitioner to the order passed by them on her former Petition No. 40 of 1855.

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

Read Miscellaneous Petition forwarded by the Sessions Judge of Rajahmundry from Madana Gopalavadu, 1st prisoner in Case No. 16 of 1854 of the Sessions Court of Rajahmundry, praying orders for his

7th April 1855. his release.

(Here enter S. M. P. No. 995 of 1855.)

Mr. J. L. Strange. The Court of Sudder Adalut see no ground to question the guilt of the Prisoner. The Sessions Judge who had convicted this and another prisoner of uttering counterfeit coin and had sentenced them to three years' imprisonment, was directed to amend his sentence, the case appearing to this Court one simply of fraud. In his return, dated the 8th November 1854, the Sessions Judge of Rajahmundry states that he has complied with the instructions given him, but he has not communicated the fresh sentence passed by him. If, as represented by Petitioner, the sentence is still 3 years imprisonment; it appears to the Court of Sudder Adalut too severe a one for the Petitioner's guilt, and they resolve therefore to call upon the Sessions Judge to reduce the sentence in the case of both the prisoners to 18 months' imprisonment.

2. If unable to comply with the above

7th April 1855. above requisition the Sessions Judge will be pleased to submit an English translation of the native record of the case for the consideration of the Sudder Adalut.

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

(Sent following precept No.)

Read Miscellaneous Petition presented on the 29th ultimo by Viswadoo Vencatachellum of the zillah of Nellore.

(Here enter S. M. P. No. 1015 of 1855.)

Messrs. G. L. Hopes and J. L. Strange. The Court of Sudder Adalut resolve to reject this Petition and refer the Petitioner to the orders already passed by them in the matter to which it relates.

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

Read Miscellaneous Petition presented on the 29th ultimo by Soobiah of the

7th April, 1855.

The pillah of Cuddapah praying for the release of the 1st Prisoner in Case No. 67 of 1854 of the Sessions Court of Cuddapah.

(Here enter F.M.P. No. 1025 of 1855.)

Mr. J. L. Strange.

The Court of Foujdaree Adalut seeing no grounds to question the justice of the sentence passed upon the Prisoner, resolve to reject this Petition.

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

Read Letter dated the 31st March, 1855, from the Sessions Judge of Masulipatam.

(Here enter F.C. No. 917 of 1855.)

1. The Sessions Judge, adverting to the Proceedings of the Court of Foujdaree Adalut under date the 28th March, requiring the examination of certain Witnesses for the defence in Case No. 10 of 1855 on the Criminal file, requests to be furnished with the Defence of the two Prisoners in the said case to enable him to comply with the above requisition.

The

7th April, 1855.

2. The Court of Foujdaree Adalut observe that the Prisoners in question have been already directed to be released the examination of the witnesses for the defence is therefore now uncalled for.

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

(But in No.)

Read again Calendar of Case No. 49 of 1854 of the Sessions Court of Tinnevelly.

(Here enter F.C. No. 239 of 1855.)

Read also (return dated the 23rd February last from the Sessions Judge of Tinnevelly to the precept of the Foujdaree Adalut under date the 19th Idem directing the suspension of the corporal punishment passed upon the 1st and 2nd prisoners in the foregoing Case.

(Here enter F.C. No. 581 of 1855.)

Read also again Miscellaneous Petition presented on the 26th February last by the pers

7th April 1855.

Mr. J.

the pillah of Cuddapah praying for the release of the 1st Prisoner in Case No. 67 of 1854 of the Sessions Court of Cuddapah.

(Here unto F.M. No. 1025 of 1855.)

Mr. J. L. Thangs.

The Court of Sudder Adalut having no grounds to question the justice of the sentence passed upon the Prisoner, resolve to reject this Petition.

these proceedings his application.

Ordered that Extract from be given to the Petitioner on

Read Letter dated the 31st March, 1855, from the Sessions Judge of Masulipatam.

(Here unto F.M. No. 917 of 1855.)

1.

The Sessions Judge, adverting to the Proceedings of the Court of Sudder Adalut under date the 28th March, requiring the examination of certain witnesses for the defence in Case No. 10 of 1855 on the Criminal file, requests to be furnished with the Defence of the two Prisoners in the said case to enable him to comply with the above requisition.

The

7th April 1855

2.

The Court of Sudder Adalut observe that the Prisoners in question have been already directed to be released the examination of the witnesses for the defence is therefore now uncalled for.

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

(Entries No.)

Read again Calendar of Case No. 49 of 1854 of the Sessions Court of Tinnevelly.

(Here unto F.M. No. 2395 of 1855.)

Read also Return dated the 23rd February last from the Sessions Judge of Tinnevelly to the precept of the Sudder Adalut under date the 19th Idem directing the suspension of the corporal punishment passed upon the 1st and 2nd prisoners in the foregoing Case.

(Here unto F.M. No. 581 of 1855.)

Read also again Miscellaneous Petition presented on the 26th February last by

The pet-

7th April 1855.

Mr. Ritchie Vakeels on behalf of Mootta Lowen and another of the zillah of Jimmerelly.

(Here enter S. Th. D. No. 685 of 55.

Read also Return dated the 14th March 1855 from the Sessions Judge of Jimmerelly to the Precept of the Sudder Udalut under date the 26th February last directing the submission of an English translation of the Record of Case No. 49 of 1854 and the suspension of the sentence passed in the case until further orders.

(Here enter S. Th. D. No. 752 of 1855.)

Mr. J. L. Strange. 1. In this case 18 prisoners were charged before the Sessions Court of Jimmerelly with arson and resistance to Magistrate's Warrant; the first 8 prisoners in having, at about 7 o'clock in the morning of the 4th October, 1854 in company with about 40 armed persons, set fire to the roof of a dwelling house of the value of Rupees 5 belonging to one Sookha Lowen at Hunkathalay in Puttayam in the Talook of Pallyoor, and rescued the offenders charged with various offences committed by him in the Travancore Districts.

The

7th April, 1855.

2. The 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th prisoners were charged with having aided and abetted the aforesaid prisoners in the commission of the said act.

3. The Sessions Judge concurring in the Futwah of the Mahommedan Law Officer which convicted the 1st and 2nd prisoners of the crimes charged, and acquitted the remainder, sentenced the said 1st and 2nd prisoners to 4 years' imprisonment with hard labor and irons, and to receive 70 lashes under Clause second, Section II, Regulation XV of 1803.

4. On perusal of the abstract of evidence set forth in the Calendar, the Court of Sudder Udalut saw fit to direct that the infliction of the corporal punishment which the prisoners were adjudged to receive should be suspended until their further orders, and on a petition being subsequently presented appealing from the said sentence, the entire record of the case was called for.

5. The Court of Sudder Udalut are of opinion that the Acting Sessions Judge has

7th April 1855.

Messrs Ritchie Wheeler on behalf of Murtha Tevan and another of the zillah of Tinnevelly.

(Here enter S. Th. D. No 68 of 55.

Read also Return dated the 14th March 1855 from the Sessions Judge of Tinnevelly to the Precept of the Tinnevelly Udalut under date the 26th February last directing the submission of an English translation of the Record of Case No 49 of 1854 and the suspension of the sentence passed in the case until further orders.

(Here enter S. Th. D. No 752 of 1855.)

Mr J. L. Strange. 1. In this case 18 prisoners were charged before the Sessions Court of Tinnevelly with Arson and resistance to Magistrates' Warrants, the first 8 prisoners in having, at about 7 o'clock in the morning of the 4th October, 1854 in company with about 40 armed persons, set fire to the roof of a dwelling house of the value of Rupees 5 belonging to one Sookha Tevan at Nunkathalavanputtayan in the Talook of Tullycor, and rescued the offenders charged with various offences committed by him in the Travancore Districts.

7th April, 1855.

2. The 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th prisoners were charged with having aided and abetted the aforesaid prisoners in the commission of the said act.

3. The Sessions Judge concurring in the Futwah of the Mahommedan Law Officer which convicted the 1st and 2nd prisoners of the crimes charged, and acquitted the remainder, sentenced the said 1st and 2nd prisoners to 4 years' imprisonment with hard labor and irons, and to receive 70 lashes under Clause 2nd, Section II, Regulation XV of 1803.

4. On perusal of the abstract of evidence set forth in the Calendar, the Court of Songaree Udalut saw fit to direct that the infliction of the corporal punishment which the prisoners were adjudged to receive should be suspended until their further orders, and on a petition being subsequently presented appealing from the said sentence, the entire record of the case was called for.

5. The Court of Songaree Udalut are of opinion that the Acting Sessions Judge has

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naunoo against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Sookah Dawn in the vicinity of the house occupied by the said Naunoo and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Sookha Dawn who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naunoo. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

7th April, 1855.

7. The Court of Judicature Adalut therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information and guidance by precept returnable within

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naunoo against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Sawn in the vicinity of the house occupied by the said Naunoo and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Soobah Sawn who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naunoo. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice requisite to make it Arson is wanting.

7th April, 1855.

7. The Court of Sessions therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extracts from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information and guidance by precept returnable within

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naunoo against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Daren in the vicinity of the house occupied by the said Naunoo and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Soobah Daren who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naunoo. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

The

7. The Court of Foujdaree Adalut therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information and guidance by precept returnable within

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naunoo against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Dawn in the vicinity of the house occupied by the said Naunoo and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Soobah Dawn who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naunoo. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

7th April, 1855.

7. The Court of Sovereignty Adalut therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Sumroolly for his information and guidance by precept returnable within

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naimor against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Sawn in the vicinity of the house occupied by the said Naimor and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Soobha Sawn who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naimor. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

7th April, 1855.

7. The Court of Sessions Ahmedabad therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Kaira only for his information and guidance by precept returnable within

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naamor against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Savan in the vicinity of the house occupied by the said Naamor and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Subba Savan who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naamor. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

7th April, 1855.

7. The Court of Sessions Ratnagiree

therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tanneelly for his information and guidance by precept returnable within

7th April 1855.

has come to a right conclusion in accepting the evidence offered against the prisoners, but that he has been wrong in considering that the facts alleged against them warrant their conviction on the charge of Arson.

6. It would seem by the evidence that with the view of facilitating the escape of one Naimor against whom a warrant had been issued, the prisoners directed certain individuals (not arrested) to set fire to the house of one Soobah Saven in the vicinity of the house occupied by the said Naimor and that this was done. There is no appearance of any malice being entertained by the prisoners or others against the said Soobah Saven who has not come forward with a complaint. The act seemingly was designed to intimidate the 1st witness and others who had come to arrest Naimor. It constitutes a part of the offence of the resistance, but the ingredient of the specific malice required to make it Arson is wanting.

&c.

7th April, 1855.

7. The Court of Sovereignty Statute therefore acquit the prisoners of Arson, and considering that by the confinement they have undergone from the 12th October when they were arrested they have suffered sufficient punishment for their resistance of the Head Assistant Magistrate's warrant, direct that they be now set at liberty, but with a serious warning.

8. The Court deem it proper to point out to the Acting Sessions Judge that he ought to have sent up documents 63, 89, and 91, which contain the earliest intimation of the offence charged. He ought also to have taken evidence to the 1st witness having apprized the Tahsildar of the occurrence of the resistance by a messenger despatched by him from the scene, as is deposed by the said 1st and other witnesses.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Tinnevelly for his information and guidance by precept returnable within

7th April, 1855.

within III days from and after its receipt.

(Sent following precept No)

Read letter dated 26th March 1855 from the Sessions Judge of Calicut submitting for the final judgment of the Sovereign Adalut the Record of Case No 13 of 1855 of the Calendar of the Session Court.

(Here enter F.H. No 862 of 1855.)

The Court of Sovereign 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 Kandy

and

2nd Payany,

is sufficient to convict the 1st prisoner of Murder and the 2nd of aiding and abetting in the same, do convict them severally thereof, and sentence the prisoners,

1st Kandy

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

Payany

Respts T. S. Hooper and T. L. Strange

7th April, 1855.

2nd Payany

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

(Sent in No)

E. Thrott

F. C.

Tuesday ---- 10th April 1855. At a Court of the Foujdaree Adalut

Present.

G. L. Hooper Esqre
T. L. Strange Esqre } Puisne Judges

Read letter dated 31st March 1855 from the Session Judge of Coimbatore, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No 11 of 1855 of the Calendar of the Session Court.

(Here enter F. C. No 924 of 1855.)

Mr. G. L. Hooper } The Court of Foujdaree Adalut on a deliberate consideration of all the circumstances of the Case in evidence before them being of opinion that the proof against the prisoner,

"Nunjuppen"

is sufficient to convict him of the crime of Theft, do convict him thereof; and with reference to the provisions of the Mooham medan Law as declared in Futwahs of their Law officers annexing the penalty of amputation of one limb to that offence and

to

to the provisions of Section XXI. Regulation VII. of 1802, and Section XXXIV. Act VII of 1843, we sentence him to be imprisoned and kept to hard labor in irons on the public roads, or other public works, for, and, during the period of (2) Two years.

The Court of Foujdaree Udalut do further under the provisions of section I Act XV of 1850 sentence the prisoner

Nunjuppen

to pay the sum of Rupees Three hundred (Rupees 300) and direct that the same be paid to the prosecutor.

(Sent in No.)

Read letter dated 28th. March 1855, from the Acting Agent to the Governor in Vizagapatam, Submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 6 of 1855 of the Calendar of the Session Court

(Here enter Fld. No. 936 of 1855.)

Mr. 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

the prisoner,

"Pupparla Narapah"

is sufficient to convict him of Culpable Homicide for which the penalty of Deyut is awardable under the Mooturmmedan Law as delared in Futwahs of their Law officers, do convict him thereof; and under the provisions of Clause Second Section XV. Regulation VII of 1802 and Section XXXIV. Act VII of 1843 Sentence him to be imprisoned and kept to hard labor in irons on the public roads, or other public works, for, and during the period of (5) five years

(Sent in No.)

E. Thorn

Compliance

to the provisions of Section XXI. Regulation XII. of 1802, and Section XXXIV. Act VII of 1843, & Sentence him to be imprisoned and kept to hard labor in irons on the public roads, or other public works, for, and, during the & period of (2) Two years.-

The Court of Fouzdaree Adalut do further under the provisions of section I Act XV of 1850 Sentence the prisoner.-

Kunjuppen

to pay the sum of Rupees Three hundred (Rupees 300) and direct that the same be paid to the prosecutor.-

(Sent in No.)

Read Letter dated 28th. March 1855, from the Acting Agent to the Governor in Vizagapatam, Submitting for the final Judgment of the Fouzdaree Adalut the Record of Case No. 5 of 1855 of the Calendar of the Sessions Court.-

(Here enter F.A.C. No. 936 of 1855.)

Mr. Hooper

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

the prisoner,

"Ur. Pippala Narapah"

is sufficient to convict him of Culpable Homicide for which the penalty of Deyut is awardable under the Moohummedan Law as delared in Futwahs of their Law officers, do convict him thereof, and under the provisions of Clause Second Section XV. Regulation VII of 1802. and Section XXXIV. Act VII of 1843 Sentence him to be imprisoned and kept to hard labor in irons on the public roads, or other public works, for, and during the period of (5) five years

(Sent in No.) as

Lt. Thott

Compliance

F. 26.

Wednesday 11th April 1855 } At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read Letter dated the 5th February from the Session Judge of Trichinopoly forwarding the annual Criminal Statements for the year 1854.

(Here enter F. 26. N° 436 of 1855)

In the above letter the Session Judge calls the attention of the Court of Foujdaree Udalut to a correspondence which has passed between himself and the Magistrate regarding the acquittal of a Prisoner committed for trial before the Session Court on a charge of murder.

It appears that the Magis-
2 trate takes exception to the acquittal of the Prisoner which he conceives opposed both to the facts and evidence adduced

on

10th April

Mr. Ho

Fr. 116.

Wednesday 11th April 1855 } At a Court of the Tanjadore Udalut.

Present

G. S. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read Letter dated the 5th February from the Sessions Judge of Trichinopoly forwarding the annual Criminal Statements for the year 1854.

(Here enter Fr. 116. № 436 of 1855)

In the above letter the Sessions Judge calls the attention of the Court of Tanjadore Udalut to a correspondence which has passed between himself and the Magistrate regarding the acquittal of a Prisoner committed for trial before the Sessions Court on a charge of murder.

2 It appears that the Magistrate takes exception to the acquittal of the Prisoner which he conceives opposed both to the facts and evidence adduced

on

10th April

on the trial below, and the Sessions Judge deeming the remarks of that Officer derogatory to his authority as a Sessions Judge as well as repugnant to his personal feelings has submitted Copies of the Correspondence which has passed on the subject for the consideration and orders of the Judges.

3 The Court of Foujdaree Udalut are of opinion that the Magistrate has erred seriously in commenting upon the decision of the Sessions Judge, the position held by that Officer not being one that authorises his criticising or condemning the acts of the Sessions Judge. The Sessions Judge discharged the accused upon his own responsibility and his proceedings were fully reported to the Court of Foujdaree Udalut.

No. 34.

4 At the same time it appears to the Court of Foujdaree Udalut that the Sessions Judge has allowed his feelings to

to be unduly excited on this occasion, it being obvious that the Magistrate in making his observations was simply influenced by a sense of duty however mistaken a one.

Ordered that Extracts from these proceedings be forwarded to the Sessions Judge of Trichinopoly for Communication to the Magistrate.

(Sent in No.)

Read Calendar of Case No. 11 of 1855 of the Sessions Court of Tinnevelly.

(Here enter Fileo. No. 766 of 1855)

The two Prisoners in this Case were charged with the Gang Robbery by open violence and with wounding.

2 The Sessions Judge concurred in the Futwah which convicted the Prisoners and in sentencing them to the punishment prescribed for the offence by Clause third Section IV Regulation XV of 1803, he recommends that the period of imprisonment may be mitigated to 5 years. The Prisoners were

further

on the trial below, and the Sessions Judge deeming the remarks of that Officer derogatory to his authority as a Sessions Judge as well as repugnant to his personal feelings has submitted Copies of the correspondence which has passed on the subject for the consideration and orders of the Judges.

3 The Court of Foujdaree Udalut are of opinion that the Magistrate has erred seriously in commenting upon the decision of the Sessions Judge, the position held by that Officer not being one that authorises his criticising or condemning the acts of the Sessions Judge. The Sessions Judge discharged the accused upon his responsibility and his proceedings were fully reported to the Court of Foujdaree Udalut.

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to be unduly excited on this occasion, it being obvious that the Magistrate in making his observations was simply influenced by a sense of duty however mistaken a one.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Trichinopoly for communication to the Magistrate.

(Sent in No)

Read Calendar of Cases No 11 of 1855 of the Sessions Court of Tinnevelly.

(Here enter Fil. No 766 of 1855)

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10th April

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4 At the same time it appears to the Court of Foujdaree Udalut that the Sessions Judge has allowed his feelings to

to be unduly excited on this occasion, it being obvious that the Magistrate in making his observations was simply influenced by a sense of duty however mistaken a one.

Ordered that Extracts from these proceedings be forwarded to the Sessions Judge of Trichinopoly for Communication to the Magistrate.

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(Here enter Fld. No. 766 of 1855)

The two Prisoners in this Case were charged with Gang Robbery by open violence and with wounding.

The Sessions Judge concurred

2 in the Futwah which convicted the Prisoners and in sentencing them to the punishment prescribed for the offence by Clause third Section IV Regulation XV of 1803, he recommends that the period of imprisonment may be mitigated to 5 years. The Prisoners were

further

10th April

further sentenced to receive 70 lashes each
under Section II Regulation VII of 1827.

3 The Court of Sujdaree Udalut
consider the mitigated punishment proposed
by the Session Judge insufficient to meet
the requirements of the Case, and they accordingly
direct that the Prisoners be sentenced to
7 years' imprisonment with hard labor
in irons and to corporal punishment to
the extent above mentioned.

Ordered that Extract from
these proceedings be sent to the Session
Judge of Tinnevelly for his information
(Sent in No)

Read Calendar of Case No 79
of 1855 of the Session Court of Bellary
(Here enter T. Ub. No 809 of 1855)

The Court of Sujdaree Udalut
are of opinion that a sentence of one year's
Imprisonment with hard labor in irons
will be adequate punishment for the
offence of which the Prisoner in the
case has been convicted and they direct
that the Session Judge will reduce his
sentence

Vencomadoo

11th April 1835.

his sentence accordingly

Ordered that Extract from these
proceedings be sent to the Session Judge
of Bellary for his information
(Sent in No)

Read Calendar of Case No 20
of 1835 of the Session Court of Bellary.
(Here enter T. Ub. No 810 of 1835)

The Court of Sujdaree Udalut
are of opinion that one years Imprisonment
with hard labor in irons will be a sufficient
punishment for the offence of which the
Prisoner in this Case has been convicted and
they direct that the Session Judge will
reduce his sentence accordingly.

Seromulga

Ordered that Extract from
these proceedings be sent to the Session
Judge of Bellary for his information.
(Sent in No)

Read Calendar of Case No 8 of
1855 of the Session Court of Chingleput.
Here enter T. Ub. No 829 of 1855.

The Court of Sujdaree Udalut
approve

10th April

further sentenced to receive 50 lashes each
under Section II Regulation VII of 1827.

3

The Court of Sunjdaree Udalut
consider the mitigated punishment proposed
by the Session Judge insufficient to meet
the requirements of the case, and they accordingly
direct that the Prisoners be sentenced to
7 years imprisonment with hard labor
in irons and to corporal punishment to
the extent above mentioned.

Ordered that Extract from
these proceedings be sent to the Session
Judge of Tinnevelly for his information
(Sent in No)

Read Calendar of Case No 79
of 1855 of the Session Court of Bellary
(Here enter Fl. Ct. No 809 of 1855)

The Court of Sunjdaree Udalut
are of opinion that a sentence of one year's
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 direct
that the Session Judge will reduce his
sentence

Hanoomadoo

11th April 1855.

his sentence accordingly

Ordered that Extract from these
proceedings be sent to the Session Judge
of Bellary for his information
(Sent in No)

Read Calendar of Case No 20
of 1855 of the Session Court of Bellary.
(Here enter Fl. Ct. No 810, of 1855)

The Court of Sunjdaree Udalut
are of opinion that one years Imprisonment
with hard labor in irons will be a sufficient
punishment for the offence of which the
Prisoner in this Case has been Convicted and
they direct that the Session Judge will
reduce his sentence accordingly.

Ordered that Extract from
these proceedings be sent to the Session
Judge of Bellary for his information.
(Sent in No)

Read Calendar of Case No 8 of
1855 of the Session Court of Chingleput.
Here enter Fl. Ct. No 829 of 1855.

The Court of Sunjdaree Udalut
approve

Seroomulga

10th Ap

further sentenced to receive 70 lashes each
under Section II Regulation VI of 1827.

3

The Court of Sujdaree Udalut
consider the mitigated punishment proposed
by the Session Judge insufficient to meet
the requirements of the case, and they accordingly
direct that the Prisoners be sentenced to
7 years' imprisonment with hard labor
in irons and to corporal punishment to
the extent above mentioned.

Ordered that Extract from
these proceedings be sent to the Session
Judge of Tinnevelly for his information
(Sent in No)

Read Calendar of Case No. 179
of 1855 of the Session Court of Bellary
(Here enter S. Ut. No 809 of 1855)

The Court of Sujdaree Udalut
are of opinion that a sentence of one year's
Imprisonment with hard labor in irons
will be adequate punishment for the
offence of which the Prisoner in this
Vancomadoo case has been convicted and they direct
that the Session Judge will reduce his
sentence

11th April 1835.

his sentence accordingly

Ordered that Extract from these
proceedings be sent to the Session Judge
of Bellary for his information
(Sent in No)

Read Calendar of Case No 20
of 1835 of the Session Court of Bellary.
(Here enter S. Ut. No 810, of 1835)

The Court of Sujdaree Udalut
are of opinion that one years' Imprisonment
with hard labor in irons will be a sufficient
punishment for the offence of which the
Prisoner in this case has been convicted and
Teroomulga they direct that the Session Judge will
reduce his sentence accordingly.

Ordered that Extract from
these proceedings be sent to the Session
Judge of Bellary for his information.
(Sent in No)

Read Calendar of Case No 8 of
1855 of the Session Court of Chingleput
Here enter S. Ut. No 829 of 1855.

The Court of Sujdaree Udalut
approve

2nd Paragraph

of 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 (3) three years with hard labor in irons, and they do autharize the Sessions Judge to issue his warrant accordingly.

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

(Sent in No.)

Read Calendar of Cases No 7 of 1855 on the file of the Sessions Court of Rajahmundry.

(Here enter F. Co. No. 845 of 1855)

The Court of Foujdaree Udalut observe that in the Second Count against the prisoner, framed upon a former conviction, the nature of the offence, the sentence and the date on which the sentence was passed should have been specified.

2 The Corporal punishment awarded

awarded should not be deferred, as provided in the sentence passed by the Sessions Judge in the present case, but should be inflicted at once.

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

(Sent in No.)

Read Calendar of Case No 10 of 1855 submitted by the Sessions Judge of Mangalore.

(Here enter F. Co. No. 868 of 1855)

Referring to the barbarous treatment sustained by the deceased at the hands of the Prisoners in the Case, and which caused his death on the following day, the Court of Foujdaree Udalut consider the sentence recorded against the 2nd and 3d Prisoners altogether inadequate to meet the requirement of justice.

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

(Sent in No.)

Read

1st Syed Jamaul
2nd Bapajee

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 "House breaking with theft," be reduced to (3) three 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 Chingleput for his information.

(Sent in No.)

Read Calendar of Cases No 7 of 1855 on the file of the Sessions Court of Rajahmundry.

(Here enter F. Co. No. 845 of 1855)

The Court of Foujdaree Udalut observe that in the second Count against the prisoner, framed upon a former conviction, the nature of the offence, the sentence and the date on which the sentence was passed should have been specified.

The Corporal punishment awarded

awarded should not be deferred, as provided in the sentence passed by the Sessions Judge in the present case, but should be inflicted at once.

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

(Sent in No.)

Read Calendar of Cases No 10 of 1855 submitted by the Sessions Judge of Mangalore.

(Here enter F. Co. No. 868 of 1855)

Referring to the barbarous treatment sustained by the deceased at the hands of the Prisoners in the case, and which caused his death on the following day, the Court of Foujdaree Udalut consider the sentence recorded against the 2nd and 3d Prisoners altogether inadequate to meet the requirements of justice.

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

(Sent in No.)

Read

Read Calendar of Case No 21 of 1855 of the Sessions Court of Bellary.

(Here enter F. No. No 813 of 1855)

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 "House breaking with theft" be reduced to (3) three years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

3d Pauppa
4 "Mc. Nursa

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 22d March 1855 from the Acting Agent to the Governor of Fort St George in Ganjam submitting for the final judgment of the Foujdaree Udalut a report of the trial of Criminal Case No 25 of 1855 on his file.

(Here enter F. No. No 857 of 1855)

The Court of Foujdaree Udalut

Concur

concur in the Conviction of the Prisoners

1st Sowrah Sombarah and

2d Do Sonniah

of "Attempt to commit Robbery by open violence" and sentence them as proposed by the Acting Agent, to 14 years imprisonment with hard labor in irons under Clause 3d Section XV Regulation XV of 1803

2 The Court consider the 4 men who turned out and drove off the robbers to have well merited the rewards which have been bestowed upon them by the Acting Agent.

Ordered that Extract from these proceedings be forwarded to the Acting Agent at Ganjam for his information

(Sent in No)

The record of trial in referred Case No 14 of 1855 on the Calendar of the Agent to the Governor of Fort St George in Ganjam not having been yet received.

Ordered that the Acting Agent be required to submit the record aforesaid without further delay

(Sent in No)

Read

Read again Calendar in Case
No. 5 of 1855 on the file of the Sessions Court
of Trichinopoly.

Here Enter F. No. No 624 of 1835

Read also return dated 27th
Ultimo from the Sessions Judge of Trichinopoly
to the Precept of the Foujdaree Udalut under
date the 15th idem Calling for a translation
of the Proceedings in Calendar Case No 5 of 1835.

Here Enter F. No. No 851 of 1835.

In the above Case one Prisoner
was charged with Housebreaking and Theft.

2 The Sessions Judge Concurring
in the Future of the Law Officer which Convicts
the prisoner on Strong presumptive proof
Sentenced him to 3 Years imprisonment with
hard labor in irons.

3 On perusal of the abstract
of evidence recorded in the Calendar the Court
of Foujdaree Udalut seeing reason to question
the justness of the Prisoners' Conviction called
for the entire record of the Case, but after
a careful consideration of the same they
Concur with the Sessions Judge in deeming

the

the evidence sufficient to establish the guilt
of the Prisoner and resolve to confirm the
sentence which has been passed upon him.

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Trichinopoly for his information
(Instruction No)

Read letter dated the 24th March
1835 from the Sessions Judge of Rajahmundry,
submitting for the final Judgment of the Foujdaree
Udalut the record of Trial in Case No 22 of 1834
of the Calendar of the Sessions Court.

(Here Enter F. No. No 935, of 1835)

The Court of Foujdaree Udalut
on a deliberate consideration of all the circum-
stances of the Case in Evidence before them being
of opinion that the proof against the prisoner
"Bungaroo Venkatareddy"
is sufficient to Convict him of the Crime of
Breach of Trust, do Convict him thereof, and
under the provisions of Section IX Act XIII
of 1830, and Section XXXIV Act VII of 1843 Sentence
him to be imprisoned without labour or irons
for and during the period of (1) one year.

The

11th April 1855

1 The law way in which the business wherein the prisoner was employed was conducted and the undue facilities and temptations cast in his way, have induced the Court of Foujdaree Udalut to pass the lenient sentence above recorded.

2 They are constrained to observe that the grounds taken by the Mahummedan Law Officer for the acquittal of the prisoner, are much to the discredit of his judgment and argue little for his sense of what probity calls for from one in whom a pecuniary trust is reposed.

3 The Court have further to remark that the prisoner might have been indicted for misappropriation of a much higher sum than that laid against him in the charge, namely of Rupees 1196-13-3, being the amount originally found deficient, his subsequently having made good a portion thereof not serving to relieve him of the circumstance of the embezzlement.

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

Sent in Mr. Cragg's letter

Exd J.H.S.

F.C.

Thursday 12th April 1855 } At a Court of the Foujdaree Udalut

Present

G.S. Hooper Esquire
T.L. Strange Esquire } Puisne Judges

Read Criminal Reports for the Month of February 1855 submitted by the Sessions Judge of Salem.

(Here enter F.C. No. 835 of 1855)

Report B No. 5 1 The Court of Foujdaree Udalut observe that the hearing of the Charge in this case should have been simply "House breaking with theft"

No. 7 2 In this case the heading ought to have been "Gang Robbery", notwithstanding that the other persons were not apprehended.

No. 9 3 It is sufficient if the time is specified in the body of the Charge whether the crime be committed by day or at night, the heading in both cases should be "Housebreaking with (attempt at) theft" The same remark

Nos. 14 & 21 applies

11th April 1855

1 The law may in which the business wherein the prisoner was employed was conducted and the undue facilities and temptations cast in his way, hence induced the Court of Foujdaree Udalut to pass the lenient sentence above recorded.

2 They are constrained to observe that the grounds taken by the Mookummedun Law Officer for the acquittal of the prisoner, are much to the discredit of his judgment and argue little for his sense of what probity calls for from one in whom a pecuniary trust is reposed.

3 The Court have further to remark that the prisoner might have been indicted for misappropriation of a much higher sum than that laid against him in the charge, namely of Rupees 1196-13-3, being the amount originally found deficient, his subsequently having made good a portion thereof not serving to relieve him of the circumstance of the embezzlement.

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

Sent in Mr Craycroft's

Exd
J.D.S.

F.No.

Thursday 12th April 1855 } At a Court of the Foujdaree Udalut

Present

G.S. Hooper Esquire
T.L. Strange Esquire } Puisne Judges

Read Criminal Reports for the Month of February 1855 Submitted by the Sessions Judge of Salem.

(Vere enter F.No. 835 of 1855)

Report B No 5 1 The Court of Foujdaree Udalut observe that the hearing of the Charge in this case should have been simply "House breaking with theft."

No 7 2 In this case the heading ought to have been "Gang Robbery", notwithstanding that the other persons were not apprehended.

No 9 3 It is sufficient if the time is specified in the body of the charge whether the crime be committed by day or at night, the heading in both cases should be "Housebreaking with (attempt at) theft" The same remark

Nos 14 & 21 applies

11th April 1855

1 The Law in which the business wherein the prisoner was employed was conducted and the undue facilities and temptations cast in his way, have induced the Court of Foujdaree Udalut to pass the lenient sentence above recorded.

2 They are constrained to observe that the grounds, taken by the Mookummedan Law Officer for the acquittal of the prisoner, are much to the discredit of his judgment and argue little for his sense of what probity calls for from one in whom a pecuniary trust is reposed.

3 The Court have further to remark that the prisoner might have been indicted for misappropriation of a much higher sum than that laid against him in the Charge, namely of Rupees 1196-13-3, being the amount originally found deficient, his subsequently having made good a portion thereof not serving to relieve him of the circumstance of the embezzlement.

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

Sent in Mr. Cayley's

Exd
J. W. L.

F. C.

Thursday 12th April 1855 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read Criminal Reports for the Month of February 1855 Submitted by the Sessions Judge of Salem.

(Here enter F. C. No. 835 of 1855)

Report B No. 5 1 The Court of Foujdaree Udalut observe that the hearing of the Charge in this case should have been simply "House breaking with theft"

No. 7 2 In this case the heading ought to have been "Gang Robbery", notwithstanding that the other persons were not apprehended.

No. 9 3 It is sufficient if the time is specified in the body of the Charge whether the crime be committed by day or at night, the heading in both cases should be "Housebreaking with (attempt at) theft". The same remark

No. 11 & 21 applies

11th April 1855

1 The Law in which the business wherein the prisoner was employed was conducted and the undue facilities and temptations cast in his way, have induced the Court of Foujdaree Udalut to pass the lenient Sentence alone recorded.

2 They are constrained to observe that the grounds, taken by the Mookummudun Law Officer for the acquittal of the prisoner, are much to the discredit of his Judgment and argue little for his sense of what probity calls for from one in whom a pecuniary trust is reposed.

3 The Court have further to remark that the prisoner might have been indicted for misappropriation of a much higher sum than that laid against him in the Charge, namely of Rupees 1196-13-3, being the amount originally found deficient, his subsequently having made good a portion thereof not serving to relieve him of the circumstance of the embezzlement.

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

Sent in Mr. Cragg's letter

Exd
J.R.L.

X

F.C.

Thursday 12th April 1855 } At a Court of the Foujdaree Udalut

Present

G.S. Hooper Esquire
T.L. Strange Esquire } Puisne Judges

Read Criminal Reports for the Month of February 1855 Submitted by the Sessions Judge of Salem.

(Here enter F.C. No. 835 of 1855)

Report B No. 5 1 The Court of Foujdaree Udalut observe that the hearing of the Charge in this case should have been simply "House breaking with theft"

No. 7 2 In this case the heading ought to have been "Gang Robbery", notwithstanding that the other persons were not apprehended.

No. 9 3 It is sufficient if the time is specified in the body of the Charge whether the crime be committed by day or at night, the heading in both cases should be "Housebreaking with (attempt at) theft". The same remark

No. 14 & 21 applies

12th April 1855.

applies to cases Nos 14 and 21.

No 12. 4 The Sessions Judge will be good enough to furnish an explanation in detail of the cause of the unusual delay in disposing of this case.

No 20. 5 The Heading in this Case as states that the robbery was committed by 4 persons armed under aggravating circumstances, which is not alleged in the indictment.

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

(Sent following precept No)

The Police Proceedings in referred cases Nos 12, 13, 14, 15 and 16 of 1855 on the Calendar of the Sessions Court of Srasulipatam not having been yet received;

Ordered that the Sessions Judge of Srasulipatam be required forthwith to submit the Proceedings aforesaid and to report the cause of the delay in their transmission

transmission, the other portions of the records in question having reached the Court on the 4th Instant.

Sent in Ad

Read the Petty Calendars of the Magistracy of Salem for the 4th quarter of 1854 received with an Extract from the Proceedings of the Sessions Court of Salem under date the 19th March 1855.

(Here enter F.C. No 795 of 1855)

The wording of the Charge in

Cal. I. No 70 by Asst 1 this Case does not convey a clear impression of the extent of the injury inflicted, but the tenor of it appears to justify the conclusion that the punishment awarded to the prisoner was totally inadequate to his offence.

No 71 by Jt Mag 2 This Case might have been disposed of by the Joint Magistrate under his general powers of control over his subordinates. It is not stated from whom the 1st Witness received the reports in question.

No 76 3 The Prisoner's offence in this case was, in a legal point of view, a resistance to a Magisterial process, and should have

have been punished as such under the provisions of clause fifth Section XVIII Regulation IX of 1816.

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

Sent in No /

Read Calendar of Case No 6 of 1855 of the Sessions Court of Combaconum

(Here enter F.C. No 793 of 1855)

The Court of Foujdaree 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 "Robbery by open violence" be mitigated in the Case of the 1st Prisoner to 2 years and in that of the 2d Prisoner to 1 year with hard labor in irons and they do authorize the Sessions Judge to issue his Warrant accordingly.

1st Prisoner Mottosawmy Pariah
2d Prisoner Mottean

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

Sent in No /

Read

Read Extract from Proceedings of the Sessions Court of Coimbatore dated 27th February 1855, reviewing the Petty Calendars for the 4th Quarter of 1854.

(Here enter F.C. No 633 of 1855)

Enclosure I. No 101 by the Joint Magte of Coimbatore

1 The Court of Foujdaree Adalut observe that the delay which unavoidably occurred in the disposal of this Case should not have prevented the Joint Magistrate from inflicting a punishment adequate to the offence of which the prisoners were convicted.

No 105 Joint Magte of Cuttacamunde

2 It does not appear whether the Lid of the Copper Saucepan was produced or not. If it was found in the possession of the prisoner a second count should have been framed against him charging him with being knowingly in possession of Stolen property.

No 106

3 The charge in this Case should have specified the hour at which and the manner in which the crime was committed.

No 115 Asst Magte

4 The offence of the Prisoner in this Case was sufficiently grave to Justify his being tried and punished with imprisonment under the extended

powers

have been punished as such under the provisions of clause fifth section XVIII Regulation IX of 1816.

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

Sent in Nº /

Read Calendar of Case Nº 6 of 1855 of the Sessions Court of Combaconum

(Here enter Fdc Nº 793 of 1855)

The Court of Foujdaree 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 "Robbery by open violence" be mitigated in the Case of the 1st Prisoner to 2 years and in that of the 2d Prisoner to 1 year with hard labor in irons and they do authorize the Sessions Judge to issue his Warrant accordingly.

1st Moottoosawmy Pauck
2d Moottean

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

Sent in Nº /

Read

Read Extract from Proceedings of the Sessions Court of Coimbatore dated 27th February 1855, reviewing the Petty Calendars for the 4th Quarter of 1854.

(Here enter Fdc Nº 633 of 1855)

Enclosure 1. Nº 101 by the Joint Magte of Coimbatore

1 The Court of Foujdaree Adalut observe that the delay which unavoidably occurred in the disposal of this Case should not have prevented the Joint Magistrate from inflicting a punishment adequate to the offence of which the prisoners were convicted.

Nº 105 Joint Magte of Cotacammund

2 It does not appear whether the Lid of the Copper Saucepan was produced or not. If it was found in the possession of the prisoner a second count should have been framed against him charging him with being knowingly in possession of Stolen property.

Nº 106

3 The charge in this Case should have specified the hour at which and the manner in which the crime was committed.

Nº 115 Asst Magte

4 The offence of the Prisoner in this Case was insufficiently grave to justify his being tried and punished with imprisonment under the extended

1 powers

12th April 1855.

powers conferred on the Magistracy by section LIV, act VII of 1843. The sentence passed is a very insufficient one.

Enclosure III No 98 by the Magte.

5 As the Prisoner was not charged with any specific offence the heading should not have been "Misdemeanor" but "notoriously bad character"

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

Sent in Ats

Friday, 13th April 1855.

F. G.

At a Court of the Foujdaree Adawlut

Present.

G. I. Hooper Esquire
F. L. Strange Esquire } Puisne Judges

Read Petty Calendars of the Magistracy of Ganjam and Vizagapatam for the 4th Quarter of 1854 forwarded through the Sessions Judge of Chicacole.

(Here Enter F R No 787 of 1855)

Ganjam Enclosure I No 29 by Principal Asst. to the Magte

1. The heading in this case should have been simply "Assault".

Enclosure II

2. The first defendant was punished in this case with a fine of 5 Rupees, and was not liable to be called upon to find security in connection with the same charge.

No 31.

3. The heading in this case should have been "Embezzlement."

Vizagapatam Enclosure I No 6.

4. The prisoner in this case could not be legally indicted for the act charged, Redress should have been sought by action. It is further not apparent by whom he was prosecuted. The fine if levied will be returned.

The

powers conferred on the Magistracy by section LIV, act VII of 1843. The sentence passed is a very insufficient one.

Enclosure III No 98 by the Magte. 5 As the Prisoner was not charged with any specific offence the heading should not have been "Misdemeanor" but "notoriously bad character"

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

Sent in No

Friday, 13th April 1855.

F. G.

At a Court of the Foujdaree Adalut

Present.

G. J. Hooper Esquire
F. L. Strange Esquire } Puisne Judges

Read Petty Calendars of the Magistracy of Ganjam and Vizagapatam for the 4th Quarter of 1854 forwarded through the Sessions Judge of Chicacole.

(Here Enter F A No 787 of 1855)

Ganjam Enclosure I No 29 by Principal Asst Magte Enclosure II

1. The heading in this case should have been simply "Assault".

2. The first defendant was punished in this case with a fine of 5 Rupees, and was not liable to be called upon to find security in connection with the same charge.

No 31.

3. The heading in this case should have been "Embezzlement."

Vizagapatam Enclosure I No 6.

4. The prisoner in this case could not be legally indicted for the act charged, Redress should have been sought by action. It is further not apparent by whom he was prosecuted. The fine if levied will be returned.

The

Enclosure II No 4.

4. The false pretence by which the prisoner obtained possession of the articles should have been clearly specifi

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for communication to the Magistrates of Ganjam and Vizagapatam.-

Read return dated 13th March 1855 from the Acting Sessions Judge of Cuddalore to the Precepts of the Govt dated under date the 6th March 1855 reviewing the Criminal Reports for the months of January 1855.

(Here Enter F R No 722 of 1855)

Read Extract from the Proceedings of the Sessions Court of Cuddalore under date the 12th March 1855 Reviewing the Calendars of Petty cases disposed of by the Magistracy during the 4th Quarter of 1854.-

(Here Enter F R No 732 of 1855)

Read calendar of cases Reg of 1855 submitted by the Sessions Judge of Mangalore under date the 14th March

(Here Enter F R No 756 of 1855)

Read letter dated 15th Ultimo from the Magistrate of Salem informing that the 1st prisoner in calendar case No 1 of 1855 has been dismissed from his office and the Court order on the subject will be recorded.-

(Here Enter F R No 761 of 1855)

Read Extract from the Sessions the Sessions Judge of Chittoor under date the 17th March 1855 reviewing the Calendars of Petty Offences disposed of by the Magistracy of Both Arcot for the 4th Quarter of 1854.-

(Here Enter F R No 762 of 1855)

13th April 1855.

Enclosure II No 4.

The false pretence by which the prisoner obtained possession of the articles stated in the [illegible]

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Chicacole for communication to the Magistrates of Ganjam and Vizagapatam.-

Read return dated 13th March 1855 from the Acting Sessions Judge of Cuddalore to the Precept of the Foujdaree Adalut under date the 6th March 1855 reviewing the Criminal Reports for the month of January 1855.

(Here Enter F R No 722 of 1855)

Read Extract from the Proceedings of the Sessions Court of Cuddalore under date the 12th March 1855 Reviewing the Calendars of Petty cases disposed of by the Magistracy during the 4th Quarter of 1854.-

(Here Enter F R No 732 of 1855)

Read calendar of cases Nos of 1855 submitted by the Sessions Judge of Mangalore under date the 14th March

13th April 1855. March 1855.-

(Here Enter F R No 756 of 1855)

Read letter dated 15th Ultimo from the Magistrate of Salem informing that the 1st prisoner in calendar case No 1 of 1855 has been discharged from his office and the Court order on the subject will be recorded.-

(Here Enter F R No 761 of 1855)

Read Extract from the Sessions the Sessions Judge of Chittoor under date the 17th March 1855 reviewing the Calendars of Petty Offences disposed of by the Magistracy of North Arcot for the 4th Quarter of 1854.-

(Here Enter F R No 762 of 1855)

4th Ward

Crump Clerk

P.H.

Saturday — 14th April 1855. } At a Court of the Tonjdarce Udalut

Present

G.S. Cooper Esquire
T.L. Strange Esquire } Puisne Judges.

Read Calendar of Case No 22 on the File of the Sessions Court of Bellary.

/ Here Enter P.H. No 889 of 1855 /

The Court of Tonjdarce Udalut observe that the latter part of the charge against the prisoners in this case is very loosely drawn up. The crime of the prisoners 3d. to 7th. is described; then that of the 8th and 9th prisoners; after which the value of the property found with the 4th and 5th is mentioned, and in close connection with this the property in the possession of the 1st and 2d prisoners is specified, although they are nowhere charged with having knowingly received it. The order of the prisoners is also unnecessarily reversed.

The

P.C.

Saturday — 14th April 1855. } At a Court of the Tonjadarce Vedalut

Present

G.S. Hooper Esquire
T.L. Strange Esquire } Puisne Judges.

Read Calendar of Case No 22 on the File of the Sessions Court of Bellary.

/ Dese Enter P.C. No 889 of 1855 /

1. The Court of Tonjadarce Vedalut observe that the latter part of the charge against the prisoners in this case is very loosely drawn up. The crime of the prisoners 3d to 7th is described; then that of the 8th and 9th prisoners; after which the value of the property found with the 4th and 6th is mentioned, and in close connection with this the property in the possession of the 1st and 2d prisoners is specified, although they are nowhere charged with having knowingly received it. The order of the prisoners is also unnecessarily reversed.

The

2 The Court of Foujdaree Adalut are of opinion that the ends of justice would be fully met by the infliction of a Punishment of seven years imprisonment upon the prisoners 3. to 9. third to Seventh, and resolve to call upon the Session Judge to reduce the sentence passed against those prisoners accordingly.

3 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 Record of the Case for their consideration.

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

/Sent following precept No/

Read Calendar of Case No 6 of 1855 on the file of the Session Court of Trichinopoly.

/Here Enter Pl. No 909 of 1855/

1. The 1st Count against the prisoners charged them with Gang Robbery by open violence, and the 2d Count with knowingly possessing stolen property. From the former Count the 4th prisoner, and from the latter the 10th prisoner was acquitted.

2. The Sessions Judge convicted the first nine prisoners and sentenced them to fourteen years imprisonment with hard labor in irons. Being of opinion that much suspicion attached to the 10th prisoner the Sessions Judge required him to find security in the sum of 70 Rupees in two sureties for 35 Rupees each for the period of one year.

3. The Court of Foujdaree Adalut resolve to cancel the requisition of security from the 10th prisoner. The evidence to his identity has been disbelieved, and the criminations of other prisoners in their police confessions is not sufficient to warrant the demands of security from him.

Ordered

2 The Court of Foujdaree Adalut are of opinion that the ends of justice would be fully met by the infliction of a punishment of seven years imprisonment upon the prisoners 3. to 7. thinks to seventh, and resolve to call upon the Sessions Judge to reduce the sentence passed against those prisoners accordingly.

3 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 Record of the case for their consideration.

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

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Read Calendar of Case No 6 of 1855 on the file of the Sessions Court of Trichinopoly.

/Here Enter Pct. No 909 of 1855/

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1. The 1st Count against the prisoners charged them with Gang Robbery by open violence, and the 2d Count with knowingly possessing stolen property. From the former count the 4th prisoner, and from the latter the 10th prisoner was acquitted.

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3. The Court of Foujdaree Adalut resolve to cancel the requisition of security from the 10th prisoner. The evidence to his identity has been disbelieved, and the criminations of other prisoners in their police confessions is not sufficient to warrant the demands of security from him.

Ordered

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

/ Sent following precept No /

Read Calendar in Case No 2 of 1855 on the file of the Sessions Judge of Salem -

/ Here Enter Pt. No 879 of 1855 /

1. The prisoners were charged with the wilful murder of a woman named Sammmmm, alias Verpalliem, and were acquitted by the Sessions Judge on the ground that the evidence of the 1st witness, which was the only the direct evidence, could not be relied upon.

2. The Court of Foujdaree — Adalut observe that the Acting Sessions Judge's sentence is not drawn out with sufficient fulness - The nature of the evidence of the 1st and the other witnesses should have been specified, and the unimportance of the latter made manifest - Every judicial sentence should be — complete

complete in itself; but from that recorded in this case no idea of the merits of the judgment can be gathered - These observations apply also to other sentences received from the Acting Sessions Judge.

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

/ Sent his No /

Read the Criminal Reports submitted by the Sessions Judge of Chingleput for the year 1854 -

/ Here Enter Pt No 841 of 1855 /

Statement No 1

1. The Court of Foujdaree — Adalut observe that persons charged with "Crimping" should in future be entered in the Statement No 2, Crimping being classed under the head of Heinous Crimes.

Appendix D to Statement No 2

2. The entry of 5 persons in Column 21 of the Statement No 2 as having Died by Pica should have been excluded from this Appendix.

Statement No 4

3. Columns 22 and 23 should exhibit the number of Cases, and not the number of persons.

Ordered

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

/ Sent following precept No. /

Read Calendar in Case No 2 of 1855 on the file of the Sessions Judge of Salem -

/ Here Enter P.C. No 879 of 1855 /

1. The prisoners were charged with the wilful murder of a woman named Sammmmm, alias Verpalliem; and were acquitted by the Sessions Judge on the ground that the evidence of the 1st witness, which was the only the direct evidence, could not be relied upon.

2. The Court of Foujdaree — Udalut observe that the Stating Sessions Judge's sentence is not drawn out with sufficient fulness - The nature of the evidence of the 1st and the other witnesses should have been specified, and the unimportance of the latter made manifest - Every judicial sentence should be — complete

complete in itself; but from that recorded in this case no idea of the merits of the judgment can be gathered - These observations apply also to other sentences received from the Stating Sessions Judge.

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

/ Sent his No. /

Read the Criminal Returns submitted by the Sessions Judge of Chingleput for the year 1854 -

/ Here Enter P.C. No 884 of 1855 /

Statement No 1 1. The Court of Foujdaree Udalut observe that persons charged with "Crimping" should in future be entered in the Statement No 2, Crimping being classed under the head of Heinous Crimes.

Appendix D to Statement No 2 2 The entry of 5 persons in Column 21 of the Statement No 2 as having Died &c should have been excluded from this Appendix.

Statement No 4 3 Columns 22 and 23 should exhibited the number of Cases, and not the number of persons -

Ordered

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

/ Sent in Do /

Read Miscellaneous Petition presented on the 2d Instant by S.N. Cunteera :rava chary Vakeel on behalf of Sara Saddeen of Zillah Tinnevelly -

/ Here enter D.H.R. No 105 of 1855 /

Mr G.L. Cooper 1. The Petitioner represents that being prevented by the Revenue authorities from raising a wall on his own grounds obtained by purchase, he complained thereof to the Magistrate who directed him to seek his remedy by a Civil action; and that he accordingly filed a suit against the Collector and Police Ameen in the principal Sudr Ameen's Court, which suit was, however, dismissed on the ground that the Defendants, in Ordering the disputed ground to be incorporated with the road, had acted under the provisions of Act XXI of 1841, and that that act does not provide for

for the institution of a Civil suit in the Court against any Order passed under it.

This Order of the Principal
2 Sudr Ameen being confirmed in Appeal, the Petitioner applied to the Session - Judge, who, by proceedings dated the 8th January last, (a certified Extract from which is produced by the Petitioner) directed him "to sue the party from whom he bought the land, in the Civil Court".

The Petitioner concludes
3 by praying the Court of Foujdaree - Adalut either to instruct the Session Judge to cause the appointment of a Jury or Punchayet to try and decide the question at issue under the act above referred to, or to issue orders for the revival of the suit brought by the Petitioner.

The Court of Foujdaree
4. Adalut are of opinion that the Order appealed against is correct and proper, and they see no reason to interfere in the matter.

Petition dismissed

Ordered

14ᵗʰ April 1855.

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

Read Calendar of Case No. 3 of 1855 of the Session Court of Salem.

/Here enter Pl. No. 880 of 1855/

The Court of Foujdaree Adalut approve of the recommendation made by the Acting Session 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 laid to their charge be reduced to (4) four years with hard labor in irons, and they do authorize the Acting Session Judge to issue his warrant accordingly -

× 1ˢ Mandan
2ᵈ Moonyan

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

/Sent in No /

Read Calendar of Cases Nos 6 and 7 of 1855 of the Session Court of Chittoor.

/Here enter Pl. No. 881 of 1855/

No

14ᵗʰ April 1855

The Court of Foujdaree 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 on their convictions of the crimes of "Highway robbery" and "Theft" be reduced to (4) four years with hard labor in irons and they do authorize the Session Judge to issue his warrant accordingly -

× 1ˢ Poollacoota Gungadoo
2ᵈ Lompully Chungadoo

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

/Sent in No /

Read the Criminal Reports submitted by the Session Judge of Coimbatore for the year 1854.

/Here Enter Pl. No 792 of 1855/

Appendix C to State No 3.A
Appendix C to State No 3.B.

1. The Court of Foujdaree Adalut observe that the Session Judge has omitted to explain in the Column of Remarks the cause of the detention of Prisoners before the Sudr Ameen and Principal

14

14th April 1855.

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

Read Calendar of Case No 3 of 1855 of the Session Court of Salem.

/ Here enter Pl. No. 880 of 1855 /

The Court of Foujdaree Adalut approve of the recommendation made by the Acting Session Judge in this case that the period of imprison- ment which the Prisoners noted in the margin have been adjudged to suffer on their conviction of the crime laids to their charge be reduced to (4) four years with hard labor in irons, and they do authorize the Acting Session Judge to ijsue his warrant accordingly -

1° Maudeen
2° Moonyan

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

/ Sent in No /

Read Calendar of Cases Nos 8 and 9 of 1855 of the Session Court of Chittoor.

/ Here enter Pl. No. 881 of 1855 /

Do

14th April 1855

The Court of Foujdaree 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 on their conviction of the crimes of "Highway Robbery" and "Theft" be reduced to (4) four years with hard labor in irons and they do authorize the Session Judge to ijsue his warrant accordingly -

1° Poollacoota Gungadoo
2° Sompully Chungadoo

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

/ Sent in No /

Read the Criminal Report submitted by the Session Judge of Coimbatore for the year 1854.

/ Here enter Pl. No 792 of 1855 /

Appendix C to State No 3 A
Appendix C to State No 3 B.

1. The Court of Foujdaree Adalut observe that the Session Judge has omitted to explain in the Column of Remarks the cause of the detention of Prisoners before the Sudr Ameen and Principal

Principal Sudr Ameen for more than 30 days.

Statement showing the nature and the result of charges preferred against the Police.

2. The 4 persons acquitted by the Principal Sudr Ameen should have been entered in Columns 16 and 17 of this Statement. The necessary entry has been made in the Register's office.

Statement showing the cases involving grave injury to persons.

3. The number of Cases and Persons in Columns 28 and 29 should be 38 and 97, and the entry in Column 46 appears to be incorrect.

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

/ Sent following precept No /

Read the Criminal Reports submitted by the Agent at Kurnool for the year 1854.

/ Here enter Pet. No 678 of 1855 /

Statement No 2

The Court of Foujdaree Adalut direct that the Agent be requested to explain whether in Columns 2. 3 4 and 5 of this Statement the actual number of Cases and

and Persons is entered as directed in para 1 of their proceedings under date the 24th June 1852.

2. The Agent will also be pleased to report whether the Town Cauzee of Kurnool has acquitted himself satisfactorily in the discharge of his Criminal duties during the year 1854.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George at Kurnool by precept returnable within 2 days from and after its receipt.

/ Sent following Precept No /

Read the Criminal Reports submitted by the Sessions Judge of Nellore for the year 1854.

/ Here enter Pet. No 803 of 1855 /

Statement No 4. 1. The Court of Foujdaree Adalut observe that Columns 22 and 23 should exhibit the number of Cases and not the number of Persons. The necessary correction has been made in the Register's Office.

The

Principal Sudr Ameen for more than 30 days.

Statement showing the nature and the result of charges preferred against the Police.

2. The 4 persons acquitted by the Principal Sudr Ameen should have been entered in Columns 16 and 17 of this Statement. The necessary entry has been made in the Register's office.

Statement showing the Cases involving grave injury.

3. The number of Cases and persons in Columns 28 and 29 shewed in 38 and 97, and the entry in Column 46 appears to be incorrect.

Ordered, that Extract from these Proceedings be forwarded to the Session Judge of Combatore by precept returnable within 2 days from and after its receipt.

/ Sent following precept No /

Read the Criminal Reports submitted by the Agent at Tinnivelly for the year 1854.

/ Here enter P. R. No 695 of 1855 /

Statement No 2

The Court of Foujdaree Adalut direct that the Agent be requested to explain whether in Columns 2. 3 4 and 5 of this Statement the actual number of Cases and

and Persons is entered as directed in para 1 of their proceedings under date the 24th June 1852.

2. The Agent will also be pleased to report whether the Town Cauzee of Tinnivelly has acquitted himself satisfactorily in the discharge of his Criminal duties during the year 1854.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George at Tinnivelly by precept returnable within 2 days from and after its receipt.

/ Sent following Precept No /

Read the Criminal Reports submitted by the Session Judge of Nellore for the year 1854.

/ Here Enter P. R. No 693 of 1855 /

Statement No 4. 1. The Court of Foujdaree Adalut observe that Columns 22 and 23 should exhibit the number of Cases and not the number of Persons. The necessary correction has been made in the Register's Office.

The

14th April 1855.

Sudr Ameen and Magistracy is unnecessary.

7. The Session Judge will report the manner in which the Sudr Ameen has exercised the criminal jurisdiction vested in him as required under Circular proceedings of this Court dated 18th February 1845.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Nellore by receipt returnable within 2 days from and after its receipt.

/ Sent following Receipt No. /

Read the Criminal Reports submitted by the Agent at Vizagapatam for the year 1854.

/ Here Enter Pet No. 721 of 1855 /

The Court of Foujdaree

State No. 3B 1. Adalut observe that the Look note with regards to 2 Cases and 1 person is not clear.

Appendix C to State No. 3B
Do B to State No. 4. 2. The cause of the detention of prisoners before the Agent and his assistants for more than 30 days should be explained

14th April 1855.

Appendix B to State No. 4.

The Sessions Judge will explain with Column of Remarks of Appendix the cause of the detention of Prisoners before the Sessions Court for more than 30 days.

3. The entry under the head of which charged with appears to be incorrect.

4. The number of Persons forwarded to the Principal Sudr Ameen by the Magistracy and District Police and those committed to the Sessions Court by the Principal Sudr Ameen should be concluded from Column 20. Necessary amendment has been made in the Registers Office.

5. The Sessions Judge will in future explain at the foot of this Statement in which of the order Column fractions entered in Column 3 are also included.

Statement A State showing the nature and the result of charges preferred against the Police for the Principal Sudr Ameens Court. State No. 13 Bengal form for the Sessions Court
Do — 13 — Do. for the Magistracy
Do — 10 — Do. for the Magistracy

6. The submission to the Court of the separate statements noted in the margin prepared by the Principal Sudr

14th April 1855.

Sudr Ameen and Magistracy is unnecessary.

7. The Sessions Judge will report the manner in which the Sudr Ameen has exercised the criminal jurisdiction vested in him as required under Circular proceedings of this Court dated 18th February 1845.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Nellore by precept returnable within 2 days from and after its receipt.

/ Sent following Precept No /

Read the Criminal Reports submitted by the Agent at Vizagapatam for the year 1854.

/ Here Enter Ptt No 721 of 1855 /

The Court of Foujdaree

State No. 3B 1. Adalut observe that the foot note with regards to 2 Cases and 1 person is not clear.

Appendix C to State No. 3B
Do B to State No. 4. 2. The cause of the detention of prisoners before the Agent and his assistant for more than 30 days should be complained

14th April 1855.

Appendix B to State No. 4.

The Sessions Judge will complain with Column of Remarks of Appendix the cause of the detention Prisoners before the Sessions Court more than 30 days.

Appendix C to Do. 3. The entry under the head of which charged with" appears to be incorrect.

State No. 10 Bengal form 4. The number of Prisoners forwarded to the Principal Sudr Ameen by the Magistracy and District Police and those committed to the Sessions Court by the Principal Sudr Ameen should be recorded from Column 20. The necessary amendment has been made in the Registers Office.

5. The Sessions Judge will in future complain at the foot of this Statement in which of the other Columns the parties entered in Column 3 are also included.

Statement No. 1 State showing the nature and the result of charges preferred against the Police for the Principal Sudr Ameens Court.
State No. 13 Bengal form for the Principal Sudr Ameens Court
Do — 13 — Do for the Magistracy
Do — 10 — Do for the Magistracy

6. The submission to the Court of the separate statements noted in the margin prepared by the Principal Sudr

14th April 1855.

Sudr Ameen and Magistracy is unnecessary.

7. The Session Judge will report the manner in which the Sudr Ameen has exercised the criminal jurisdiction vested in him as required under Circular proceedings of this Court dated 18th February 1845.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Nellore by precept returnable within 2 days from and after its receipt.

/ Sent following Precept No /

Read the Criminal Reports submitted by the Agent at Vizagapatam for the year 1854.

/ Here Enter Pet No 721 of 1855 /

The Court of Foujdaree

State No 3B 1. Adalut observe that the Cook note with regard to 2 Cases and 1 person is not clear.

Appendix C to State No 3B
Do B to State No 4.

2. The cause of the detention of prisoners before the Agent and his assistants for more than 30 days should be explained

14th April 1855.

Appendix B to 2
State No 4.

The Session Judge will explain with Column of Remarks of Appendix the cause of the detention of Prisoners before the Sessions Court for more than 30 days.

3. The entry under the head of which charges with appears to be incorrect.

4. The number of Prisoners forwarded to the Principal Sudr Ameen by the Magistracy and District Police and those committed to the Sessions Court by the Principal Sudr Ameen should be excluded from Column 20. Necessary amendment has been made in the Registers Office.

5. The Session Judge will in future explain at the foot of this Statement in which of the order Column parties entered in Column 3 are also included.

Statement A

State showing the nature and result of charges preferred against the Police for the Principal Sudr Ameens Court.

State No 13 Bengal Form for the Principal Sudr Ameens Court
Do — 19 — Do for the Magistracy
Do — 10 — Do for the Magistracy

6. The submission to the Court of the separate statements noted in the margin prepared by the Principal Sudr

explained in the Column of Remarks.

State No 10
Bengal form

3. The number of Persons released unconstitutionally should have been entered in Column 28 and not in Column 3. This error has been corrected in the Register's Office.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George at Vizagapatam by precept returnable within 2 days from and after its receipt.

/ Sent following Precept &c /

Read the Criminal Reports submitted by the Sessions Judge of Tellicherry for the year 1854.

A/4 Enclosure E to Statement No 1
D. C to Statement No 3A

/ Here Enter Pt No 839 of 1855 /

The Court of Foujdaree Adalut direct that the Sessions Judge will explain in the Column of Remarks of these Appendices the cause of the detention of Persons before the Magistracy, Police, and Moofty Courts for more than 30 days.

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

returnable within 2 days from and after its receipt.

/ Sent following Precept &c /

Read Calendar of Case No 9 of 1855 on the file of the Sessions Court of Madura.

/ Here Enter Pt No 919 of 1855 /

The Court of Foujdaree Adalut approve of the recommendation made in this Case, that the period of imprisonment which the Prisoner noted in the Margin has rendered himself liable to suffer under the provisions of Clause 3 Section IV Regulation XV of 1803, on his conviction of the crime of "Robbery by open violence attended with torture," be reduced to /5/ five years with hard labor in irons, and they do authorize the Acting Sessions Judge to issue his warrant accordingly

1st Kurroomoogum

The Court of Foujdaree Adalut observe at the same time, that the Acting Sessions Judge in disposing of the case under notice, should have passed the prescribed sentence on

the

14"

State No 10
Bengal form

explained in the Column of Remarks.

3.

The number of Persons released unconditionally should have been entered in Column 28 and not in Column 3. This error has been corrected in the Register's Office.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George at Vizagapatam by precept returnable within 3 days from and after its receipt.

/ Sent following Precept No /

Read the Criminal Reports submitted by the Sessions Judge of Tellicherry for the year 1854.

Appendix E to Statement No 1
Do C to Statement No 3A

/ Here Enter Dft No 839 of 1855 /

The Court of Foujdaree Adalut direct that the Sessions Judge will explain in the Column of Remarks of these Appendices the cause of the detention of Prisons before the Magistracy, Police, and Moofty Courts Prisoners for more than 30 days.

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

returnable within 2 days from and after its receipt.

/ Sent following Precept No /

Read Calendar of Case No 9 of 1855 on the file of the Sessions Court of Madura.

/ Here Enter Dft No 919 of 1855 /

The Court of Foujdaree Adalut approve of the recommendations made in this Case, that the period of imprisonment which the Prisoner noted in the Margin has rendered himself liable to suffer under the provisions of Clause 3rd Section IV Regulation XV of 1803, on his conviction of the crime of "Robbery by open violence attended with torture," be reduced to /5/ five years with hard labor in irons, and they do authorize the Acting Sessions Judge to issue his warrant accordingly

1st Kurosmorgam

The Court of Foujdaree Adalut observe at the same time, that the Acting Sessions Judge in disposing of the case under notice, should have imposed the prescribed sentence on the

14"

the Prisoner and then submitted his recommendation for a mitigated punishment.

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

/ Sent in Do. /

Read letter under date the 14th March 1855 from the Acting Agent to the Governor of Fort St. George at Ganjam submitting for the final judgment of the Tondiarpet Adalut a report of the trial of Criminal Case No. 14 of 1855 on his file.

/ Here Enter P.M. No. 937 of 1855 /

The Court of Tondiarpet Adalut concurring in the conviction of the Prisoner

Tellookola Gavarungo Sow of severe wounding with intent to kill resolve to sentence him, as recommended by the Acting Agent, to 14 years Imprisonment with hard labor in irons under Clause 3d Section VII Regulation XV of 1803.

Ordered

Ordered, that Extract from these Proceedings be forwarded to the Acting Agent to the Governor of Fort St George at Ganjam.

/ Sent in Do. /

Read miscellaneous Petition presented on the 24th ultimo by A. N. Cunteravaa chary Vakeel on behalf of Sankara Soobbien of Zillah Tinnevelly

/ Here Enter P.M.P. No. 98 of 1855 /

The object of this Petition is to induce the Court of Tondiarpet Adalut to order the release of the Petitioner, prisoner in Case No. 7 of 1855 on the file of the Sessions Court of Tinnevelly.

The Court of Tondiarpet Adalut see no cause to doubt the correctness of the Petitioner's conviction, or the propriety of the sentence which has been passed upon him. This Petition is therefore rejected.

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

Read

14" April 1855.

14"

14"

Sta

Bu

14" April 1855.

the Prisoner and then submitted his r
recommendation for a mitigated punishmen

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

/ Sent in Do /

Read letter under date the
14" March 1855 from the Acting Agent
to the Governor of Fort St. Geore at
Ganjam submitting for the final judg-
-ment of the Foujdaree Adalut a report
of the trial of Criminal Case No 14 of 1855
on his file.

(Here Enter P.M. No 937 of 1855)

The Court of Foujdaree
Adalut concurring in the conviction of
the Prisoner

Pellakola Gavarungoo Low
of Seeva wounding with intent to kill
resolve to sentence him, as recommended
by the Acting Agent, to 14 years Im-
-prisonment with hard labor in irons
under Clause 3d Section VII Regulation
XV of 1803.

Ordered

14" April 1855.

Ordered, that Extract from
these Proceedings be forwarded to the
Acting Agent to the Governor of Fort St George
at Ganjam.

/ Sent in Do /

Read miscellaneous Petition
presented on the 24" ultimo by S. N.
Canteravaa chary Vakeel on behalf
of Sankara Soobbien of Zillah Tinnevelly

/ Here Enter P.M. No 980 of 1855 /

The object of this Petition
is to induce the Court of Foujdaree
Adalut to order the release of the Petitioner
prisoner in Case No 7 of 1855 on the file
of the Sessions Court of Tinnevelly.

The Court of Foujdaree
Adalut see no cause to doubt the correct-
-ness of the Petitioner's conviction, or the
propriety of the sentence which has been
passed upon him. This Petition is
therefore rejected.

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

Read

14" April 1855.

the Prisoner and then submitted his re-
commendation for a mitigated punishment.

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

/ Sent in Dr. /

Read letter under date the
14th March 1855 from the Acting Agent
to the Governor of Fort St. George at
Ganjam submitting for the final judg-
-ment of the Tanjadore Adalut a report
of the trial of Criminal Case No. 14 of 1855
on his file.

(Here Enter P.C. No. 937 of 1855)

The Court of Tanjadore
Adalut concurring in the conviction of
the Prisoner

Pallookola Gavarungoo Sow
of Seeva worming with intent to kill
resolve to sentence him, as recommended
by the Acting Agent, to 14 years Im-
-prisonment with hard labor in irons
under Clause 3d Section VII Regulation
XV of 1803.

Ordered

14th April 1855.

Ordered, that Extract from
these Proceedings be forwarded to the
Acting Agent to the Governor of Fort St. George
at Ganjam.

/ Sent in Dr. /

Read miscellaneous Petition
presented on the 24th ultimo by S. N.
Cumteravia chary Vakeel on behalf
of Sunkara Soobbien of Zillah Tinnevelly

/Here Enter P.C. No. 980 of 1855/

The object of this Petition
is to induce the Court of Tanjadaree
Adalut to order the release of the Petitioner's
prisoner in Case No. 7 of 1855 on the file
of the Sessions Court of Tinnevelly.

The Court of Tanjadaree
Adalut see no cause to doubt the correct-
-ness of the Petitioner's conviction, or the
propriety of the sentence which has been
passed upon him. This Petition is
therefore rejected.

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

Read

the Prisoner and then submitted his recommendation for a mitigated punishment

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

/ Sent in Dft /

Read letter under date the 14th March 1855 from the Acting Agent to the Governor of Fort St. George at Ganjam submitting for the final judgment of the Zemindaree Adalut a report of the trial of Criminal Case No 14 of 1855 on his file.

/ Here Enter P.M. No 937 of 1855 /

The Court of Zemindaree Adalut concurring in the conviction of the Prisoner

Pellookola Gavarungo Sow of Seeva recording with intent to kill resolve to sentence him, as recommended by the Acting Agent, to 14 years Imprisonment with hard labor in irons under Clause 3d Section VII Regulation XV of 1803.

Ordered

Ordered, that Extract from these Proceedings be forwarded to the Acting Agent to the Governor of Fort St George at Ganjam.

/ Sent in Dft /

Read miscellaneous Petition presented on the 24th ultimo by A. N. Canteravoo chany Vakeel on behalf of Sankara Soobbien of Zillah Tinnevelly

/ Here Enter P.M. No 98 of 1855 /

The object of this Petition is to induce the Court of Zemindaree Adalut to order the release of the Petitioner, prisoner in Case No 7 of 1855 on the file of the Sessions Court of Tinnevelly.

The Court of Zemindaree Adalut see no cause to doubt the correctness of the Petitioner's conviction, or the propriety of the sentence which has been passed upon him. This Petition is therefore rejected.

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

Read

the Prisoner and then submitted his re-
commendation for a mitigated punishment.

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

/ Sent in Do. /

Read letter under date the
14th March 1855 from the Acting Agent
to the Governor of Fort St. George at
Ganjam submitting for the final judg-
-ment of the Zemindaree Adalut a report
of the trial of Criminal Case No 14 of 1855
on his file.

/ Here Enter P.M. No 937 of 1855 /

The Court of Zemindaree
Adalut concurring in the conviction of
the Prisoner

Pellakoola Gavarungoo Sow
of Seeva warning with intent to kill
resolve to sentence him, as recommended
by the Acting Agent, to 14 years Im-
-prisonment with hard labor in irons
under Clause 3d Section VII Regulation
XV of 1803.

Ordered

Ordered, that Extract from
these Proceedings be forwarded to the
Acting Agent to the Governor of Fort St George
at Ganjam.

/ Sent in Do. /

Read miscellaneous Petition
presented on the 24th ultimo by A. N.
Cunteerava chary Vakeel on behalf
of Sunkara Soobbiah of Zillah Tinnevelly

/ Here Enter P.M. No 98 of 1855 /

The object of this Petition
is to induce the Court of Zemindaree
Adalut to order the release of the Petitioner
prisoner in Case No 7 of 1855 on the file
of the Sessions Court of Tinnevelly.

The Court of Zemindaree
Adalut see no cause to doubt the correct-
-ness of the Petitioner's conviction, or the
propriety of the sentence which has been
passed upon him. This Petition is
therefore rejected.

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

Read

the Prisoner and then submitted his recommendation for a mitigated punishment

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

/ Sent in Dr. /

Read letter under date the 14th March 1855 from the Acting Agent to the Governor of Fort St. George at Ganjam submitting for the final judgment of the Foujdaree Adalut a report of the trial of Criminal Case No 14 of 1855 on his file.

(Here Enter P.M. No 937 of 1855)

The Court of Foujdaree Adalut concurring in the conviction of the Prisoner

Tellookola Gavaramgo Row

of severe wounding with intent to kill resolve to sentence him, as recommended by the Acting Agent, to 14 years Imprisonment with hard labor in irons under Clause 3d Section VII Regulation XV of 1803.

Ordered

Ordered, that Extract from these Proceedings be forwarded to the Acting Agent to the Governor of Fort St George at Ganjam.

/ Sent in Dr. /

Read miscellaneous Petition presented on the 24th ultimo by S. M Cunteravo chary Vakeel on behalf of Sunkara Soobbiah of Zillah Tinnevelly

/Here Enter P.M.P. No 98 of 1855/

The object of this Petition is to induce the Court of Foujdaree Adalut to order the release of the Petitioner prisoner in Case No 7 of 1855 on the file of the Sessions Court of Tinnevelly.

The Court of Foujdaree Adalut see no cause to doubt the correctness of the Petitioner's conviction, or the propriety of the sentence which has been passed upon him. This Petition is therefore rejected.

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

Read

14th April 1855.

the Prisoner and the

recommen

14th April 1855

Their Petitions

presented on the 9th Instant praying that

Tandeo Imum Patail on behalf of

Coodaly Thyed Pattil County Kaliaspan

and another of zillah Tellicherry -

G. S. Hooper Esqre

Here Enter Fll. P. No. 91 of 1855 /

The Court of Ludr and

Fouzdarree Adawlut see no reason to

alter their order of the 24th Ultimo and

therefore reject this Petition -

Ordered, that Extract -

from these Proceedings be given to the

Petitioners Vakeel on his application. -

4th Mott

14th April 1855.

F. A.

Monday
16th April 1855. At a Court of the Fouzdarree Adawlut.

Present

G. S. Hooper Esqre
J. L. Strange Esqre } Puisne Judges

Read again Calendar of Case
No. 10 of 1855 of the Sessions Court of
Combaconum.

(Here enter F. A. No. 744/1855)

Read also Return made by
the Acting Sessions Judge of Combaconum
to the precept of this Court under date
the 28th Ultimo, calling for explanation
regarding the evidence adduced against
the 2nd, 3rd and 4th prisoners in Case
No. 10 of 1855 on the file of the
Sessions Court.

(Here enter F. A. No. 920/1855)

As the evidence to the
identity of the 3rd and 4th prisoners has
not been accepted, the Court of Fouzdarree
Adawlut consider that they are
entitled

April 1855.

Read Miscellaneous Petition presented on the 19th March 1855 by John Tauchoo Menon Vakeel on behalf of Coodally Thayeth Vittil Coomby Kalliyan and another of Zillah Tellicherry -

G. S. Hooper Esqre

Here Enter F.M. A. No 91 of 1855 /

The Court of Ludr and Adalut see no reason to alter their Order of the 24th Ult. and therefore reject the Petition -

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

Extd Thott

Monday
16th April 1855.

F. 26.

At a Court of the Tonjadore Adalut

Present

G. S. Hooper Esqre
F. L. Strange Esqre } Puisne Judges

Read again Calendar of Case No 10 of 1855 of the Sessions Court of Combaconum.

(Here enter F.M. No 744/1855)

Read also Return made by Sessions Judge of Combaconum to the Acting Precept of this Court under date the 28th Ultimo, calling for explanation regarding the evidence adduced against the 2nd, 3rd and 4th prisoners in Case No 10 of 1855 on the file of the Sessions Court.

(Here enter F.M. No 920/1855)

As the evidence to the identity of the 3rd and 4th prisoners has not been accepted, the Court of Tonjadore Adalut consider that they are entitled

16th April 1855.

entitled to unconditional release, and direct that they be released accordingly.

Ordered that Extract from these Proceedings be sent to the Session Judge of Combaconum by precept returnable within III days from and after its receipt.

Sent following Precpt.

Read Letter dated the 30th March 1855 from the Magistrate of Tinnevelly requesting sanction for the offer of rewards of 50 Rupees each for the apprehension of certain individuals concerned in the crime charged against the Prisoner in Case No 49 of 1854 on the Calendar of the Sessions Court of Tinnevelly.

(See entry F. R. No 705 1855)

The Court of Foujdaree Adalut in disposing of an appeal from the sentence passed in the above case, have come to the conclusion that the act charged did not amount to "Arson" and that the offence was simply resistance to the Head Assistant Magistrate's process. The offence being thus not one of a heinous nature, there is no ground for offering the proposed rewards.

Ordered

16th April 1855.

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

Sent in Ps.

No return having been received from the Session Judge of Tinnevelly to the Precept of the Foujdaree Adalut dated the 30th March 1855 returning for amendment the annual Criminal Reports for 1854.

Ordered that the Session Judge of Tinnevelly be required to make a return to the above Precept without further delay.

Sent in Ps.

Read Calendar of Case No 6 of 1855 of the Session Court of Salem.

(See entry F. R. No 883 of 1855)

The Court of Foujdaree Adalut observe that the sentence in this case is drawn out in too meagre a manner. It should clearly set forth the facts proved whereby the conviction may be justified. The statement that "the evidence fully proves the Theft and capture of the Prisoner" conveys nothing to the criminality of the Prisoner.

Ordered that Extract from these Proceedings be sent to the Acting Session

16th April 1855.

entitled

16th April 1855. Sessions Judge of Chicacole for his report

Sent in A.

Read the Criminal Reports submitted by the Sessions Judge of Chicacole for the year 1854.

(Here enter F.R. No 885 of 1855)

Appendix D to Statement No 1 Ganjam Magte.

1

The Court of Foujdaree Adalut observe that the number of persons detained before the heads of Police, Tuncees, Cutwallies &c. should be 3895 and not 4035.

Appendix D to Statement No 2 - Vizagapatam Magistrate.

2.

The number of persons before the Magistracy under the head - "In Cases forwarded to the Courts or Magistracy" should be 15 - and those under the head - "In cases treated under Act VIII of 1843" should be 13.

Statement No 13. Bengal form.

3.

The entries in Columns 27 & 28 should be 3011 & 3312 and not 3009 & 3314.

Comparative Abstract Statement of P.R. of Offences & Crimes & Misdemeanors. Ganjam & Vizagapatam Returns

4

In Mofussil Statements, the Cases of attempts at crimes should also be included under the heads of such crimes and the number of persons entered in Col. 34 as convicted by the Foujdaree Adalut should be 6.

In Case No 3 of 1854 5.
do - B of - 1/6.

Statement No 3 B Principal Sudr Ameen Vizagapatam.

5.

The Principal Sudder Ameen should have engrossed this Statement upon the printed form.

The

16th April 1855.

6. The necessary corrections have been made in the Registers Office.

7. The submission of the Duplicate copies of the letters from the Magistrates of Vizagapatam and Ganjam dated 20th February and 2d March 1855 is unnecessary.

8 The Statement shewing the Executive Police Force employed under the Magistracy in the District of Ganjam should be forwarded without delay.

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

Sent in A.

No Return having been received from the Acting Sessions Judge of Honore to the Precept of the Foujdaree Adalut dated the 23rd March 1855 conveying their observations and orders on the Petty Calendars for the 4th Quarter of 1854.

Ordered that the Acting Sessions Judge of Honore be required to make a return to the above Precept without further delay.

Sent in A.

Read

16th April 1855. Session Judge of Salem for his information
Sent in A.

Read the Criminal Reports
submitted by the Session Judge of Chicacole
for the year 1854.

(Here enter T.R. No 885 of 1855)

Appendix E to Statement No 1 Ganjam Magistrate. 1. The Court of Fouzdaree Adalut observe that the number of persons detained before the heads of Police, Ameens, Cutwalls &c. should be 3895 and not 4035.

Appendix D to Statement No 2 - Vizagapatam Magistrate. 2. The number of persons before the Magistracy under the head - "In cases forwarded to the Courts or Magistracy" should be 15 - and those under the head - "In cases tried under Act VIII of 1843" should be 13.

Statement No 13. Bengal form. 3. The entries in Columns 27 & 28 should be 3011 & 3312 and not 3009 & 3314.

Comparative Abstract Statement of Petty Offences & Crimes misdemeanors - Ganjam & Vizagapatam Districts
In Cases No 3 of 1854 5.
do - Rep. 1/6.

4 In New Statements, the Cases of attempts at crimes should also be included under the heads of such crimes and the number of persons entered in Col. 34 as convicted by the Fouzdaree Adalut should be 6.

Statement No 3 B Principal Sudder Ameen Vizagapatam. 5. The Principal Sudder Ameen should have engrossed this Statement upon the printed form.

The

16th April 1855. 6. The necessary corrections have been made in the Register's Office.

7. The submission of the Duplicate copies of the letters from the Magistrates of Vizagapatam and Ganjam dated 20th February and 2d March 1855 is unnecessary.

8 The Statement shewing the Executive Police Force employed under the Magistracy in the District of Ganjam should be forwarded without delay.

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

Sent in A.

No Return having been received from the Acting Session Judge of Honore to the Precept of the Fouzdaree Adalut dated the 23rd March 1855 conveying their observations and orders on the Petty Calendars for the 4th Quarter of 1854.

Ordered that the Acting Session Judge of Honore be required to make a return to the above Precept without further delay.

Sent in A.

Read

14

16th April 1855.

Read Calendar in Case No 13 of 1855 on the file of the Session Court of Tinnevelly -

(Here enter F.R. No 910/1855)

The Court of Fouzdaree Adalut direct that a special Report of the Tahsildar's conduct in the case mentioned in the 6th para of the Session Judges sentence in the above case, be made to them when the matter may have been finally disposed of -

2

Should the Session Judge adhere to his opinion that there are grounds for the dismissal of the Head of Police he should call for an explanation from that Officer as to both cases and submit the same with his opinion thereon for the orders of the Fouzdaree Adalut -

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

Sent in Sp

Read Return dated 9th February 1855 from the Session Judge of Calicut to the precept of the Fouzdaree Adalut under date the 31st January 1855 on a review of Case No 63 of 1854 on the Calendar -

(Here enter F.R. No 165 of 1855)

Ex Mc Vell

Thursday
19th April 1855.

F. R.

At a Court of the Fouzdaree Adalut

Present

G. S. Cooper Esquire
J. L. Strange Esquire
} Puisne Judges

Read letter dated 4th instant from the Subordinate Judge of Bellary Here enter F.R. No 938 of 1855

The Subordinate Judge

1

with the above letter forwards a communication from the Killadar Surgeon recommending that either the whole or parties of the prisoners in turns be allowed to sleep outside the cells during the continuance of the hot weather and observes that in his opinion the security of the guard and the safe custody of the convicts would be greatly endangered thereby -

The Court of Fouzdaree

2.

Adalut certainly cannot permit a practice so manifestly objectionable, and consider that a reference to them on the subject was quite unnecessary on the part of the Subordinate Judge -

Ordered

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

Sent in &c.

Read letter dated the 4th April 1855 from the Session Judge of Chicacole

Here enter F. H. No. 964 of 1855.

In the foregoing communication the Session Judge brings to the notice of the court of Fouzdaree Udalut the loss of the Police and Criminal Courts Records in committed case No. 2 of 1855 on the file of the Principal Sudr Ameen of Vizagapatam, and requests the instructions of the Court in regard to the disposal of the said case.

The proceedings before the police and the Criminal Court being preliminary only to the trial of the prisoner, the Court of Fouzdaree Udalut are of opinion that there is no impediment to their being renewed in order to supply the loss of the missing records.

The Court accordingly direct that the prisoner and the

stolen property be retransferred to the Police in order that the case may be dealt with afresh.

The translations which accompanied the Session Judge's letter are returned.

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

Sent in &c.

Read report of Cases pending before the Session Court of Ganjam for a period Exceeding 25 days during the month of March 1855.

Here enter F. H. No. 943 of 1855

The Court of Fouzdaree Udalut are of opinion that this case should not have been delayed, when it was clear that the attendance of the persons cited by the prisoner could not be counted upon. The Court direct that the case be disposed of at once.

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

Sent in &c.

Read

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

Sent in &c.

Read letter dated the 4th April 1855 from the Session Judge of Chicacole

Here enter F.C. No. 964 of 1855.

In the foregoing communication the Session Judge brings to the notice of the court of Fouzdaree Udalut the loss of the Police and Criminal Courts Records in committed case No. 2 of 1855 on the file of the Principal Sudr Ameen of Vizagapatam, and requests the instructions of the Court in regard to the disposal of the said case.

The proceedings before the police and the Criminal Court being preliminary only to the trial of the prisoner, the Court of Fouzdaree Udalut are of opinion that there is no impediment to their being renewed in order to supply the loss of the missing records.

The Court accordingly direct that the prisoner and the stolen

stolen property be retransferred to the Police in order that the case may be dealt with afresh.

The translations which accompanied the Session Judge's letter are returned.

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

Sent in &c.

Read report of Cases pending before the Session Court of Ganjam for a period Exceeding 25 days during the months of March 1855.

Here enter F.C. No. 943 of 1855

The Court of Fouzdaree Udalut are of opinion that this case should not have been delayed, when it was clear that the attendance of the persons cited by the prisoner could not be counted upon. The Court direct that the case be disposed of at once.

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

Sent in &c.

Read

Read Calendar of Case No 7
of 1855 of the Session Court of Salem
Here enter F.H. No 908 of 1855

The Court of Fouydaree Adalut
are of opinion that a sentence of 4 years
imprisonment with hard labor in
irons will be adequate punishment
for the offence of which the Prisoner
in this case has bee convicted, and they
resolve to call upon the Session Judge
to reduce his sentence accordingly.

2.

Unable to concur with the
Court in the propriety of the mitigated
sentence now proposed, the Session
Judge will 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 Salem for his
information by Precept returnable
within 7 days from and after its receipt.

Sent following Precept No

Read Calendar of Case No 4
of 1855 of the Session Court of Salem.
Here enter F.H. No 881 of 1855.

The Court of Fouydaree
Adalut approve of the recommendation
made by the Session Judge in this case
that

that the period of imprisonment which
the Prisoner noted in the margin has
been adjudged to suffer on his conviction
of House breaking by night and Theft
be reduced to (3) years 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 Salem for his
information.

Sentence No

Read Calendar of Case No 8
of 1855 of the Session Court of Chittoor
Here enter F.H. No 932 of 1855.

The Court of Fouydaree
Adalut approve of the recommendation
made by the Session Judge in this case
that the period of imprisonment
which the Prisoner noted in the
margin has been adjudged to suffer
on his conviction of Attempt at
Highway Robbery be reduced to
(6) Six years 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

Read Calendar of Case No 7
of 1855 of the Session Court of Salem
Here enter F.H. No 908 of 1855

The Court of Fouydaree Udalut
are of opinion that a sentence of 4 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.

Unable to concur with the
Court in the propriety of the mitigated
sentence now proposed, the Session
Judge will 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 Salem for his
information by Precept returnable
within 7 days from and after its receipt.

Sent following Precept No

Read Calendar of Case No 6
of 1855 of the Session Court of Salem.
Here enter F.H. No 881 of 1855.

The Court of Fouydaree
Udalut approve of the recommendation
made by the Session Judge in this case
that

Malyen

that the period of imprisonment which
the Prisoner noted in the margin has
been adjudged to suffer on his conviction
of House breaking by night and Theft
be reduced to (3) years 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 Salem for his
information.

Sentin No

Read Calendar of Case No 8
of 1855 of the Session Court of Chittoor
Here enter F.H. No 932 of 1855.

The Court of Fouydaree
Udalut approve of the recommendation
made by the Session Judge in this case
that the period of imprisonment
which the Prisoner noted in the
margin has been adjudged to suffer
on his conviction of Attempt at
Highway Robbery be reduced to
(6) Six years with hard labor in irons,
and they do authorize the Session
Judge to issue his warrant accordingly.

Angasala
Naregadoo.

Ordered that Extract
from these Proceedings be forwarded
to

14

Read Calendar of Case No 7
of 1855 of the Session Court of Salem
Here enter F.H. No 908 of 1855

The Court of Fouydaree Udalut
are of opinion that a sentence of 4 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.

Unable to concur with the
Court in the propriety of the mitigated
sentence now proposed, the Session
Judge will 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 Sessions Judge of Salem for his
information by Precept returnable
within 7 days from and after its receipt.

Sent following Precept No

Read Calendar of Case No 4
of 1855 of the Session Court of Salem.
Here enter F.H. No 881 of 1855.

The Court of Fouydaree
Udalut approve of the recommendation
made by the Session Judge in this case
that

Malyen

that the period of imprisonment which
the Prisoner noted in the margin has
been adjudged to suffer on his conviction
of House breaking by night and Theft
be reduced to (3) 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 Salem for his
information.

Sentence No

Read Calendar of Case No 8
of 1855 of the Sessions Court of Chittoor
Here enter F.H. No 932 of 1855.

The Court of Fouydaree
Udalut approve of the recommendation
made by the Sessions Judge in this case
that the period of imprisonment
which the Prisoner noted in the
margin has been adjudged to suffer
on his conviction of Attempt at
Highway Robbery be reduced to
(6) Six 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

Thaundavum

Angasala
Naregadoo.

to the Session Judge of Chittoor for his information

Sent in Ex.

Read Calendar of Case No. 9 of 1858 of the Session Court of Trichinopoly

Herewith F.H. No. 878 of 1858.

The Court of Foujdaree Udalut 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 on their conviction of Highway Robbery attended with aggravating circumstance &c be reduced to (7) Seven years 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 Trichinopoly for his information.

Sent in Ex.

Read Calender of Case No. 10 of 1858 of the Session Court of Cuddapah

Herewith F.H. No. 864 of 1858.

The Court of Foujdaree Udalut are of opinion that one

x Chinnadoo + Para Auraun

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 direct that the Session Judge will reduce their sentences accordingly

x 1. M. Gungadoo 2. M. Cdavadoo.

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

Sent in Ex.

Read letter dated 5th instant from the Acting Session Judge of Combaconum

Herewith F.H. No. 962 of 1858

The Acting Session Judge explains, with reference to the Case remarked upon in the first para: of this Court's proceedings dated the 2nd instant, that it was forwarded to the Subordinate Judge as being the nearest European Authority, this course being in conformity with the Circular Order Foujdaree Udalut dated 3rd July 1834.

1.

The Court of Foujdaree Udalut observe that the course followed in this case, as Explained by the Acting Session Judge, was quite correct, the Prisoner not having

2.

to the Session Judge of Chittoor for his information

Sent in Rs.

Read Calendar of Case No. 9 of 1855 of the Session Court of Tirchinopoly

Herewith F. C. No. 878 of 1858.

The Court of Foujdaree Udalut 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 on their conviction of Highway Robbery attended with aggravating circumstance &c be reduced to (7) Seven years 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 Tirchinopoly for his information.

Sent in Rs.

Read Calender of Case No. 10 of 1855 of the Session Court of Cuddapah

Herewith F. C. No. 886 of 1858.

The Court of Foujdaree Udalut are of opinion that one

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 direct that the Session Judge will reduce their sentence accordingly

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

Sent in Rs.

Read letter dated 5th instant from the Acting Session Judge of Combaconum

Herewith F. C. No. 942 of 1858

The Acting Session Judge

1. explains, with reference to the Case remarked upon in the first para: of this Courts proceedings dated the 2nd instant, that it was forwarded to the Subordinate Judge as being the nearest European Authority, this course being in conformity with the Circular Order Foujdaree Udalut dated 3rd July 1834.

The Court of Foujdaree

2. Udalut observe that the course followed in this case, as Explained by the Acting Session Judge, was quite correct; the prisoner not having

to the Session Judge of Chittoor for his information

Sent in &c.

Read Calendar of Case
No 9 of 1858 of the Session Court of
Trichinopoly

Herewith F.M. No 878 of 1858.

The Court of Foujdaree
Udalut 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 on their conviction
of Highway Robbery attended with
aggravating circumstance &c be
reduced to (7) Seven years 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 Trichinopoly
for his information.

Sent in &c.

Read Calender of Case
No 10 of 1858 of the Session Court of Cuddapah
Herewith F.M. No 886 of 1858.

The Court of Foujdaree
Udalut are of opinion that one
years

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 direct that the Session Judge
will reduce their sentences accordingly

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

Sent in &c.

Read letter dated 5th instant
from the Acting Session Judge of Combaconum
Herewith F.M. No 962 of 1858

The Acting Session Judge
explains, with reference to the Case
remarked upon in the first para:
of this Court's proceedings dated the
2nd instant, that it was forwarded
to the Subordinate Judge as being the
nearest European Authority, this
course being in conformity with
the Circular Order Foujdaree
Udalut dated 3rd July 1854.

The Court of Foujdaree
Udalut observe that the course
followed in this case, as Explained
by the Acting Session Judge, was
quite correct; the Prisoner not
having

having in fact been committed for trial before the Subordinate Judge, merely forwarded in order that that officer, as the nearest European authority might be satisfied that the homicide had occurred purely by misadventure

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

Sentence Sd.

Read Calendar of Case No. 23 of 1855 of the Sessions Court of Bellary

Here enter F. C. No. 869 of 1855.

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment which the prisoner noted in the Margin has been adjudged to suffer on his conviction of Highway Robbery be mitigated to (5) five years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

X P. Takeenagadoo.

The Court of Foujdaree Adalut observe that the Sessions Judge should have set forth in his sentence the facts proved against the Prisoners. It is not sufficient to advert to contain depositions without stating

what particulars may have been established thereby.

The above observations apply,

3

also to case No. 24 of 1855 disposed of by the Sessions Judge.

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

Sentence Sd.

Read Calendar of Case No. 24 of 1855 of the Sessions Court of Bellary.

Here Enter F. C. No. 870 of 1855.

The Court of Foujdaree 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 Highway Robbery be reduced to (3) three years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

1. T. Obeyandoo
2. Y. Bambegadoo.

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

Sentence Sd.

Read

having in fact been committed for trial before the Subordinate Judge, merely forwarded in order that that officer, as the nearest European authority might be satisfied that the homicide had occurred purely by misadventure.

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

Sentence Nº

Read Calendar of Case Nº 23 of 1855 of the Sessions Court of Bellary

Here enter F. R. Nº 869 of 1855.

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery be mitigated to (5) five years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

P. Takeenagadoo.

The Court of Foujdaree Adalut observe that the Sessions Judge should have set forth in his sentence the facts proved against the Prisoners.

It is not sufficient to advert to contain depositions without stating what

what particulars may have been established thereby.

The above observations apply, 3 also to case Nº 24 of 1855 disposed of by the Sessions Judge.

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

Sentence Nº

Read Calendar of Case Nº 24 of 1855 of the Sessions Court of Bellary.

Here Enter F. R. Nº 870 of 1855.

The Court of Foujdaree 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 Highway Robbery be reduced to (3) three years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

1. I. Obegadoo
2. I. Baubegadoo.

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

Sentence Nº

Read

having in fact been committed for
trial before the Subordinate Judge,
merely forwarded in order that that
officer, as the nearest European authority
might be satisfied that the homicide
had occurred purely by misadventure

Ordered that Extract
from these Proceedings be forwarded
to the Acting Sessions Judge of
Combaconum for his information
Sentence &c.

Read Calendar of Case No. 23
of 1855 of the Session Court of Bellary

Here enter F.C. No. 869 of 1855.

The Court of Foujdaree Adalut
approve of the recommendation made
by the Session Judge in this case that
the period of Imprisonment which
the prisoner noted in the margin has
been adjudged to suffer on his conviction
of Highway Robbery be mitigated to
(5) five years with hard labor in irons
and they do authorize the Session Judge
to issue his warrant accordingly.

P. Takeeragadoo.

The Court of Foujdaree
Adalut observe that the Session Judge
should have set forth in his sentence
the facts proved against the Prisoners.
It is not sufficient to advert to
contain depositions without stating
what

what particulars may have been established
thereby.

The above observations apply
also to case No. 24 of 1855 disposed of by the
Session Judge.

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

Sentence &c.

Read Calendar of Case
No. 24 of 1856 of the Session Court of
Bellary.

Here Enter F.C. No. 870 of 1855.

The Court of Foujdaree 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 on their
conviction of Highway Robbery be
reduced to (3) three years with hard
labor in irons and they do authorize
the Session Judge to issue his warrant
accordingly.

1. T. Obegadoo
2. J. Banbegadoo.

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

Sentence &c.

Read

Read Calendar of Case
No 25 on the file of the Session Court of
Bellary.

Hereunter Filed No 950 of 1855.

1 The prisoners were charged with sheep stealing and being knowingly in possession of stolen property and were acquitted.

2. The Court of Foujdaree Adalut observe that, as far as can be judged from the Session Judge's remarks on the evidence, that Officer was not justified in acquitting the prisoners, the discrepancies noticed by him not being of a nature to stamp the evidence as preconcerted. Moreover there was the discovery of the stolen property bearing against the prisoners, this not having been accounted for in any way so as to show their innocence.

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

Sentence

The record of trials in referred Cases Nos 2 and 6 of 1855.

on the Calendar of the Session Court of Rajahmundry not having been yet received.

Ordered that the Session Judge of Rajahmundry be required to submit the records aforesaid without delay.

Sentence

The record of trials in referred Case No 3 of 1855 on the Calendar 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

Sentence

The record of trials in referred Case Nos 12 & 16 of 1855 on the Calendar of the Session Court of Calicut not having been yet received.

Ordered that the Session Judge of Calicut be required to submit the records, aforesaid without delay.

Sentence

Read Calendar of Case No 10 of 1855 on the file of the Session Judge of Madura.

Hereunter Filed No 951 of 1855.

The

19th April 1855.

1.

The 1st prisoner in this case was charged with having by open violence robbed 33 sheep from the pasture land of the prosecutor; and the 2nd with having been knowingly in possession of 6 of the sheep so robbed.

2.

The Sessions Judge acquitted the 1st prisoner and sentenced the 2nd to two years imprisonment with hard labor in irons and to receive 50 lashes with a Cat o'nine tails.

3.

The Court of Foujdaree Adalut observe that the sentence of the Sessions Judge does not show that the 2nd prisoner was proved to have bought the sheep knowing them to have been stolen. The Court resolve to direct the attention of Sessions Judge to this point, and to call upon him to report what evidence was adduced in connection with this point.

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

Sent following Precept &c.

Geo Thos W

Friday
20th April 1855.

F. U.

At a Court of the Foujdaree Adalut

Present

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

Read letter dated 24th March 1855 from the Session Judge of Mangalore enclosing copy of a communication from the Magistrate of Canara on the subject of the Forms in which the Petty Calendars are required to be drawn up.-

/Fere Inter J. R. No. 842 of 1855/

With the above communication

1.

the Magistrate of Canara forwards copy of a letter from the Head Assistant Magistrate, in which the latter officer points out that the Form laid down in Circular Order Foujdaree Adalut dated 25th February 1824 differs from that issued by this Court on 5th August 1854, for the Returns of Prisoners under security, and requests instructions as to which of the two he should follow in

is between the dates of receipt and disbu-
-ment in each instance.—

The Court direct that the
results of the further investigation re-
required be put in evidence and com-
-municated to them as soon as practi-
-ble, Extracts from the accounts for the
above period being at the same tim
submitted for their consideration.—

Ordered that Extract fro
these Proceedings be forwarded to the
Acting Session Judge of Combaconnum
for his information and guidance by
precept returnable within X days fro
and after its receipt.—

Sent following precept No /s

4th Roll

F. U.

Saturday
24th April 1855. At a Court of the Foujdaree Adalut.

Present

G. S. Hooper Esqr. } Puisne Judges
J. L. Strange Esqr. }

Read Calendar of Case No 25
of 1855 of the Session Court of Masulipatam.
(Here enter F. H. No 961 of 1855)

The Court of Foujdaree Adalut
approve of the recommendation made by
the Session Judge in this case that the
period of imprisonment which the Prisoner
noted in the margin has been adjudged
to suffer on her conviction of House
breaking and Theft be reduced to
(3) Three years 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 forwarded to the Session
Judge of Masulipatam for his information.

Sent in No.

Pr Chiravoory
Venkamah

Read Calendar of Case
No 27 of 1855 of the Session Court of
Bellary.

(Here enter F. H. No 987 of 1855)

The

19th Dy.

21st April 1855.

Ven Kutramadoo.

The Court of Foujdaree Adawlut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery be reduced to (3) Three years 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 Sessions Judge of Bellary for his information.

Sent in Do

Mr. T. L. Strange

Read Foujdaree Miscellaneous Petition presented on the 19th March 1855 by Kunjoomadhaya of Zillah Mangalore.

(Here enter F. M. P. No 103 of 1855.)

Petitioner appeals from an order passed by the Session Judge of Mangalore under date the 23rd December 1854, confirming the decision of the Head Assistant Magistrate of the 18th November (with the exception of reducing the fine of 100 Rupees to 25 Rupees). Petitioner urging that no charge having been made against him in the original Complaint, proceedings against him were irregular and otherwise taking exception to the Conduct

21st April 1855. conduct of the case and the inferences of the Sessions Judge, prays for a reversal of that order.

2 Before finally disposing of this Petition, the Court of Foujdaree Adawlut resolve to call upon the Sessions Judge to state what acts of violence or intimidation were committed in this case so as to constitute the offence one of a criminal nature.

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

Sent following Precept.

Read Miscellaneous Petition from Mootoosawmy Chetty forwarded by the Acting Sessions Judge Cuddalore.

(Here enter F. M. P. No 112/1855)

Mr. G. J. Roper
Mr. T. L. Strange

The petitioner appeals against the award passed upon him by the Sessions Judge in Case No 42 on the Cuddalore Calendar for 1853 adjudging him to find two sureties in the sum of 50 Rupees each for his good behaviour and appearance for and during a period of 3 Years.

As the sentence complained of was passed so far back as the 24th December

19th April 1855.

2nd April 1855.

The Court of Foujdaree
approve of the recommendation made
the Session Judge in his order that
Venkatramadu the period of imprisonment which he
noted in the margin has been adjudged
to suffer on his conviction of Highway
Robbery be revised to (3) Three years
with hard labor in irons, and they do au-
thorize the Session Judge to issue his
warrant accordingly.

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

Sent in &c.

Read Foujdaree Miscellaneous
Petition presented on the 19th March 1855 by
Nunjoonadhaja of Zillah Mangalore.
(Here enter F. M. P. No 103 of 1855.)

Mr. S. L. Stranp 1 Petitioner appeals from an
order passed by the Session Judge of
Mangalore under date the 23rd Decembr
1854, confirming the decision of the
Head Assistant Magistrate of the 18th
November (with the exception of reducing
a fine of 100 Rupees to 25 Rupees).
urging That no charge having been
against him in the original compla
proceedings against him were irre
and otherwise taking exception to
con

Ex. Thott

21st April 1855. conduct of the case and the inferences
of the Session Judge, prays for a
reversal of that order.

2 Before finally disposing
of this Petition, the Court of Foujdaree
Adalat resolve to call upon the Sessions
Judge to state what acts of violence
or intimidation were committed in this
case so as to constitute the offence
one of a criminal nature.

Ordered that Extract from
these Proceedings be sent to the Sessions
Judge of Mangalore by precept returna-
2 ble within V days from and after its
receipt.

Sent following Precept.

Read Miscellaneous Petition
from Mootoosawmy Chetty forwarded by the
Acting Sessions Judge Cuddalore.
(Here enter F. M. P. No 112/1855)

Mr. G. S. Roper 1 The petitioner appeals against
Mr. S. L. Stranp the award passed upon him by the Sessions
Judge in Case No 42 on the Cuddalore
Calendar for 1853 adjudging him to find
two sureties in the sum of 50 Rupees
each for his good behaviour and appearance
for and during a period of 3 Years.

As the sentence complained
of was passed so far back as the 24th
December

19th Ap

21st April 1855

Read again Calendar of Ca
No 10 of 1855 submitted by the Session Jud
of Coimbatore.

(Here enter F.R. No 812 of 1855)

Read also return dated 5th
Instant from the Session Judge of Coimbator
to the Precept of the Sonjdaree Adalut un
date the 31st March 1855 directing that the
Original record of Case No 10 of 1855 on th
Calendar of this Court be submitted for the
consideration and that in the mean time
the Prisoners be detained in custody
without labor and without irons.

(Here enter F.R. No 945 of 1855)

On review of the proceedings
held in this case the Court of Sonjdaree
Adalut see no grounds for questioning the
truth of the evidence offered. The Court
therefore affirm the sentence but reduce
the amount of punishment to 7 years
as proposed by the Session Judge.

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

Sent in &c

Read letter dated 3d Instant from the
Agent to the Governor of Fort St George at Ganjam, sub-
mitting for the final judgment of the Sonjdaree
Adalut the Record of Case No 1 of 1855 in the Calendar
of the Agents Court.

(Here enter F.R. No 985 of 1855)

21st April 1855.

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

The Court of Sonjdaree Adalut
remark that the record of this case
has been encumbered with the examination
of many useless witnesses.

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

Sent in &c

Read

19th Dy

21st April 1855.

Read Miscellaneous Petition presented on the 21st April 1855 by Mr. Phillip B. Gordon Vakeel on behalf of Poodookkottanasamy Calingarayan Gownden and others in Calendar No2 of 1855 on the file of the Sessions Court of Coimbatore.

(Rec'd vide R. O. No 125 of 1855)

Mr. T. L. Strange

1

The Court of Foujdaree Adalut observe that the charge laid against the prisoners is one of a very grave nature, and the Sessions Judge having found it sustained as respects certain of the prisoners they do not consider that they would be warranted in directing the release of these prisoners on bail, neither can the Court have them placed under the charge of the Nazir, or sanction their receiving food from outside, such indulgences not being permissible according to the rules existing for the safe custody of parties lying under a Criminal charge.

2

The Court of Foujdaree Adalut however direct that the 2d and 4th prisoners who have been acquitted but required to produce Security, be not subjected to labour in default of providing the Security until the Court may have had

the

21st April 1855.

the opportunity of judging from the record of the trial whether there have been grounds to justify the said requisition of security from these parties.

3

The Court further direct the Sessions Judge to take steps to have the translation of the record submitted to them as soon as practicable.

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

Sent following Precept &c.

Extract

Thos Lee

Read Criminal Rep
B. of the Subordinate Judge of Chittoor f
the Month of March 1856.

(Here enter F.C. No 973 of 1855)

1 The Court of Foujdaree Ad observe, with reference to the Case noted in the margin, that a seperate count sho have been framed upon each of the prison former convictions and embodied in the in dictment against him. as laid down in Circular Order Foujdaree Adalut No 193. B. dated 2d October 1850.

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

Sent in Do.

1 Read letter dated 4th April 1856 from the Sessions Judge of Chicacole.

(Here enter F.C. No 953 of 1855)

1 In the above letter the Ca Sessions Judge comments on the evidence adduced in a Case of Torture, in which the Acting Principal Assistant Magistrate Sentenced the Prisoners, excepting the 5th

x No 26 by the Inoffg Sup. Annex

5th to three Months imprisonment, and the 1st to a fine of 50 Rupees in addition, Commutable if not paid, to three Months further imprisonment.

2 The Sessions Judge places no reliance upon the statements of the Witnesses, and believes the charge to be unfounded; but as the case appears to have been taken up by the Acting Principal Assistant Magistrate in order to give effect to the recently published orders of the Government, the Session Judge solicits the opinion and orders of the Court, as to the course he should pursue in reviewing the Case.

3 The Court of Foujdaree Adalut observe that this is not a proper subject of reference to them. The Sessions Judge should pass his own orders in the Case, after he has formed a mature Judgment upon its merits.

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

Sent in Do.

Read

Read Criminal Repo
B. of the Subordinate Judge of Chittoor fo
the Month of March 1855.

(Here enter F.C. No. 973 of 1855)

1

The Court of Foujdaree Ad observe, with reference to the Case noted in the margin, that a seperate count sho have been framed upon each of the prior former convictions and embodied in the in dictment against him. as laid down in Circular Order Foujdaree Adalut No. 193. B. dated 2d October 1850.

* No 26 by the Inspr Chor Annun

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

Sent in No.

Read letter dated 4th April 1854 from the Sessions Judge of Chicacole.

(Here enter F.C. No. 953 of 1855)

1

In the above letter the Sessions Judge comments on the evidence adduced in a Case of Torture, in which Acting Principal Assistant Magistra sentenced the Prisoners, excepting

54

5th to three Months imprisonment, and the 1st to a fine of 50 Rupees in addition, commutable if not paid, to three Months further imprisonment.

2

The Sessions Judge places no reliance upon the statements of the Witnesses; and believes the Charge to be unfounded; but as the case appears to have been taken up by the Acting Principal Assistant Magistrate in order to give effect to the recently published orders of the Government, the Sessions Judge solicits the opinion and orders of the Court, as to the course he should pursue in reviewing the Case.

3

The Court of Foujdaree Adalut observe that this is not a proper subject of reference to them. The Sessions Judge should pass his own orders in the Case, after he has formed a mature Judgment upon its merits.

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

Sent in No.

Read

Read letter dated 16th April
from the Sessions Judge of Calicut submit
for the final judgement of the Foujdaree
Udalut the record of Case No. 12 of 1855 on
Calendar of the Session Court of Calicut
(Peremter No. 1013 of 1855)

Br. Gd. Hooper

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

1st Poonatha Coonhoo Kotan Nair
2d Tiroothennel Iruny Coothy and
4th Iranjery Thodil Choyee.

is sufficient to convict them of the crime
of Gang Robbery attended with aggravating
circumstances, and that against the prisoner

5th Iranjery Thodil Ramera

of having received part of the plundered
property knowing the same to have been
plundered, do convict them severally
thereof, and sentence the prisoners,

1st Poonatha Coonhoo Kotan Nair
2d Tiroothennel Iruny Coothy and
4th Iranjery Thodil Choye.

to be imprisoned and kept hard labor in irons
on

on the public roads or other public Works
for and during the period of (14) fourteen years
and the Prisoner

5th Iranjery Thodil Ramera

to be imprisoned and kept to hard labor in
irons on the public roads or other public
works for and during the period of (4)
four years, and being of opinion that the
prisoner

3d Irgachalil Comoo

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.

Sentence &c

Do Rd.

F. W.

Tuesday
24.th April 1855. At a Court of the Foujdaree Adalut.

Present

G. T. Hooper Esqre
T. L. Strange Esqre } Puisne Judges

Read Criminal Report
B for the month of March 1855, Zillah Masula-
patam.

(Here enter F.A. No 996/1855)

In the indictment in this case
no mention is made of the manner in which
the theft was committed, or of the place
in which the stolen goods were deposited-
both of which circumstances are material
in a charge of this kind. The nature
of the property stolen renders it probable
that it was secured within some building
or enclosure, the entry into which would
constitute the crime of housebreaking-
This may not have been the case,
but the charge should have been clear
on this point.

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

Sent in Ms

Read

24th April 1855.

Read Criminal Reports submitted by the Sessions Judge of Juntoor for the month of March 1855.

Report B
Case No 18.

(Here enter F.R. No 991/1855)

The Court of Foujdaree Udalut observe that the Official designation of the Prisoner in this case has been omitted.

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

Sent in No

Read return dated 10th instant from the Sessions Judge of Chittoor to the proceedings of the Foujdaree Udalut under date the 30th ultimo returning for amendment certain Criminal Statements for the year 1854.

(Here enter F.R. No 962 of 1855)

From the explanation furnished by the Sessions Judge in para 2 of his Return, the Court of Foujdaree Udalut observe that the Readers in each of the Columns 10 and 12 under the heads Nos 48 of the Statement No 2 should have been 4.

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

Sent in No

Read

24th April 1855.

Read the Criminal Reports submitted by the Sessions Judge of Bellary for the year 1854.

(Here enter F.R. No 926 of 1855)

Statement shewing the nature and the result of charges preferred against the Police.

The Court of Foujdaree Udalut direct that in this Statement the foot note required in para 2 of this Court's letter dated 1st April 1853, be added.

Comparative Abstract 2

The entries in Columns 2 & 4 & 9 of the Abstract of Petty Offences should have been 3571 - 4468 and 3539.

3 The entry of one Case of attempt at Murder should have been included in Column 2 of the Abstract of Crimes and Misdemeanors.

4. The necessary corrections in this Abstract have been made in the Registers Office.

Statement No 3
Bengal Form

5 The entries in Column 2 under the heads Nos 64 & 65 should be 91 & 56 according to the corresponding entries in the Statements Nos 1 to 4 as given in the Memorandum appended to the Circular letter of this Court dated 20th June 1853.

6 The Sessions Judge will report the manner in which the Sudder Ameen has exercised the Criminal jurisdiction vested in him, as required under Circular Proceedings of this Court dated 18th February

24th April 1855.

Read Criminal Reports submitted by the Sessions Judge of Tanjore for the year 1854.

(Here enter F.R. No 926 of 1855)

The Court of Foujdaree Adawlut observe that the Official designation of the Prisoner in this case has been omitted.

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

Sent in No

Read return dated 10th instant from the Sessions Judge of Chittoor to the query of the Foujdaree Adawlut under date the 30th ultimo returning for amendment certain Criminal Statements for the year 1854.

(Here enter F.R. No 962 of 1855)

From the explanation furnished by the Sessions Judge in para 2 of his Return the Court of Foujdaree Adawlut observe that the cases in each of the Columns 10 and 12 under the head No 48 of the Statement No 2 should have been 4.

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

Sent in No

Read

Report B
Case No 18.

24th April 1855.

Read the Criminal Reports submitted by the Sessions Judge of Bellary for the year 1854.

(Here enter F.R. No 926 of 1855)

Statement shewing the nature and the result of charges preferred against the Police.

1 The Court of Foujdaree Adawlut direct that in this Statement the foot note required in para 2 of this Court's letter dated 1st April 1853, be added.

Comparative Abstract

2 The entries in Columns 2 1/4 1/9 of the Abstract of Petty offences should have been 3571 - 4468 and 3539.

3 The entry of one Case of attempt at Murder should have been included in Column 2 of the Abstract of Crimes and Misdemeanors.

4. The necessary corrections in this Abstract have been made in the Register's Office.

Statement No 3 Bengal Form

5 The entries in Column 2 under the heads Nos 64 & 65 should be 91 & 56 according to the corresponding entries in the Statements Nos 1 to 4 as given in the Memorandum appended to the Circular letter of this Court dated 20th June 1853.

6 The Sessions Judge will report the manner in which the Sudder Ameen has exercised the Criminal jurisdiction vested in him, as required under Circular Proceedings of this Court dated 18th February

24th April 1855.

Read Criminal Reports submitted by the Session Judge of Juntoor for the year of March 1855.

Report B
Case No 18.

(Here enter F. R. No 991/1855)

The Court of Foujdaree Adalut observe that the Official designation of the Prisoner in this case has been omitted.

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

Sent in No.

Read return dated 10th instant from the Session Judge of Chittoor to the letter of the Foujdaree Adalut under date the 31st ultimo returning for amendment certain Criminal Statements for the year 1854.

(Here enter F. R. No 962 of 1855)

From the explanation furnished by the Session Judge in para 2 of his Return the Court of Foujdaree Adalut observe that the Readers in each of the Columns 10 and 12 under the head; "Sex" of the Statement No 2. should have been 4.

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

Sent in No.

Read

24th April 1855.

Read the Criminal Reports submitted by the Session Judge of Bellary for the year 1854.

(Here enter F. R. No 926 of 1855)

Statement shewing the nature and the result of charges preferred against the Police.

The Court of Foujdaree Adalut direct that in this Statement the foot note required in para 2 of this Court's letter dated 1st April 1853, be added.

Comparative Abstract 2

The entries in Columns 2 & 4 & 9 of the Abstract of Petty Offences should have been 3571 - 4468 and 3539.

3 The entry of one Case of attempt at Murder should have been included in Column 2 of the Abstract of Crimes and Misdemeanors.

4. The necessary corrections in this Abstract have been made in the Register's Office.

Statement No 3 Bengal Form

5 The entries in Column 2 under the heads Nos 64 & 65 should be 91 & 56 according to the corresponding entries in the Statements Nos 1 to 4 as given in the Memorandum appended to the Circular letter of this Court dated 20th June 1853.

6 The Sessions Judge will report the manner in which the Sudder Ameen has exercised the Criminal jurisdiction vested in him, as required under Circular Proceedings of this Court dated 18th February

24th April 1855. February 1845.

7

The submission of the Statements of Batta paid to the Prosecutors and Witnesses attending before the Sessions Court during the year 1854 was unnecessary.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Bellary by Precept returnable within 2 days from and after its receipt.

Sent following Precept No.

Read Letter dated 9th February 1855 from the Sessions Judge of Coimbatore submitting, with reference to Para 13 of an Extract from the Proceedings of the Foujdaree Adalut dated the 23rd January 1854, for the orders of the Judges copy of para 2 of a return made by the Magistrate to a Precept issued under date the 27th January 1855.

(Here enter F. R. No 439 of 1855)

Read Letter dated 17th March 1855 from the Acting Sessions Judge of Honore forwarding Criminal Reports of the Principal Sudr Ameen's Court for February 1855, and stating that the Reports received from the Sudr Ameen of Sirsy have been returned for correction, and will be submitted as

24th April 1855. as soon as received back.

(Here enter F. R. No 854 of 1855)

Read Return dated 27th March 1855 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Adalut under date the 22nd March 1855 directing the unconditional release of the Prisoner in Case No 2 of the Calendar for 1855.

(Here enter F. R. No 856 of 1855)

Signature

End

J. A. S.

F. U

Thursday 26th April 1855. At a Court of the Foujdaree Udalut

Present

J. L. Stoqueler Esqre
F. L. Strange Esqre } Puisne Judges

Read Calendar in Case No 26 of 1855, in the Sessions Court of the Zillah of Calicut. (Here enter F. U. No 1005/1855)

In view of this Calendar, the Court of Foujdaree Udalut resolve to cancel the requisition of security as the Tally with the Prisoner has not been found to be stolen property.

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

Sent following Precept.

Read Return dated 17th Instant from the Agent at Kurnool to the precept of the Foujdaree Udalut under date the 14th idem calling for certain explanation with regard to Statement No 2 submitted for the year 1854.

(Here enter F. U. No 1055 of 1855)

He

F. C.

Thursday
26th April 1855. At a Court of the Foujdaree Adalut

Present

J. S. Hooper Esqre
J. L. Strange Esqre } Puisne Judges

Read Calendar in Case No 326 of 1855, in the Session Court of the Zillah of Calicut. (Here enter F. R. No 1005/1855)

In view of this Calendar, the Court of Foujdaree Adalut resolve to cancel the requisition of security as the Tally with the Prisoner has not been found with the Prisoner has not been shown to be stolen property.

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

Sent following Precept.

Read Return dated 17th Instant from the Agent at Kurnool to the precept of the Foujdaree Adalut under date the 14th idem calling for certain explanation with regard to Statement No 2 submitted for the year 1854.

(Here enter F. R. No 1055 of 1855)

The

26th April 1855.

1

The Court of Foujdaree Adawlut direct that it be intimated to the Agent that the Proceedings dated 24th June 1854 which he states in his return have not been received in his Office, were dispatched to the Agent on the same date with a Precept and that his return thereto dated 3rd July 1852 was received in the Registrar's Office.

2.

The Court direct that a Copy of the said Proceedings be now sent to the Agent.

Ordered that Extract from these Proceedings be sent to the Agent at Kurnool for his information.

Sent in Do

Read Calendar dated 27th March 1855 submitted by the Sessions Judge of Chingleput of a trial held for Highway Robbery in Sessions Case No. 17 of 1855.

(Here enter F. H. No 855/1855)

Read Return dated 29th March 1855 from the Sessions Judge of Nellore to the precept of the Foujdaree Adawlut under date the 24th March 1855 directing the immediate and unconditional release of the Prisoner in Calendar No. 53 of 1854.

(Here enter F. H. No 856/1855)

Here

26th April 1855.

Read Return dated 30th March 1855 from the Sessions Judge of Nellore to the precept of the Foujdaree Adawlut under date the 28th March 1855 directing submission of the translation of the entire record in Case No 8 of 1855. if the Sessions Judge cannot concur in passing the sentence.

(Here enter F. H. No 861/1855)

Read Copy of the Calendar dated 26th March 1855 from the Sessions Judge of Calicut, in Case No 15 of 1855.

(Here enter F. H. No 863/1855)

Read Calendar dated 28th March 1855 from the Sessions Judge of Cuddapah in Case No 11 for 1855.

(Here enter F. H. No 865/1855)

Read Calendar dated 28th March 1855 from the Sessions Judge of Cuddapah in Case No 12 of 1855.

(Here enter F. H. No 866/1855)

Read Calendar dated 19th March 1855 from the Sessions Judge of Coimbatore, of a prisoner in Case No 13

of

26th April 1855.

of 1855 of the Sessions Court committed for trial by the Principal Sudder Ameen of Coimbatore with remarks annexed by the Sessions Judge.

(Here enter F.R. No 867/1855.)

Read Letter dated 29th March from the Acting Sessions Judge of Madura submitting the warrant issued for the apprehension of the Prisoner Savoondera Ummanah in Calendar Case No VII of 1855.

(Here enter F.R. No 873/1855.)

Read Copy of the Calendar dated 29th March 1855 from the Sessions Judge of Mangalore in Case No 11 of 1855.

(Here enter F.R. No 876/1855.)

Read Calendar dated 29th March 1855 from the Sessions Judge of Trichinopoly in Case No 8 of 1855.

(Here enter F.R. No 877/1855.)

Read Calendar dated 27th March 1855 from the Acting Sessions Judge of Salem in Case No 5 of 1855.

(Here enter F.R. No 882/1855.)

Read

26th April 1855.

Read Calendar dated 27th March 1855 from the Acting Sessions Judge of Honore in Case No 6 of 1855 with remarks of the Sessions Court.

(Here enter F.R. No 886/1855.)

Read Calendar dated 30th March 1855 from the Sessions Judge of Masulipatam in Case No 24 of 1855 on the file of the Sessions Court.

(Here enter F.R. No 888/1855.)

Read Petty Calendars dated 28th March 1855 from the Sessions Judge of Mangalore, received from the Magistracy for the fourth Quarter of 1854.

(Here enter F.R. No 896/1855.)

Cumpr Keller

End

J.W. Shunkers

F. C.

Friday ---
27th April 1855

At a Court of the Fouzdaree Adalut

Present

G. S. Hooper Esqre
T. L. Strange Esqre
} Puisne Judges.

Read letter dated 5th April 1855 from the Acting Agent to the Governor of Vizagapatam, submitting for the final Judgment of the Fouzdaree Adalut the Record of Case No. 7 of 1855 of the Calendar of the Sessions Court.-

(Here enter F. C. No. 1053 of 1855.)

The Court of Fouzdaree Adalut
Mr. G. S. Hooper
and
Mr. T. L. Strange
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 Vulloory Vanamah alias
Gopaldoo"

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

F. C.

Friday - - - 27th April 1855 — At a Court of the Foujdaree Adalut

Present

G. S. Hooper Esqre
T. L. Strange Esqre } Puisne Judges.

Read letter dated 5th April 1855 from the Acting Agent to the Governor of Vizagapatam, submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 7 of 1855 of the Calendar of the Session Court.-

(Here enter F. C. No. 1053 of 1855.)

The Court of Foujdaree Adalut

Mr. G. S. Hooper
and
Mr. T. L. Strange

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

"1. Vulloory Vanamah alias
Gopaldoo"

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

27th April 1855.

hanged at the usual time and place of execu-

Lt Wm Watt

(Sent in to) to

Tom Allen

Saturday.
28th April 1855.

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 Miscellaneous Petition pre-
=sented on 16th Instant by Sawmy Tyen of
Tillah Combaconum.

(Here enter F. U. No. 116/1855)

The Petitioner prays the Court
of Foujdaree Udalut to revise the Proceed-
=ings held before the Sessions Judge of Comba-
=conum in Case No. 2 of 1855 in which the
Prisoner Ramien was tried for attempting
to commit rape on the person of the Peti-
=tioner's wife but was acquitted.

The Prisoner in the above
case having been tried and acquitted by a
competent Court, the sentence cannot be
disturbed and this Petition is therefore re-
=jected.

Mr. G. S. Hooper

Ordered that Extract from these Pro-
be granted to Petitioner on application.

Read

28th April 1855.

Read Foujdaree Miscellaneous Petition presented on the 1st March 1855 by P. B. Norton Esquire and S. Seramala Chetty Vakeels on behalf of Rama Punditur of Tillah Madura praying the Court of Foujdaree Udalut to reconsider their orders passed on the 21st August 1854 on Foujdaree Miscellaneous Petition No. 142 of 1854 granting the prayer of that Petitioner and overruling the decision of the Magistrate.

(Here enter F. M. P. No. 74/1855)

Mr. G. S. Hooper.
Mr. T. L. Strange.

The Court of Foujdaree Udalut seeing no reason for interfering with the order passed by them in the matter of this Petition review of which is asked for, resolve to reject the same.

Ordered that Extract from the Proceedings be granted to Petitioner's Vakeels on application.

Read Miscellaneous Petition presented on the 16th April 1854 by Davaroy of Tillah Trichinopoly.

(Here enter F. M. P. No. 120/1855)

The Petitioner appeal on behalf of the 4th and 5th Prisoners in the Case

28th April 1855.

case No. 15 of 1854 against the sentence of 14 years' imprisonment passed upon them among others, by the Sepoy Judge of Trichinopoly on their conviction of the crime of Robbery by open violence.

Mr. G. S. Hooper.

The Court of Foujdaree Udalut see no reason to question the correctness of the sentence appealed against and they therefore resolve to reject this Petition.

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

Read Miscellaneous Petition from B. Venkata Reddy forwarded by the Sepoy Judge of Rajahmundry

(Here enter F. M. P. No. 118/1855)

The Court of Foujdaree

Mr. T. L. Strange.

Udalut seeing no reason to question the propriety of the sentence passed by them upon the Petitioner, Prisoner in Case No. 22 of 1854 on the file of the Sepoy Court of Rajahmundry resolve to reject this Petition.

Ordered that Extract from these Proceedings be sent to the Sepoy Judge of Rajahmundry for his information and for communication to the Petitioner

19

28th April 1855.

Petitioner.

/ Sent in No. /

Read Miscellaneous Petition from P. Venkadoo and another forwarded by the Session Judge of Rajahmundry.

(Here enter F. M. P. No. 119/1855)

1 The Petitioners, Prisoners in Case No. 3 of 1855 of the Sessions Court of Rajahmundry, pray the Court of Fouzdaree Udalut to issue orders for their release.

Mr. G. S. Hooper.
Mr. T. L. Strange.

2 Before disposing of the above Petition the Court of Fouzdaree Udalut resolve to direct the Session Judge of Rajahmundry to submit an English Translation of the record connected with the aforesaid case.

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

/ Sent following Precept No. /

Read again Miscellaneous Petition presented on the 15th January 1855 by Shaik Hyder Saib Sunay Tillah Combaconum

(Here enter F. M. P. No. 18/1855)

F. U.
28th April 1855.

Read Return dated 19th April 1855 made by the Acting Session Judge of Combaconum to Extract from the Proceedings of the Fouzdaree Udalut dated 17th February referring for disposal the Petition presented by the above-named party against the dismissal of his appeal from a decision of the Magistrate of Tanjore.

(Here enter F. U. No. 1054/1855)

Mr. G. S. Hooper.
Mr. T. L. Strange.

As the Acting Session Judge with the above Return has forwarded copy one made by the Magistrate of Tanjore to the Precept of the Session Court of Combaconum stating that the Petitioner Shaik Hyder Saib Sunay has been inducted according to the Court's order into the Mosque as the person having the best right to officiate therein, no further order is necessary on this Petition.

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

Read the Criminal Reports submitted by the Session Judge of Masulipatam for

28th April 1855.

Petitioner.

/Sent in No. /

Read Miscellaneous Petition from P. Venkador and another forwarded by the Session Judge of Rajahmundry.

(Here enter F. In. P. No. 119/1855)

1 The Petitioners, Prisoners in Case No. 3 of 1855 of the Session Court of Rajahmundry, pray the Court of Foujdaree Udalut to issue orders for their release.

Mr. G. S. Hooper.
Mr. T. L. Strange.

2 Before disposing of the above Petition the Court of Foujdaree Udalut resolve to direct the Session Judge of Rajahmundry to submit an English Translation of the record connected with the aforesaid case.

Ordered that Extracts from these Proceedings be sent to the Session Judge of Rajahmundry by Precept returnable in days from and after its receipt.

/Sent following Precept No. /

Read again Miscellaneous Petition presented on the 15th January 1855 by Shaik Hyder Saib Sunay Lillah Combaconum

(Here enter F. In. P. No. 18/1855)

F. U.
28th April 1855.

Read Return dated 19th April 1855 made by the Acting Sessions Judge of Combaconum to Extract from the Proceedings of the Foujdaree Udalut dated 17th February referring for disposal the Petition presented by the above-named party against the dismissal of his appeal from a decision of the Magistrate of Tanjore.

(Here enter F. U. No. 1054/1855)

Mr. G. S. Hooper.
Mr. T. L. Strange.

As the Acting Sessions Judge with the above Return has forwarded copy one made by the Magistrate of Tanjore to the Precept of the Sessions Court of Combaconum stating that the Petitioner Shaik Hyder Saib Sunay has been inducted according to the Court's order into the Mosque as the person having the best right to officiate therein, no further order is necessary on this Petition.

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

Read the Criminal Reports submitted by the Sessions Judge of Masulipatam

for

28th April 1855

for the year 1854.

(Here enter F. C. No. 988/1855)

Appendix A to Statt. No. 3 A.

1 The Court of Foujdaree Udalut observe that the two persons imprisoned in default of payment of fine should also be included under the heads "Imprisoned" minor columns under 3. 12. Vca months"

Statt. shewing the cases involving grave injury.

2 The two cases of Perjury entered in the statement No. 4 as primarily cognizable by the Court, should have been entered in this statement.

Comparatives Abstract.

3 The Entries in Columns 19 and 20 of the abstract of Petty Offences should have been 4238 and 162.

4 In the abstract of Crimes and Misdemeanors the cases of attempts should have been included under the heads of such crimes.

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

(Sent following Precpte No)

Read Miscellaneous Petition presented

F. C.

28th April 1855.

presented on the 16th Instant by Moonichy and Chinny of Tillah Chingleput praying for the release of the 8th and 9th Prisoners in Case No. 38 of 1854 of the Sessions Court of Chingleput.

(Here enter F. M. P. Nos 113 & 114/1855)

Mr. G. S. Hooper

1 Before disposing of the foregoing Petitions, the Court of Foujdarry Udalut resolve to direct the Sessions Judge of Chingleput to submit an English Translation of the record of trial connected with the aforesaid case.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Chingleput by Precpte returnable in X days from and after its receipt.

(Sent following Precpte No)

Read Miscellaneous Petition presented on the 15th April 1855 by John Tanchoo Menon Vakeel on behalf of Sabapathy Pillay younger brother of Aronachella Pillay of Combaconum.

(Here enter S. P. No. 115/1855)

The Petitioner states in his Petition that his brother was employed by

28th April 1855.

by the Head Assistant Collector of Tanjore to detect some smuggled salt, that having succeeded in this and having caused the apprehension of the Smugglers, a feeling of jealousy arose among his enemies and a false charge of bribery was preferred against him before the Head Assistant Magistrate who on investigation sentenced him on the 13th November 1854 to six months' imprisonment with hard labor in irons and to pay a fine of 45 Rupees.

2 Against this sentence his brother appealed both to the Magistrate and to the Sessions Judge but received no redress. The Petitioner therefore now prays the Court of Foujdaree Adalut will be pleased to send for and refer to the proceedings of the case and order the release of his brother from imprisonment.

Mr. G.L. Hooper. 3 Before passing a final order on this Petition the Court of Foujdaree Adalut resolve to call for the proceedings in the case in question.

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

(Sent following Precept to Mr. [illegible])

Mr. Thos. R.

F. C.

Monday ---- 30th April 1855. At a Court of the Foujdaree Adalut

Present.

G. L. Hooper Esqr. } Puisne Judges
J. L. Strange Esqr. }

Read Criminal Report for the Month of March 1855 Zillah of Bellary.

B.

(Here enter F. C. No. 1043A of 1855.)

The Court of Foujdaree

Nos. 58 and 59 of 1855. 1. Adalut observe that the matter respecting which the prisoners in these Cases perjured themselves should have been embodied in the charges.-

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

Sent in No.

Read return made by the Sessions Judge of Calicut dated 10th April 1855 to the Extract from the Proceedings of the Court of Foujdaree Adalut dated 10th March 1855.-

(Here enters F. C. No. 970 of 1855.)

Read

30th April 1855.

Read again Miscellaneous
Petition presented on the 19th February 1855
by S. Seroomala Chamy Vakeel on behalf
of Elia Rajah of Zillah Calicut.

(Here enter F. M. P. No 63 of 1855.)

1. The Session Judge in his
return of the above date reports that
the Elephant referred to in the Extract
of Proceedings of the Foujdaree Adalut
had been placed by the Petitioner and
others in the keeping of a 3d party who
produced it before the Sessions.

2. The Court of Foujdaree
Adalut direct that as it is shown
that the Elephant was in possession
of the Petitioner when delivered over
to the 3d party, it be delivered up to
him (Petitioner) and any other claimant
be referred to a Civil action for the
establishment of his right.

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

(Sent in No)

Read

30th April 1855.

Read Criminal Reports
Submitted by the Session Judge of
Coimbatore for the Month of March 1855

(Here enter F. C. No 1026 of 1855.)

Report B
Case No 204.

In this Case the Prisoner,
1.
who was charged with "attempt at suicide"
was apprehended on the 27th October - left
the Talook on the 16th December 1854, and
was committed for trial by the Principal
Sudder Ameen on the 19th March 1855.-
The Court of Foujdaree Adalut require
an explanation of the great delay
in the disposal of their Case by the
Several authorities, as well as of the
grounds on which the Principal Sudder
Ameen deemed its committal called

Asst. Magistrates for.
Reports.
Case No 1.

for.

The Court of Foujdaree
2.
Adalut direct that the Session Judge
will review the Proceedings of the
Assistant Magistrate in this Case with
a view to determine whether the requisition
for security is well founded.-

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

(Sent in No)

Read letter dated 17th April 1855 from the Acting Sessions Judge of Combaconum.-

(Here enter F. Co. No. 1019 of 1855.)

1. With the above letter the Acting Sessions Judge submits for the consideration and orders of the Court of Fouzdaree Udalut copy of a communication from the Acting Subordinate Judge, in which that officer adverting to a case of perjury committed by the District Moonsiff of Keevalore, points out certain peculiarities in connection with the said case and requests instructions for his guidance in regard to its disposal

2 The Court of Fouzdaree Udalut observe that the Regulation to which the parties charged with the abstraction of the receipts referred to in the above communication were amenable was Regulation VIII of 1829, and under the provisions of that enactment the District Moonsiff was competent to hold a preliminary investigation into

into the matter. But as such investigation does not constitute a judicial proceeding upon which perjury as defined by Section IV Regulation VI of 1811 may arise, the Court of Fouzdaree Udalut are of opinion that the District Moonsiff was not competent to make the examination on oath or solemn affirmation.-

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

(Sent in No.)

Read letter dated 17th April 1855 from the Agent to the Governor of Fort St. George at Kurnool

Herewith enter F. Co. No. 1024 of 1855.

1 In the above Letter the agent reports the occurrence of a Gang Robbery attended with Murder in the Temple of Shreesailum in the Atmacoor Taloke, and requests the permission of the Court of Fouzdaree Udalut to offer a reward of Rs. 500 to any person who may give

give such information as may lead to the apprehension and conviction of the parties.-

2. In view of the circumstances stated in the above communication, the Court of Fouzdaree Adalut resolve, in exercise of the authority vested in them by Section XXI Regulation IX of 1816 to sanction the offer of a reward of Rupees 300 for the apprehension of the Sirdar, and Rupees 75 for that of each of the inferior offenders.-

Ordered that Extract from these Proceedings be forwarded to the Agent at Kurnool for his information and guidance.-

(Sent in No.)

Read criminal Report submitted by the Sessions Judge of Tellicherry for March 1855.-

(Here enter F. Co. No. 1002 of 1855.)

Criminal Case / No. 18.-

His Sentence appearing to the Court of Fouzdaree Adalut too severe, they resolve to direct the Sessions Judge to review the Case in order to the mitigation

mitigation of the said Sentence.-

No. 20

2. The Court of Fouzdaree Adalut require to be informed by the Session Judge, whether so severe a Sentence is called for in this case.- The Session Judge will at the same time report the Sentence should he deem fit.-

No. 21. 2d. count

3. His Count is inaccurately worded and the Count itself was altogether unnecessary. The property was not fraudulently obtained, but was put in Charge of the Prisoner.- Their having the property could in itself constitute no crime against them.-

Ordered that Extract from

4. these Proceedings be sent to the Session Judge of Tellicherry by Precept returnable within X days from and after its receipt

(Sent following precept No.)

Read Criminal Report for the Month of March 1855 forwarded by the Principal Sudder Ameen, in charge of Session Court of Nellore

(Here enter F. Co. No. 1018 of 1855.)

B

Nos 31 & 32 by P.S.A. Ameen.

These case should have been

give such information as may lead to
the apprehension and conviction of the
parties.-

2. In view of the circumstances
stated in the above communication,
the Court of Foujdaree Adalut resolve,
in exercise of the authority vested in
them by Section XXI Regulation IX of
1816 to sanction the offer of a reward
of Rupees 300 for the apprehension of the
Sirdar, and Rupees 75 for that of each
of the inferior offenders.-

Ordered that Extract from
these Proceedings be forwarded to the
Agent at Kurnool for his information
and guidance.-

(Sent in Kr.)

Read criminal Report
submitted by the Sessions Judge of Tellicherry
for March 1855.-

(Here enter F. Qr. Kr. 1002 of 1855.)

Criminal Case
Kr. 18.-

This Sentence appearing
to the Court of Foujdaree Adalut too
Severe, they resolve to direct the Sessions
Judge to review the Case in order to the
mitigation

mitigation of the said Sentence.-

Kr. 20

2. The Court of Foujdaree
Adalut require to be informed by the
Session Judge, whether so severe a Sentence
is called for in this case.- The Session
Judge will at the same time report
the Sentence should he deem fit.-

Kr. 21. 2d. count

3. This Count is inaccurately
worded and the Count itself was altogether
unnecessary. The property was not
fraudulently obtained, but was put
in charge of the Prisoner.- Their having
the property could in itself constitute
no crime against them.-

Ordered that Extract from
4. these Proceedings be sent to the Session
Judge of Tellicherry by Precept returnable
within X days from and after its receipt

(Sent following precept Kr.)

Read Criminal Report
B for the Month of March 1855 forwarded
by the Principal Sudder Ameen in
charge of Session Court of Nellore

(Here enter F. Qr. Kr. 1018 of 1855.)

These Case should have
been

Krs. 31 & 32 by P.S. 1.
Ameen.

30th April 1855.

No. 33.

been headed "Housebreaking with theft"

2. The charge does not state clearly what building the 1st Prisoner entered, nor the manner in which he effected his entry, the terms of the indictment do not bear out the heading which is "Housebreaking with theft".

3. If duly convicted of house breaking with theft the sentence passed upon the 1st prisoner is an inadequate one.-

Ordered that Extract from these proceedings be sent to the Principal Sudder Ameen in charge of Sessions Court of Nellore for his information

(Sent in No.)

Read Calendar of Case No 114 of 1855, on the file of the Sessions Court of Cuddapah.

(Herewith Fl. Co. No 1014 of 1855.)

The Court of Foujdaree Adalut observe that the charge in the above Case is incomplete. The value of the property and the mode in which the robbery was effected should have been

30th April 1855.

been specified. A description of the property should also have been appended.-

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

(Sent in No.)

Read letter dated 20th April 1855 from the Sessions Judge of Mangalore submitting for the final Judgment of the Foujdaree Adalut the Record of Case No 12 of 1855 of the Calendar of the Sessions Court.-

(Herewith Fl. Co. No 1071 of 1855.)

Mr. J. 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.-

"Madana"

is sufficient to convict him of the crime of Culpable Homicide, for which the penalty of Deyut is awardable under the Mohummedan Law as declared in Fatwahs of their Law officers do convict him

him thereof, and under the provisions of
Clause Second Section XV Regulation VII
of 1802 and Section XXXV Act VII of 1843 sentence
him to be imprisoned and kept to labour
suitable to his age for and during the
period of (1) one year.

Sent in Nº

Read Calendar of Case Nº 19
of 1855 Submitted by the Sessions Judge of
Calicut under date the 20th April 1855.

(Here enter F. Gr. Nº 1063 of 1855)

Read Calendar of Case Nº 20
of 1855 Submitted by the Sessions Judge of
Calicut under date the 20th April 1855.

(Here enter F. Gr. Nº 1064 of 1855.)

Read Calendar of Case Nº 21
of 1855 Submitted by the Sessions Judge of
Calicut under date the 20th April 1855.

(Here enter F. Gr. Nº 1065 of 1855.)

Read Calendar of Case Nº 22
of 1855 Submitted by the Sessions Judge of
Calicut under date the 20th April 1855.

(Here enter F. Gr. Nº 1066 of 1855.)

Read Calendar of Case Nº 11 and
5 of 1855. Submitted by the Acting Sessions of Hosmr
under date the 19th April 1855.

(Here enter F. Gr. Nº 1076 of 1855.)

Read

Read Calendar of Case Nº
14 of 1855 Submitted by the Sessions Judge
of Mangalore under date the 20th April 1855

(Here enter F. Gr. Nº 1078 of 1855.)

Read Calendar of Case
Nº 4 of 1855 Submitted by the Sessions Judge
of Rajahmundry under date the 18th April
1855.

(Here enter F. Gr. Nº 1080 of 1855.)

Read Calendar of Case Nº
5 of 1855 Submitted by the Sessions Judge
of Tellicherry under the 10th April 1855.

(Here enter F. Gr. Nº 1081 of 1855)

Read Extract from the
Proceedings of the Sessions Court of Trichinopoly
under date the 23rd April 1855. Forwarding
the Calendar of persons punished Vizt
by the Magistrate and his assistants
during the 1st Quarter of 1855.

(Here enter F. Gr. Nº 1085 of 1855.)

Read Calendar of Case Nº 23
of 1855 Submitted by the Sessions Judge of
Coimbatore under date the 12th April 1855.

(Here enter F. Gr. Nº 1095 of 1855)

Read

30th April 1855.

Read letter dated 25th April
1855. from the Acting Subordinate Judge
of Salem, Forwarding a descriptive
Roll of the 43 Convicts sent to Paumben
4 Sheets (Here enter F.C. No. 1098 of 1855.) "

Tuesday
1st May 1855.

F. C.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqr. } Puisne
T. L. Strange Esqr. } Judges

Read Criminal Report B of Cases disposed of by the Magistrate of Malabar during the month of March 1855.

(Here enter F. C. No. 1027/1855)

1 The Court of Foujdaree Udalut observe that the form in which Case No. is entered in the above Report is irregular. The sentence of the Joint Magistrate should have been recorded and the Magistrate's proceedings in revision appended.

2 The Court of Foujdaree Udalut observe, however, that it would have been better to have referred the Appellant to the Session Judge, who in the opinion of the Court of Foujdaree Udalut is the authority to whom all appeals from the decisions of the Junior Magistracy under their extended powers should lie.

+Vide p. 5 of C. O. F. U. No 205.

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

Sent in Ss.

Read

1st May 1855.

Read again Criminal Reports submitted by the Acting Agent to the Governor of Yanjam for the Month of February last.

(Here enter F. R. No 825 of 1855)

Read also return dated 13th April 1855 from the Acting Agent to the Governor of Fort St. George at Yanjam to the precept of the Fouzdaree Adalut under date the 3rd idem informing that the orders of the Fouzdaree Court have been carried into execution.

(Here enter F. R. No 1020/1855)

1 In the 2d para of the foregoing return, the Acting Agent adverting to the remarks of the Court of Fouzdaree Adalut upon Case No 73 in the above Reports requests to be informed "after what lapse of time complaints against public Servants should not be entertained and if there are now on the file should be struck off, if over the prescribed period."

2. The Court of Fouzdaree Adalut observe that the question put by the Acting Agent is on the face thereof a superfluous one; it being clear that the intention of the Court was simply to put a check upon Criminal prosecution on antiquated charges preferred by parties who have hitherto not chosen to seek the redress which the law affords them and

1st May 1855. and that as to the period within which such charges should be received, the matter can only be decided on by exercise of discretion.

3 As regards the prosecution of such charges by Civil action which in that form the Acting Agent conceives would be unsustainable, the Court of Fouzdaree Adalut deem it proper to refer the Acting Agent to Clause 7th Section XII Regulation XII of 1802 where that course is the prescribed one in the instance of a certain class of public Servants.

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

Sent in Ss

Read Report of a Case pending on the 28th February and committed for trial during the Month of March 1855 before the Sessions Court of Combaconum.

(Here enter F. R. No 900 of 1855)

Read Calendar of Cases No 8 of 1855 on the file of the Sessions Court of Salem.

(Here enter F. R. No 907 of 1855)

Read

1st May 1855

Read Report of Cases pending on the 1st April 1855 before the Sessions Court of Rajahmundry for a longer period than 25 days.

(Here enter F.R. No 914 of 1855)

Read Calendar of Case No 10 of 1855 on the file of the Sessions Court of Nellore.

(Here enter F.R. No 915 of 1855)

Read Calendar of Case No 12 of 1855 on the file of the Sessions Court of Cuddalore.

(Here enter F.R. No 916 of 1855)

Read Report of Cases pending on the 28th February and committed for trial during the month of March 1855 which remained on the file of the Sessions Court of Cuddapah for more than 25 days.

(Here enter F.R. No 918 of 1855)

Read Report of Cases pending on the 28th February and committed for trial during the month of March 1855 before the Sessions Judge of Calicut.

(Here enter F.R. No 921 of 1855)

Read

1st May 1855.

Read Letter dated 3rd April 1855 from the Acting Sessions Judge of Cuddalore forwarding Copy of a letter with its enclosure from the Acting Principal Sudder Ameen explanatory of the grounds under which he committed the Sessions Case No 1 of 1855 to the Sessions Court.

(Here enter F.R. No 922 of 1855)

Read Petty Calendars of the Magistracy of Chingleput for the 4th Quarter ending on the 31st December 1854.

(Here enter F.R. No 925 of 1855)

Read Calendar of Case No 15 of 1855 on the file of the Sessions Court of Tinnevelly.

(Here enter F.R. No 929 of 1855)

Read Calendar of Case No 15 of 1855 on the file of the Sessions Court of Cuddapah.

(Here enter F.R. No 930 of 1855)

Read

pt May 1855.

Read Calendar of Case
№ 13 of 1855 on the file of the Sessions
Court of Cuddapah.

(Here enter F. R. № 971 of 1855)

Read Extract from the Proceedings of the Sessions Court of Tinnevelly held on review of the Monthly Reports of Cases disposed of by Police Officers together with the explanation submitted by the Magistrate

(Here enter F. R. № 974 of 1855)

Read Calendar of a trial held for culpable Homicide in Sessions Case №9 of 1855 on the file of the Sessions Court of Chingleput.

(Here enter F. R. № 975 of 1855)

Read Return dated 4th April 1855 from the Sessions Judge of Calicut to the Precept of the Fouzdaree Adalut under date the 28th March 1855 conveying their observations on the Criminal Reports for the month of February last.

(Here enter F. R. № 952 of 1855)

Read Statement dated 10th April 1855 submitted by the Sessions Judge of Chingleput showing the Amount realized by the labor of Prisoners in the Zillah of Chingleput for the 1st Quarter 1855.

(Here enter F. R. № 959 of 1855)

Read

pt May 1855.

Read Criminal Report submitted by the Sessions Judge of Chingleput for the month of March 1855.

(Here enter F. R. № 972 of 1855)

Read Calendar of Case №9 of 1855 on the file of the Sessions Court of Salem.

(Here enter F. R. № 976 of 1855)

Read Return dated 11th April 1855 from the Sessions Judge of Masulipatam to the precept of the Fouzdaree Adalut under date the 28th March 1855 directing that the witnesses named by the 1st and 2d Prisoners in Case №10 of 1855 of the Sessions Court file be summoned to appear before the Criminal Judge and that their depositions when taken, be submitted for the consideration of the Higher Court together with the Original record -

(Here enter F. R. № 979 of 1855)

Read Return dated 11th April 1855 from the Sessions Judge of Masulipatam to the precept of the Fouzdaree Adalut under date the 3rd April 1855 directing the immediate and unconditional release of the 1st and 2d Prisoners in Case №10 of 1855 on the file of the Sessions Court of Masulipatam.

(Here enter F. R. № 980 of 1855)

Read

2. 1st May 1855.

Read Calendar of Case
No 13 of 1855 on the file of the Sessions
Court of Cuddapah.

(Here enter F. R. No 931 of 1855)

Read Extract from the Proceed-
ings of the Sessions Court of Tinnevelly held
on review of the Monthly Reports of Cases
disposed of by Police Officers together with
the explanation submitted by the Magistrate

(Here enter F. R. No 934 of 1855)

Read Calendar of a trial held
for culpable Homicide in Sessions Case No
of 1855 on the file of the Sessions Court
of Chingleput.

(Here enter F. R. No 951 of 1855)

Read Return dated 4th April
1855 from the Sessions Judge of Calicut to
the Precept of the Tonjoure Vacalut under
date the 28th March 1855 conveying their
observations on the Criminal Reports
for the month of February last.

(Here enter F. R. No 952 of 1855)

Read Statement dated 10th April
1855 submitted by the Sessions Judge of Ching
showing the Amount realized by the Labor
of Prisoners in the Jails of Chingleput
for the 1st Quarter 1855.

(Here enter F. R. No 953 of 1855)

Read

1st May 1855.

Read Criminal Report
submitted by the Sessions Judge of Chingle-
put for the months of March 1855.

(Here enter F. R. No 972 of 1855)

Read Calendar of Case No
of 1855 on the file of the Sessions Court of
Salem.

(Here enter F. R. No 976 of 1855)

Read Return dated 11th April
1855 from the Sessions Judge of Masulipatam
to the precept of the Tonjoure Vacalut under
date the 28th March 1855 directing that the
witnesses named by the 1st and 2d Prisoners
in Case No 10 of 1855 of the Sessions Courts
file be summoned to appear before the
Criminal Judge and that their depositions when
taken, be submitted for the consideration of
the Higher Court together with the Original
record -

(Here enter F. R. No 979 of 1855)

Read Return dated 11th April 1855
from the Sessions Judge of Masulipatam
to the precept of the Tonjoure Vacalut
under date the 3rd April 1855 directing
the immediate and unconditional release
of the 1st and 2d Prisoners in Case
No 10 of 1855 on the file of the Sessions
Court of Masulipatam.

(Here enter F. R. No 980 of 1855)

Read

1st May 1855

Read Return dated 10th April 1855 from Session Judge of Tinnevelly to the precept of the Tondiaree Adalut under date the 28th March 1855 calling for explanation on certain points connected with the Petty Calendars for the 4th Quarter of 1854.

(Here enter F.R. No 981 of 1855)

Read Return dated 10th April 1855 from Session Judge of Rajahmundry to the precept of the Tondiaree Adalut under date the 28th March 1855 requesting explanation to certain observations made by them on Report B of Cases disposed of for February 1855, by the Subordinate Judge.

(Here enter F.R. No 982 of 1855)

Read Letter dated 10th April 1855 from the Session Judge of Tellicherry submitting explanation with regard to the delay in forwarding the Magistrate's Petty Calendars for the 4th Quarter 1854.

(Here enter F.R. No 989 of 1855)

Read Calendar of Case No 28 on the file of the Sessions Court of Bellary for 1855.

(Here enter F.R. No 992 of 1855)

Read

1st May 1855.

Read Calendar of Case No 26 of 1855 on the file of the Session Court of Masulipatam.

(Here enter F.R. No 997 of 1855)

Read Return dated 14th April 1855 from Session Judge of Trichinopoly to the precept of the Tondiaree Adalut under date the 14th April 1855 cancelling the requisition of Security from the 10th Prisoner in Case No 6 of 1855.

(Here enter F.R. No 998 of 1855)

Read Letter dated 13th April 1855 from the Session Judge of Chicacole informing that no disbursements were made for the support of the Prisoners' Children, nor any articles manufactured by Prisoners during the last Quarter.

(Here enter F.R. No 999 of 1855)

End
J.A.S.

F. C.

Wednesday
2nd May 1855. At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqre
T. L. Strange Esqre

Read Criminal Reports in the Form B of the Subordinate Court of Cuddapah for the months of March 1855.

(Vide entry F. C. No 1025/1855)

1 The Court of Foujdaree Udalut observe that the above reports should have been headed with the letter B to denote the Form in which they were prepared.

No 53 of 1855 2. The 3rd Count against the prisoner should have specified the particulars of his former conviction, the number of the case, the nature of the crime and the sentence passed upon him; instead of these particulars being given in a side note.

No 60. 3. If nothing more was laid to the prisoner's charge than what is stated in the indictment in this case, there were no grounds for his committal,

and

Wednesday
2ds May 1855.

F. U.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esqe
J. L. Strange Esqe

Read Criminal Reports in the Form B of the Subordinate Court of Cuddapah for the months of March 1855.

(Vide enter F. U. No. 1025/1855)

1 The Court of Foujdaree Udalut observe that the above reports should have been headed with the letter B to denote the Form in which they were prepared.

No 53 of 1855 2. The 3rd Count against the prisoner should have specified the particulars of his former conviction, the number of the case, the nature of the crime and the sentence passed upon him; instead of these particulars being given in a side note.

No. 60. 3. If nothing more was laid to the prisoner's charge than what is stated in the indictment in this case, there were no grounds for his committal,

and

2nd May 1855.

and the conduct of the Head of Police in wantonly sending the prisoner up for trial should be brought to the notice of the Magistrate.

No 67 4

The Sessions Judge is requested to ascertain and inform the Court why so severe a sentence was passed in this case the Theft, as charged, being one cognizable by the Head of Village Police.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Cuddapah 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 Report B, & other Statements submitted by the Sessions Judge of Mangalore for the month of March 1855.

(Here enter F.R. No 1000 of 1855)

Read Criminal Report B and other Statements submitted by the Sessions Judge of Rajahmundry for the Month of March 1855.

(Here enter F.R. No 1001 of 1855)

Read

2nd May 1855

Read Return dated 16th April 1855 from the Acting Sessions Judge of Salem to the precept of the Fouzdaree Adalut under date the 12th April 1855. conveying their observations and remarks on the Criminal Reports for February & March 1855 and calling upon the Sessions Judge to furnish an explanation of the cause of delay in disposing of Case No 12 of 1855.

(Here enter F.R. No 1007 of 1855.)

Read Supplemental Return dated 18th April 1855 from the Principal Sudr Ameen in charge of the Sessions Court of Nellore to the precept of the Fouzdaree Adalut dated 2nd March directing the transmission of the Original Warrant in Case No 53 of 1854.

(Here enter F.R. No 1009 of 1855)

Read Statement submitted by the Acting Sessions Judge of Salem shewing the Amount realized by the labor of the Prisoners during the first Quarter 1855.

(Here enter F.R. No 1011 of 1855)

Read

2nd May 1855.

and the conduct of the Head of Police in wantonly sending the prisoner up for trial should be brought to the notice of the Magistrate.

No 67 4

The Sessions Judge is requested to ascertain and inform the Court why so severe a sentence was passed in this case the Theft, as charged, being one cognizable by the Head of Village Police.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Cuddapah 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 Report & other Statements B, submitted by the Sessions Judge of Mangalore for the month of March 1855.

(Here enter F. R. No 1000 of 1855)

Read Criminal Report B and other Statements submitted by the Sessions Judge of Rajahmundry for the Month of March 1855.

(Here enter F. R. No 1001 of 1855)

Read

2nd May 1855

Read Return dated 16th April 1855 from the Acting Sessions Judge of Salem to the precept of the Fouzdaree Adalut under date the 12th April 1855. conveying their observations and remarks on the Criminal Reports for February 1855 and calling upon the Sessions Judge to furnish an explanation of the cause of delay in disposing of Case No 12 of 1855.

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(Here enter F. R. No 1009 of 1855)

Read Statement submitted by the Acting Sessions Judge of Salem shewing the Amount realized by the labor of the Prisoners during the first Quarter 1855.

(Here enter F. R. No 1011 of 1855)

Read

2nd May 1855.

and the conduct of the Head of Police in wantonly sending the prisoner up for trial should be brought to the notice of the Magistrate.

No 67 4

The Sessions Judge is requested to ascertain and inform the Court why so severe a sentence was passed in this case of theft, as charged, being one cognizable by the Head of Village Police.

Ordered that Extract from the Proceedings be sent to the Sessions Judge of Cuddapah 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 Report & other Statements B. submitted by the Sessions Judge of Mangalore for the month of March 1855.

(Herewith F.R. No 1000 of 1855)

Read Criminal Report B and other Statements submitted by the Sessions Judge of Rajahmundry for the month of March 1855.

(Herewith F.R. No 1001 of 1855)

Read

2nd May 1855

Read Return dated 16th April 1855 from the Acting Sessions Judge of Salem to the precept of the Fouzdaree Adalut under date the 12th April 1855. conveying their observations and remarks on the Criminal Reports for February 1855 and calling upon the Sessions Judge to furnish an explanation of the cause of delay in disposing of Case No 12 of 1855.

(Herewith F.R. No 1007 of 1855.)

Read Supplemental Return dated 18th April 1855 from the Principal Sudr Ameen in charge of the Sessions Court of Nellore to the precept of the Fouzdaree Adalut dated 29th March directing the transmission of the Original Warrant in Case No 53 of 1854.

(Herewith F.R. No 1009 of 1855)

Read Statement submitted by the Acting Sessions Judge of Salem shewing the Amount realized by the labor of the Prisoners during the first Quarter 1855.

(Herewith F.R. No 1011 of 1855)

Read

2d May 1855.

Read Calendar from the Sessions Judge of Cuddapah of Case No 17 of 1855.

(Here enter F.R. No 1015 of 1855)

Read Report B & Criminal Jail Returns submitted by the Acting Sessions Judge of Caddalore for the month of March 1855 and the Statement of batta paid to Prosecutors and Witnesses in Criminal Cases disposed of by him during the above month.

(Here enter F.R. No 1017 of 1855)

Read Statement submitted by the Acting Subordinate Judge of Combaconum shewing the Amount realized by the labor of Prisoners in the 1st Quarter 1855.

(Here enter F.R. No 1021 of 1855)

Read Return dated 19th April 1855 from the Acting Sessions Judge of Caddalore to the precept of the Tondiarpet Moolat under date the 22nd March 1855 reviewing the Calendar in Sessions Case No 14 of 1855.

(Here enter F.R. No 1023 of 1855)

Read

2nd May 1855

Read Criminal Reports and Statements submitted by the Sessions Judge of Trichinopoly for the month of March 1855.

(Here enter F.R. No 1028 of 1855)

Read Letter dated 19th April 1855 from the Sessions Judge of Salem transmitting the warrant issued for the execution of the sentence of death passed on the Prisoner in Case No 13 of 1855 on the Calendar with the Acting Subordinate Judge's endorsement thereon, and copy of his report according to Circular Order Tondiarpet Moolat dated 3rd May 1830.

(Here enter F.R. No 1029 of 1855)

Read Calendar of Case No 5 of 1855 on the file of the Sessions Court of Guntoor.

(Here enter F.R. No 1030 of 1855)

Read Calendar submitted by the Sessions Judge of Coimbatore of Prisoners in Case No 20 of 1855 of the Sessions Court committed for trial by the Principal Sudr Ameen of Coimbatore, with remarks and Sentence of the Sessions Judge.

(Here enter F.R. No 1036 of 1855)

Read

2nd May 1855.

Read Return dated 17th April 1855 from the Session Judge of Tinnevelly to the precept of the Tonjaree Moulvie under date the 5th April 1855 directing the unconditional release of the 1st Prisoner in Sessions Case No 50 of 1854.

(Here enter F. M. No 1038 of 1855)

Read Return dated 17th April 1855 from the Session Judge of Tinnevelly to the precept of the Tonjaree Moulvie under date the 7th April 1855, directing the Sessions Judge to release the 1st and 2nd Prisoners in Sessions Case No 49 of 1854.

(Here enter F. M. No 1039 of 1855)

Read Calendar of Case No 29 submitted by the Session Judge of Bellary on the Sessions file for 1855.

(Here enter F. M. No 1048 of 1855)

Read Letter dated 21st April 1855 from the Acting Session Judge of Cuddalore submitting the A Reports in Criminal Cases Nos 204, 208 and 216 of 1854 on the file of the Principal Sudr Ameen with the proceedings held

2d May 1855 held thereon.

(Here enter F. M. No 1057 of 1855) [illegible]

End

J. H. S.

F. 26.

Thursday 3d May 1855.

At a Court of the Fouzdaree Udalut

Present

G. L. Hooper Espre ——— Puisne Judge

T. L. Strange Espre ——— Puisne Judge

Read Calendar of Case No. 16 of 1855 of the Session Court of Coimbatore.

(Here enter F. 26. No. 1032 of 1855)

The Court of Fouzdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on her conviction of wilful Perjury, be reduced to (1) one year with labor suited to her sex, 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 Coimbatore for his information.

(Sent in No.

Read Calendar of Case No. 17 of 1855

+ Ringammaul

1855 of the Session Court of Coimbatore.

(Here enter F. C. No. 1033 of 1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of Wilful Perjury, be reduced to (18) eighteen months 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 Coimbatore for his information.

(Sent in No.

Read Calendar of Case No. 18 of 1855 of the Session Court of Coimbatore.

(Here enter F. C. No. 1034 of 1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Wilful Perjury be reduced to (18) eighteen months with hard labor in irons, and they do authorize the Session Judge to issue

issue his warrant accordingly.

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

(Sent in No.

Read Calendar of Case No. 19 of 1855 of the Session Court of Coimbatore.

(Here enter F. C. No. 1035 of 1855.)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Wilful Perjury, be reduced to (18) eighteen months 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 Coimbatore for his information.

Sent in No.

The record of trial in referred case No. 4 of 1855 on the Calendar of the Session Court of Chicacole not having been yet received.

Ordered that the Session Judge of Chicacole be required to submit the record aforesaid

1855 of the Session Court of Coimbatore.

(Here enter F. C. No. 1033 of 1855)

The Court of Foujdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of Wilful Perjury, be reduced to (18) eighteen months 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 Coimbatore for his information.

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

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

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

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

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The Court of Fouzdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Wilful Perjury, be reduced to (18) eighteen months 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 Coimbatore for his information.

Sent in No.

The record of trial in referred case No. 4 of 1855 on the Calendar of the Session Court of Chicacole not having been yet received.

Ordered that the Session Judge of Chicacole be required to submit the record aforesaid

aforesaid without delay.

(Sent in No.

The record of trial in referred Case No. 9 of 1855 on the Calendar of the Session Court of Nellore not having been yet received.

Ordered that the Session Judge of Nellore be required to submit the record aforesaid without delay.

(Sent in No.

The records of trials in referred Cases Nos. 23 and 24 of 1855 on the Calendar of the Session Court of Cuddapah not having been yet received.

Ordered that the Session Judge of Cuddapah be required to submit the records in question without delay.

Sent in No.

Read letters under date the 5th March 1855 from the Session Judge of Masulipatam, forwarding English translation of the record of Cases Nos. 12-13-14-15 and 16 of 1855, on the Calendar of the Session Court, for the final judgment of the Court of Foujdaree Udalut.

(Here enter F. Ud. Nos. 891-892-893-894 & 895 of 1855.

The Court of Foujdaree Udalut

Mr. Strange.

Case No. 12.

a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the Prisoners,

1st Makala Somadoo.

2d Pasoopoolaty Cotadoo

and

3d Illah Lutchmayah,

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

The Court of Foujdaree Udalut

Case No. 13.

on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that the Prisoners,

1st Makala Somadoo.

and

2d Pasoopoolaty Cotadoo,

are not convicted on presumptive proof or on the evidence of credible witness, or on their own confession of the crime charged, do acquit them thereof, and direct that they be set at liberty.

The Court of Foujdaree Udalut

Case No. 14

on a deliberate consideration of all the circumstances of the case in evidence before them being of opinion that

3rd May 1855.

That the Prisoners,

1st Cyloosee Venkadoo

and

2nd Illah Lutchmayah,

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.

Case No. 15.

The Court of Fouzdaree Udalut having taken into deliberate consideration all the circumstances of the case in evidence before them, being of opinion that the Prisoners,

1st Makala Sannadoo

2nd Pasoopoolaty Cotadoo

3rd Cyloosee Venkadoo

and

4th Illah Lutchmayah,

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.

Case No. 16.

The Court of Fouzdaree Udalut having taken into deliberate consideration all the circumstances of the case in evidence before them being of opinion that the Prisoners,

3rd May 1855.

1st Makala Sannadoo

2nd Pasoopoolaty Cotadoo

3rd Cyloosee Venkadoo

and

4th Illah Lutchmayah,

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 Prisoners in these cases are

1. more or less the same - that is the whole four are involved in Nos. 15 and 16; the 1st and 2nd in Nos. 12 and 13; the 3rd in No. 14; and the 4th in No. 12 and 14.

2. The evidence as to the arrest of the prisoners and the discovery of stolen property with them is the same in all these cases.

3. In No. 16 the charge is robbery and this case had led to the reference to the Fouzdaree Udalut. The other cases are of house breaking and theft.

Having come to the conclusion

4. that the evidence in No. 16 is not to be depended on and that the prisoners should be acquitted of the charge therein, the Court of Fouzdaree Udalut might have remanded

remanded the remaining cases to the Session Judge to be disposed of by him. They have however found it expedient to decide upon all the cases themselves as there is such correspondence of evidence in them and such identity of circumstances and merits.

5. The evidence against the prisoners is their identification in No. 16, and their having confessed before the Police in that and the other cases and given up stolen property, part having been found on their persons on the day of their arrest, and part having been given up by them subsequently from the bed of a water channel.

6. The evidence to the identification in No. 16 is given by the Prosecutrix and two other females, the 1st and 2d witnesses. The crime is said to have been perpetrated on the 30th December 1854. The earliest intimation there of on record is in a communication from the Head of Police to the Sub Officer dated the 15th January 1855, (appearing in the record of Case No. 12) wherein the information is said to have been derived from the Duffadar Lootaraw. From the evidence given before the Session Judge by the prosecutrix and the 1st and 2d witnesses, as also from that of the peons, Dolly Mahomed and Mahomed Kausim, the 3d and 4th

witnesses, it would seem that the said information was given by the aforesaid females at the Cutcherry on the day following that of the crime. There is however, no local report on the subject, the mention thereof in the communication of the Head of Police above adverted to is in the vague terms, the names of the sufferers not being known to the Head of Police, and the whole appearing as a local report, (examined by the Head of Police) to the purport, the Village Moonsif, the party to make the report, says that hearing of the occurrence he questioned the females when they suppressed all, and they themselves depose before the Police that they did not so from shame and never disclosed what had occurred until sent for by the Sub Officer and questioned after the arrest of the prisoners with the plunder property on them.

7. The absence of all record of information by the complainants complied with their earlier statements, leads the Court to believe that the allegations that they made their complaint to the Duffadar on the day after the occurrence is untrue, and seeing the peons concerned in this false statement, the Court have a strong impression that the whole tale has been fabricated

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The absence of all record of information by the complainants complied with their earlier statements, leads the Court to believe that the allegation that they made their complaint to the Duffadar on the day after the occurrence is untrue, and seeing the peons concerned in this false statement, the Court have a strong impression that the whole tale has been fabricated

fabricated by the Police.

8. The nature of the evidence strengthens the Court in the conclusion that the charge is a fabricated one. The Session Judge has done little to put the evidence to test, but in every point of detail discrepancies arise in it. In several instances the deponents manifest the like want of correspondence between their Police statements and those made before the Session Court, namely, as to which of the prisoners robbed the prosecentrix, as to whether the article N.4 was taken from the prosecentrix or the 1st witness, and as to whether the robbers cooked food for themselves or made the deponents cook it. The correspondence in one statement on the several heads, as also on the head of giving early intimation of the crime, before alluded to, can only have arisen by the evidence having been on each occasion concerted. And again the peons are found involved in this concert as to the article N.4 belonging to the prosecentrix or the 1st witness.

9. The features of the case are furthermore highly improbable. Three men are said to have perpetrated the crime in succession, the

prosecentrix resisting but none of the offenders requiring the aid of his companions to overcome her resistance. The act too is said to have been performed in the presence of five other persons, namely the other three robbers and the 1st and 2nd witnesses, and one of the deponents alleges that this party were but a fathom off. This part of the evidence is also highly discrepant as to the order in which the several offenders committed the act, and as to whether the prosecentrix was beaten at the time or not.

Upon these grounds the Court

10 of Foujdaree Adalut acquit the prisoners of the charge brought against them under No. 16.

The defence of the prisoners

11 throughout these cases is that they have been subjected to ill treatment by the peons and thus forced to confess before the Police. They deny that any of the property was found on their persons and state that the peons took them to the jungle and made them dig in a particular spot where the property was found and that they know not who put it there.

The Court have already expressed

12 their distrust of the operations of the Police in respect of case No. 16, and in the remaining cases there is

matter

matter to confirm them in the belief that the prisoners have been wrongfully dealt with by them.

13. Several thefts had been committed in the same neighbourhood and no trace of the thieves had been obtained upon this the aforesaid Duffadar with peons was instructed by the Head of Police to discover the offenders, and the prisoners and the evidence now in question were produced.

14. There were no special grounds for the arrest of these prisoners. They were met with, laid hold of, and the property is said to have been found with them or given up by them.

15. The property with the exception of some items of clothing in No. 13, is all of an ordinary description, consisting of ornaments and household utensils such as are in current use, and nothing arises to show that the evidence to the identity thereof with the stolen property can be safely accepted. On the other hand there is room to conclude that certain of the items formed no part of the effects described to have been stolen. The articles 1 to 4 in No. 12, 3 in No. 13, 2 in No. 14, and 2 in No. 15, do not correspond as to weight and value with the parallel items lost; and the articles 5 and 6 in No. 12, and 4 and 5 in No. 14, are not entered in the lists of stolen property.

What

16. What has led the Court very much to mistrust the operations of the Police and to think that there is room to believe that the prisoners complaints of ill usage are well founded is the delay that has occurred in bringing out the evidence against the prisoners. The peons Tully Mahomed and Mahomed Kasim have deposed before the Sole Officer three several times, viz Nos. 13- 14 and 15, that the search and discovery of the stolen property in the bed of the water channel occurred on the 14th January, the prisoners having been apprehended on the 8th. The same also appears in the Duffadars return of the 17th January, entered in the record of No. 13. Before the Session Judge, however, these peons have chosen to declare that this search was made the day after the arrest of the prisoners, a statement evidently untrue, and also manifesting that there is something connected with the detention of the prisoners during the said interval which it is wished to keep out of view.

17. Being thus unable to place any confidence in the evidence adduced against the prisoners, the Court acquit them also in Nos. 12. 13. 14 and 15, and direct their discharge.

18. The Court of Foujdaree Adalut resolve

matter to confirm them in the belief that the prisoners have been wrongfully dealt with by them.

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17. Being thus unable to place any confidence in the evidence adduced against the prisoners, the Court acquit them also in Nos. 12- 13- 14 and 15, and direct their discharge.

18. The Court of Fouzdaree Udalut

resolve

resolved to direct that the attention of the Magistrates
be called to the circumstances of these cases, as they
lead them to believe, for the reasons already given
that the prisoners have not been fairly dealt with
by the Police, and the impression the Court have
that in order to escape the reproach and conse-
quent detecting crime, the Police have forwarded
the prisoners for punishment on false prosecu-
and evidence.

19.

The Magistrate should strictly in-
vestigate the causes which led to the detention of
the prisoners before any examination into these
cases was made, namely from the 8th January
to the 17th when the earliest examination by the Sub
Officer was recorded, ascertaining at the same
time what reports connected with the arrest and
detention of the prisoners were made to the inter
to the Head of Police or other superior authority.
The result of this inquiry is to be made known
to the Faujdary Adawlut. The Court further
wish the Magistrate to report whether he may
consider the Duffadar Seetaram and the peons
Vurthy Mahomed and Mahomed Hussain
deserving of discharge from the public service
Ordered that Extract from the

Proceedings be sent to the Session Judge of
Masulipatam by Precept returnable within
x days from and after its receipt.

(Sent following Precept No

Cuddalore

F. No.

Friday -
4th May, 1855 -

At a Court of the Foujdaree Udalut

Present.

G. S. Cooper, Esquire —
T. L. Strange, Esquire — } Puisne Judges.

Read Criminal Report B for the month of March 1855 - Zillah Tinnevelly -

Here Enter F. No. 1003 of 1855 /-

The Court of Foujdaree Udalut observe that this Case should have been designated "Trespass, with assault". It does not appear what crime the prisoner committed in removing his own property; and the latter part of the charge where the prisoner is said to have assaulted the prosecutor "while suspending him to a tree" is incomprehensible -

Case No. 22 by 1. Principal Sudr Ameen

Case No. 4 by Magistrate -

2.

The prisoner in this case was charged with abuse of authority in

F. C.

Friday -
4th May, 1855 -

At a Court of the Foujdaree Adalut

Present.

G. S. Cooper, Esquire —
T. L. Strange, Esquire — } Puisne Judges.

Read Criminal Report B for the month of March 1855 - Zillah Tinnevelly -

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Case No. 22 by 1. Principal Sudr Ameen

Case No. 4 by Magistrate. -

2. The prisoner in this case was charged with abuse of authority in

in having tied up and violently beaten the prosecutor in order to extort from him a confession of the theft, and on conviction was sentenced to two months' imprisonment. The Court of Fouzdaree Adalut are of opinion that the sentence passed by the Magistrate is a very inadequate one.—

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

/Sent in No. /—

Read Report B of Cases disposed of by the Agent to the Governor of Fort St. George in Vizagapatam, and his Assistants in the month of March 1855.—

/Here enter F.C. No. 1059 of 1855/—

Case No. 6 of 1855. by the Assistant Agent.—

The case noted in the margin was prosecuted on behalf of the Government, and the prisoner was charged" with having burnt the 1st. witness's hands by holding them in the fire, on

because

because he had stolen some country potatoes from the prisoner's field."—

2. The prisoner was convicted of the crime charged, and sentenced to three months' imprisonment with hard labor in irons.—

3. The sentence passed by the Assistant Agent against the prisoner in this case appears to the Court of Fouzdaree Adalut to be a very inadequate one.—

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 again Calendar of Case No. 22 of 1855 on the file of the Sessions Court of Masulipatam.—

/Here enter F.C. No. 811 of 1855/—

Read also return of the Sessions Judge of Masulipatam to the Precept of this Court under dated the

the

4th May, 1855.

the 5th April 1855, calling upon that Officer to enquire into and report upon the reason of the delay in committing the prisoners in the above Case.—

/Here enter F.No. 1047 of 1855/-

The Court of Foujdaree Udalut consider the explanation afforded in the above return, unsatisfactory. The Court observe that the Head of Police should have been able to carry out his duties without making such repeated references to the Magistracy.—

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

/Sent in No. /-

Read Criminal Report VB for the month of March 1855 forwarded by the Agent to the Governor of Fort St. George in Fumool.—

/Here Enter F.No. 1058 of 1855/-

The

24

F.No.

4th May, 1855.

No. 7 of 1855 by the Cauzee of Kurnool.

1. The prisoners in this Case were charged with stealing Eight annas worth of grain from the prosecutor's field, and were sentenced to one months' imprisonment with hard labor in irons.—

2. The Court of Foujdaree Udalut, observe that this Case was one within the cognizance of the Village Head of Police. The Court desire to know upon what grounds it was committed to the Criminal Court.—

No. 18 by dc. 3. In this case the prisoners were indicted for stealing ears of corn to the value of 5 Rupees from the prosecutor's field, and were unconditionally released.—

4. The Court of Foujdaree Udalut find this to be a case within the jurisdiction of the Head of District Police, and direct that the Agent will report why it was committed for trial before the Criminal Court.—

Ordered,

Ordered, that Extract from these Proceedings be forwarded to the Agnt 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 Criminal Report UB of Cases disposed of by the Sudder Ameen of Siruy during the month of March 1855.-

/Here Enter F.No. No. 1052 of 1855/-

1. The prisoner in Criminal Case No. 4 of 1855 was charged with a "Fraud", in having when making an ornament for the prosecutor fraudulently substituted some silver for gold delivered to him by the prosecutor;- and was required by the Sudder Ameen to find two sureties in the sum of 15 Rupees each for his good behaviour during six months, or in default to be imprisoned for that period.-

2. The Court of Foujdaree Udalut

Udalut observe that this case seems to be one which depend upon the credit to be given to the evidence adduced, and that should this have been disbelieved, the prisoner is entitled to unconditional release.- The Court therefore resolve to direct the attention of the Acting Sessions Judge to the case, in order that he may judge whether the order for security is a justifiable one, and that he may cancel it, if not so.-

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

Sent following Precept No. /-

Read letter dated 23d. April 1855 from the Acting Sessions Judge of Combaconum submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 12 of 1855 of the Calendar of the Sessions Court.-

/Here Enter F.No. No. 1069 of 1855/-

The

14th May, 1855.

Mr. G. S. Hooper.
and
Mr. T. Le. 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.

"Vamban Chetty"

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

The Court of Foujdaree Udalut resolve to point out to the Acting Sessions Judge that the reports of the Village authorities of the deceased being missing and of the discovery of her corpse and of the prisoner's having confessed and given up the deceased's ornament should have been sent up with the record.—

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

Sent in No.

Extract

F. Ud.

Saturday 5th May 1855 } At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esquire
T. Le. Strange Esquire } Puisne Judges

Read again Miscellaneous Petition presented on the 14th March 1855 by Coollappa Moodely and 4 others of Zillah Chingleput.

Here enter F. M. P. No 85 of 1855

Read Return dated the 26th Ultimo from the Sessions Judge of Chingleput to the precept of the Court of Foujdaree Udalut dated the 24th March last directing that officer to procure and transmit to them a Copy of the order passed by the Magistrate in the matter referred to in the above Petition.—

(Here enter F. Ud. No 1100 of 1855)

Mr. T. Le. Strange

The Proceedings of the Magistrate do not appear to have been conducted under the rules laid down in Act. No. XXI of 1841 which

is

the enactment he should have followed in this instance.

2 The Petitioners, it is shewn by the Magistrate's Proceedings were fined for obstructing a thoroughfare, whereas the Court is to have been taken with them pursuant to the Act aforesaid was to have required them to remove the obstruction, and they were liable to fine only on refusing to conform to such requisition.—

3 The parties not being shewn to have been guilty of such recusancy, the Court of Foujdaree Udalut resolve to direct that the fines levied from them be returned to them.—

Ordered that Extract from these proceedings be sent to the Sessions Judge of Chingleput for communication to the Magistrate, by precept returnable in V days from and after its receipt.

(Sent Precept No. following)

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

Read

Read Miscellaneous Petition presented on the 19th Ultimo by Varadammal of Zillah Trichinopoly.

(Here enter F. M. P. No 122 of 1855)

Mr. J. L. Strange

The Petitioner prays that the prisoners in Case No 19 of 1854 of the Sessions Court of Trichinopoly who were accused of the murder of her husband and tried and acquitted by the Sessions Judge, may be reapprehended, put upon trial and punished.

Petitioner is informed that the Sessions Judges' acquittal of the Prisoners is final and cannot be disturbed by the Court of Foujdaree Udalut, nor do the Court see ground to question the justice of the Sessions Judges' decision in the case.

Petition dismissed

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

Read Miscellaneous Petition presented on the 23rd Ultimo by Chulla Venkata ramas and others of Zillah Nellore

Here enter F. M. P. No 127 of 1855

This

5th May 1855

1 This an application for the release of the 1st 2nd 3d & 5th Prisoners in Case No. 37 of 1854 of the Sessions Court of Nellore who were sentenced to 7 years imprisonment with hard labour in irons on a charge of Highway robbery

Mr. T. L. Strange 2 The Court of Tonjdaree Adalut decline to attend to this petition, the sentence complained of having been passed so long ago as the 20th June 1854.

Petition dismissed

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

Read Miscellaneous Petition presented on the 23d Ultimo by Vellegummah of Zillah Chingleput.

(Here enter T. M. P. No. 128 of 1855)

Mr. T. Le. Strange

The Court of Tonjdaree Adalut resolve to reject the petition and refer the Petitioner to the orders formerly passed by them in the subject to which this petition relates.

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

Read

5th May 1855.

Read Miscellaneous Petition presented on the 23d Ultimo by Vencaty and others of zillah Cuddapah

(Here enter T. M. P. No. 129 of 1855)

Petitioners complain of the rejection without proper trial, by the Magistrate of Cuddapah, of the charge preferred by them against the servants of the Zemindar of Poonganoor accusing them of having ill treated the 2d Petitioner and robbed her of her jewels worth Rupees 188.

They therefore request the 2 Court of Tonjdaree Adalut to interfere in their behalf and order justice to be done to them.

Mr. T. L. Strange 3 The Court of Tonjdaree Adalut resolve to reject the Petition, the Petitioner not having produced any order complained against. If dissatisfied with the proceedings of the Magistrate, the Petitioners should prefer their appeal to the Sessions Judge of Cuddapah.

Ordered that Extract from these

5th May 1855

1 This an application for the release of the 1st 2d 3d 4th & 5th Prisoners in Case No. 37 of 1854 of the Session Court of Nellore who were sentenced to 7 years imprisonment with hard labour in irons on a charge of Highway robbery

Mr. T. L. Strange 2 The Court of Foujdaree Adawlut decline to attend to this petition, the sentence Complained of having been passed so long ago as the 20th June 1854.

Petition dismissed

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

Read Miscellaneous Petition presented on the 23d Ultimo by Vellayummah of Zillah Chingleput.

(Here enter F. M. P. No. 128 of 1855.)

Mr. T. L. Strange

The Court of Foujdaree Adawlut resolve to reject the petition and refer the Petitioner to the orders formerly passed by them in the subject to which this petition relates.

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

Read

Read Miscellaneous Petition presented on the 23d Ultimo by Vencaty and others of zillah Cuddapah

Here enter F. M. P. No. 129 of 1855

Petitioners Complain of the rejection

1 without proper trial, by the Magistrate of Cuddapah, of the charge preferred by them against the servants of the Zemindar of Poonganoor accusing them of having ill treated the 2d Petitioner and robbed her of her jewels worth Rupees 188.

They therefore request the

2 Court of Foujdaree Adawlut to interfere in their behalf and order justice to be done to them.

The Court of Foujdaree Adawlut

Mr. T. L. Strange 3 resolve to reject the Petition, the Petitioner not having produced any order complained against. If dissatisfied with the proceedings of the Magistrate, the Petitioners should prefer their appeal to the Sessions Judge of Cuddapah.

Ordered that Extract from these

5th May 1855

these Proceedings be given to Petitioners on their application.

Read Miscellaneous Petition presented on the 23d April 1855 by S. Canteroo Chetty Vakeel on behalf of Moosa and others of Honore.

Here enter F.M. P. N° 130 of 1855

The Petitioners being dissatisfied with the sentence passed by the Session Judge in Cases N°s 9-10-11 of 1854 awarding to them an imprisonment of 8 years prefer the above appeal.

Mr. T. L. Strange 2 The Court of Foujdaree Udalut decline to attend to this petition the sentence complained of having been passed so far back as the 13th May 1854.—

Ordered that Extract from these proceedings be given to the Petitioners Vakeel on his application

4th/11th W

F. M.

Monday 7th May 1855 } At a Court of the Foujdaree Udalut.

Present.

G. S. Hooper Esquire
T. L. Strange Esquire } Puisne Judges

Read Copy of the Calendar in Case N° 37 of 1855 before the Session Court of the zillah of Calicut.—

(Here enter F.M. N° 1073 of 1855)

The Court of Foujdaree Udalut

1 desire to be informed of what nature were the confessions of the 1st 2d and 3d prisoners before the Police, whether to their commission of the robbery or merely to their reception of the stolen property.

If the prisoner confessed

2 to having taken part in the perpetration of the robbery, the Court of Foujdaree Udalut wish to know why the Law Officer convicts them of receiving stolen property only.

The Court of Foujdaree Udalut

3. would

would further observe that the Sessions Judge has omitted to specify what he has convicted these prisoners of, and direct him to supply the deficiency.

Ordered that Extract from these Proceedings be forwarded to the Sessions Judge of Calicut by Precept returnable within 7 days from and after its receipt.

(Sent following Precept No:)

Read Copy of the Calendar in Case No: 15 of 1855 dated 21st April 1855, submitted by the Sessions Judge of Mangalore with the remarks of the Sessions Court thereon.

(Here enter F. Co. No 1079 of 1855)

As the Sessions Judge has not accepted the evidence brought against the prisoner, the Court of Foujdaree Adalut are of opinion that he should be released unconditionally, and they therefore direct that the security to which the prisoner has been held, be cancelled.

Ordered that Extract from these proceedings be forwarded to the

the Sessions Judge of Mangalore by Precept returnable within 10 days from and after its receipt.

(Sent following Precept No:)

Read return made by the Sessions Judge of Masulipatam, dated 23rd April 1855, to an Extract from the proceedings of the Foujdaree Adalut under date the 12th April 1855, directing the Sessions Judge to submit forthwith the Police proceedings in referred Cases No: 12. 13. 14. 15 & 16, on his Courts file, and calling on him to explain the cause of delay in their transmission, the other portion of the record having reached the higher Court on the 4th Instant.

(Here enter F. Co. No 1097 of 1855)

In reporting the transmission of the Police proceedings on the 21st April, the Civil Judge in explanation of the delay that has taken place states, that that it has occurred in consequence of the insufficiency of Translators in the Foujdaree department; and he begs to bring to the notice of the Foujdaree Adalut Court that

a great amount of additional mark has been thrown upon the Tonjdaree Translator by the admission of Revenue appeals

2. The Court of Tonjdaree Adalut desire to point out to the Sessions Judge that the despatch of the translation of the Sessions Courts proceedings before the whole record was ready, was irregular, and could serve no useful end.

3. The Court of Tonjdaree Adalut also consider it highly improper that the legitimate work of the Tonjdaree Translator should be impeded by the business of another department being thrown upon him.

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

(Sent in No)

Read the Criminal Reports submitted by the Acting Sessions Judge of Cuddalore for the year 1854.

(Here enter Ft. Ct. No 1088 of 1855.)

Statement No 2 1 The Court of Tonjdaree Adalut direct

direct that the Sessions Judge be requested to append as required in this Courts Proceedings under date the 21st April 1854. a note at the foot of this statement showing how many of the cases entered under the head of Robbery by open violence, were cases of Rioting & plunder of Granaries.

Appendix C to No 2. 2 The No of persons from whom fines were levied and the No of those confined in default of payment viz: 56, do not correspond with the entries under the head "Punished" "minor Columns "Fined" and "Imprisoned and fined" of the appendix A to Statement No 2 (15).

Do D to Do 3 The aggregate number of persons entered in this appendix as detained before the Magistracy should be 177 according to the entries in Columns 32. 35. & 37 of the Statement No 2.

Do B to Stat. No 3A 4 The number of Cases and persons under the head "Trials reported" should be 77 and 109.

Do A to Stat No 3B. 5 The entries in Columns "Fined" and

and "Imprisoned and fined" Viz. 13, do not co-
respond with those under head "Fined" Crimi-
Columns "Fines" levied" and imprisoned in
default of payment" (10).

Appendix B to Sl. 6
No 3 B

The number of Cases and Persons
under the head "Trials Reported" should
180 & 420

Comparative 7
Abstract

The entry in Column 19 of the
abstract of Petty offences should have been
8102 and not 8066.

8

The entry in Column 24 of the
abstract of Crimes and Misdemeanors should
have been 1196 and not 1146.

9

The necessary corrections in
these abstracts have been made in the
Register's Office.

Statement No 10. 10

Bengal Form

The entries in Columns 4 and
28 under the head "Magistrates" should be
52 and 255.

D. No 13 D. 11

The entries in Columns 3. 25 and
28 under the head "Grand Total" of this statement
should be 2549 - 4159 - and 2313.

12.

The Sessions Judge will report
whether the manner in which the Sudr Ameen
has

has Exercised the Criminal Jurisdiction vested
in him as required in this Court's Circular
proceedings under date the 18th February 1845,
were satisfactory.

13

The Sessions Judge will also
forward the statement shewing the Executive
Police force for the year 1854 as required
by this Court's letter dated 21st October 1854.

14

The Court return these statements
for amendment with great reluctance, the
Errors pointed out herein being such as
cannot be corrected in their Registers' Office,
and they trust that the Sessions Judge will
obviate the necessity of returning his future
reports for amendment.

Ordered that Extract from
these proceedings be sent to the Sessions
Judge of Cuddalore by Precept returnable
within 11 days from and after its receipt.

Sent following Precept No

Rec'd.

5

and "Imprisoned and fined" Viz. 13, do not co-
respond with those under head "Fined" Colum
Columns "Fines" levied and imprisoned in
default of payment" (10).

Appendix B to Ch. 6
No 3 B

The number of Cases and Com
under the head "Trials Reported" should
180 & 420

Comparative 7
Abstracts

The entry in Column 19 of the
abstract of Petty offences should have been
8102 and not 8066.

8

The entry in Column 24 of the
abstract of Crimes and Misdemeanors should
have been 1196 and not 1146.

9

The necessary corrections in
these abstracts have been made in the
Registers' Office.

Statement No. 10. 10
Bengal Forms

The entries in Columns 4 and
28 under the head "Magistrates" should be
52 and 255.

Do. No 23 — Do. 11

The entries in Columns 3. 25 and
28 under the head "Grand Total" of this statement
should be 2549 - 4159 - and 2313.

12.

The Sessions Judge will report
whether the manner in which the Sudr Ameen
has

has Exercised the Criminal Jurisdiction vested
in him as required in this Court's Circular
proceedings under date the 18th February 1845,
were satisfactory.

13

The Sessions Judge will also
forward the statement shewing the Executive
Police force for the year 1854 as required
by this Court's letter dated 25th October 1854.

14

The Court return these statements
for amendment with great reluctance, the
Errors pointed out therein being such as
cannot be corrected in their Registers' Office,
and they trust that the Sessions Judge will
obviate the necessity of returning his future
reports for amendment.

Ordered that Extracts from
these proceedings be sent to the Sessions
Judge of Cuddalore by Precept returnable
within 11 days from and after its receipt.

Sent following Precept No.

9

Recd.

F. U.

Tuesday, 8th May 1855.

At a Court of the Foujdaree Udalut.

Present

G. S. Hooper Esquire
T. L. Strange Esquire

Read Criminal Report B for the month of March 1855, Zillah Salem.

(Here enter F. U. No. 1068 of 1855.)

Case No. 29. Mostly Under Ameen.

1. The Court of Foujdaree Udalut infer, from the circumstance of the sentence having been passed under Clause 4th Section IV. Regulation VII of 1822, that the prisoners in this case have been acquitted on the 1st Count. The fact, however, should have been distinctly mentioned.

No. 34. Acting Subordinate Judge.

2. The charge in this case is defective, malice not being alleged therein.

No. 18. 23. 24. 27. 29. 31. 32. 33. and 38.

3. The heading or designation of the crime in the cases noted in the margin should have been simply "Housebreaking with theft." It is sufficient if the time be specified in the body of the charge.

No. 37. Acting Subordinate Judge.

4. The charge in this case should

should have been simply headed "Cattle stealing"
The prisoner's crime lay in feloniously stealing
the lamb. "Cattle killing" designates quite a dif-
-ferent offence, and requires that malice should
be expressly alleged in the indictment.

No 39. Acting Sub. Ordinate Judge. 5. It was unnecessary to state in
the heading of this charge that the crime
No 41. by Do 6. was "mattended with aggravating circumstances"
In this case the offence should
have been simply designated "Theft."

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

(Sent in No)

Read Calendar in Case No 31.
of 1855 on the file of the Sessions Judge of Bellary.

(Here enter P. R. No 1072 of 1855.)

The Court of Fouzdaree Udalut
observe that that part of the indictment which
charged the prisoner in the above case with having
undergone a previous sentence of imprisonment
should have been given as a distinct or second
Count.

Ordered that Extract from

these

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

(Sent in No)

Read the Criminal Reports
submitted by the Agent to the Governor of
Fort St George at Ganjam for the year 1854.

(Here enter P. R. No 1107 of 1855.)

The Court of Fouzdaree Udalut

Appendix No to Statement No 1. 1.
observe that the aggregate number of Persons
detained before the Heads of Police, Aumeens,
Cutwalls &c should be 3656 according to the
entries in Columns 11. 12. 14. and 15. of the
Statement No 1. and not 3717.

The cause of the detention
2.
of Persons before the Agency and Police for more
than 30 days should be given in the Column
of Remarks.

In this Statement the Cost
Statement No 2. 3.
note showing how many of the cases entered
under the Head of Robbery by open violence,
were cases of Riotous plunder of granaries
should be given as required in this Court's
proceedings dated 21st April 1854.

The Statement shewing the
4.
expenditure Police force employed under the
Agency

8th May 1855.

Agency for the year 1854 should be forwarded.

The Income showing the Fees of each Judicial Officer who has officiated during the year 1854 should also be forwarded.

Ordered that Extract from these proceedings be sent to the Agent to the Governor of Fort St George at Ganjam by Precept returnable within 3 days from and after its receipt.

(Sent following Precept No)

Read letter under date the 6th April 1855 from the Acting Agent to the Governor of Fort St George in Ganjam submitting for the final judgment of the Sessions Adalut a Report of the trial of Criminal Case No 30 of 1853 on his file.

(Here enter F.H. No 1071 of 1855)

The Court of Sessions Adalut direct that the Acting Agent will submit for their consideration an English translation of the entire record of the above case.

Ordered that Extract from these proceedings be sent to the Acting Agent to the Governor of Fort St George at Ganjam by Precept returnable in X days from date hereof.

(Sent following Precept No)

Extract

Wednesday,
9th May 1855. At a Court of the Sessions Adalut.

F.H.

Present.

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

Read Calendar of case No 137 of 1855 of the Session Court of Chittoor.

(Here Enter F.H. No 1075 of 1855)

The Court of Sessions Adalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Housebreaking by day and Theft be reduced to (3) Three years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Saula Chenchoo gadoo alias Venkatasawmy.

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 10 of 1855 of the Session Court of Trichinopoly.

(Here Enter F.H. No 1096 of 1855)

The Court of Sessions Adalut approve of the recommendation made by

1 Veeramalay alias Vagooren
2 Caroopen
3 Lungen alias Ethooken

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 Robbery by open violence &ca be reduced to (7) Seven " years with hard labor 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 Trichinopoly for his information

Sent in No "

Read Petty Calendars of the Magistracy of Madura for the 1st Quarter of the present year.-

(Here Enter Sl No 1084 of 1855)

Case No 9.

1.

If the charge was in all respects substantiated the punishment awarded was inadequate.

Case No 10 by the Agent 9th May "

2.

It appears probable from the wording of the charge in this case that some dispute existed between the parties respecting the proprietorship of the fields in question. If so, the case should have been tried under Section XI, Regulation V of 1822, as no personal injury is alleged to have been inflicted, the assault being said to consist in the defendants taking forcible possession of

of the crops.

No 4 by Joint Magistrate of Dindigul-

3.

The indictment in this case is so imperfectly framed as to be quite unintelligible.-

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

Sent in A "

Read Calendar of case No 310 of 1855 submitted by the Acting Agent in Ganjam under date the 21st April 1855.-

(Here Enter Sl No 1108 of 1855

Read Calendar of case No 10 of 1855 submitted by the Acting Sessions Judge of Salem under date the 23d Ultimo.-

(Here Enter Sl No 1109 of 1855)

Read return dated 24th Ultimo from the Acting Sessions Judge of Salem to the precept of the Foujdaree Court under date the 19th April 1855 on review of the Calendar in Sessions case No 97 of 1855 calling upon him to reduce the period of imprisonment awarded to the Prisoner to 4 years &c-

(Here Enter Sl No 1110 of 1855)

Read Extract from the Proceedings of the Sessions Court of Guntoor dated 20th April 1855 reviewing the Police Statements for the 1st Quarter of 1855-

(Here Enter Sl No 1115 of 1855)

Read

1 Veeramalay alias Vagooren
2 Caroopen
3 Lingen alias Thooken

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 Robbery by open violence &ca be reduced to (7) Seven years with hard labor 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 Trichinopoly for his information

(Sent in No "

Read Petty Calendars of the Magistracy of Madura for the 1st Quarter of the present year.-

(Here Enter F R No 1084 of 1855)

Case No 9.

1.

If the charge was in all respects substantiated the punishment awarded was inadequate.

Case No 10 by the 2. 4th May 1855

It appears probable from the wording of the charge in this case that some dispute existed between the parties respecting the proprietorship of the fields in question. If so, the case should have been tried under Section XI, Regulation V of 1822, as no personal injury is alleged to have been inflicted, the assault being said to consist in the defendants taking forcible possession of the crops.

No 4 by Joint Magistrate of Dindigul-

3.

The indictment in this case is so imperfectly framed as to be quite unintelligible.-

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

(Sent in No "

Read Calendar of case No 3 of 1855 submitted by the Acting Agent in Ganjam under date the 21st April 1855.-

(Here Enter F R No 1108 of 1855

Read Calendar of case No 10 of 1855 submitted by the Acting Sessions Judge of Salem under date the 23d Ultimo.-

(Here Enter F R No 1109 of 1855)

Read return dated 24th Ultimo from the Acting Sessions Judge of Salem to the precept of the Tahsildar dated under date the 19th April 1855 on review of the Calendar in Sessions case No 7 of 1855 calling upon him to reduce the period of imprisonment awarded to the Prisoner to 4 years &c

(Here Enter F R No 1110 of 1855)

Read Extract from the Proceedings of the Sessions Court of Guntoor dated 20th April 1855 reviewing the Police statements for the 1st Quarter of 1855.-

(Here Enter F R No 1115 of 1855)

Read

9- 9th May 1855.

Read calendar of case No 6 of 1855
submitted by the Session Judge of Guntoor
under date the 28th ultimo.-

(Here Enter S R No 1116 of 1855)

Read Calendar of case No 24 of 1855
submitted by the Session Judge of Coimbatore
under date the 13th ultimo.-

(Here Enter S R No 1117 of 1855)

Read Calendar of case No 12 of 1855
submitted by the Session Judge of Madura
under date the 24th ultimo.-

(Here Enter S R No 1119 of 1855)

Read accounts submitted by
the acting Sessions Judge of Combaconum
under date the 24th ultimo. of the Jail in
charge of the Magistracy for the month of
March 1855.-

(Here Enter S R No 1122 of 1855)

Read supplemental return dated
28th April 1855 from the acting Session Judge
of Cuddalore to the precepts of the Foujdaree
Adalut dated 22d March 1855 reviewing
the Calendar in case No 95 of 1855.

(Here Enter S R No 1125 of 1855)

Read Letter dated 30th April 1855
from the acting Principal Sudr ameen in charge
of the Sessions Court of Cuddalore, submitting
the explanation of the acting Principal Sudr
Ameen for disposing of the Criminal cases
No 208, 216 of 1854 upon the certified Police depositions.

(Here Enter S R No 1142 of 1855)

Ex 180

F. A.

Thursday 10th May 1855. At a Court of the Foujdaree Adalut.

Present

G. S. Hooper Esqr
J. Lo. Strange Esqr
} Puisne Judges

Read Criminal Reports for the month of March 1855, Zillah Cuddalore.

Calc.

(Here enter F. A. No 1083.)

The Court of Foujdaree Adalut observe that the first count of the indictment in this Case is not intelligible.

No 6 by the Mr. Circuit.

The Court remark that the Charge in this Case is full of grammatical errors, and further that the latter part forms no ground of Crime against the prisoner.

No 7 by Do 2.

The Court against the first Prisoner in the Case noted in the Margin make no mention of his motive or intention in stabbing the deceased or of the circumstances under which the

No 8 by Sess Judge 3.

10th May 1855.

the Act was done. The Court observe that Malice prepense is not Charged, although the Prisoner was indicted for murder.

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

/ Sent in A°. /

Read Calendar of Cases A°. 29 1855 on the file of the Sessions Court of Calicut.

(Here enter F. No. A°. 1133 of 1855)

The Prisoners were Charged with having unlawfully assaulted the Prosecutor; and the 1st Prisoner further with having stabbed the Prosecutors brother with a knife and thereby there killed him, the 2d Prisoner aiding the 1st in the commission of the deed.

2.

The Session Judge convicted the 1st Prisoner of the Crime of Culpable Homicide and sentened him to 5 Year's imprisonment with hard labour in Irons. The 2d Prisoner was acquitted.

3.

The Court of Sonjdara Udalut consider

consider the sentence passed by the Sessions Judge inadequate to the offence committed.

The Court are further of opinion

4.

that 1st Prisoner should have been indicted for Murder, and the precise nature of his crime left to be determined by the result of the trial.

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

/ Sent in A°. /

Read Report B of Criminal Cases disposed of by the Magistracy of Tanjore in the Month of February 1855.

(Here enter F. No. A°. 776 1855)

The Prisoners were indicted

A°. 9 of 1855 by the Joint Magistrate

1.

for having feloniously stolen from the Verandah of the Prosecutors house 18 Maunds of the root of the Soonah tree used for dyeing, and the 2d Prisoner for having been also found in possession of 7½ Maunds of the same, knowing it to have been stolen.

The 1st Prisoner was further Charged

2.

with

with having been on two privious occasions convicted of theft and sentenced in one case to receive 60 lashes and in the other to suffer 15 days imprisonment with labour in irons also with having been required to find security in a third case of theft; and with having been in possession of a stolen Padlock, knowing it to have been such.

3. On the above charges the joint Magistrate convicted the first three Prisoners, sentencing the 1st to 4 Months imprisonment with 60 stripes of the Cat o nine tails, the 2d and 3d each to three Months imprisonment; and required the 4th Prisoner to find security for 3 Months good behaviour.

4. The Court of Fouzdaree Udalut consider the Sentence passed upon the 1st & 2d Prisoner very insufficient, in view of the repeated offences he has committed, and which prove him to be an habitual thief.

5. The Court observe that the allegation contained in the two last parahs of the charge form no grounds for counts in an indictment.

Ordered

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

(Sent in &c.)

Read Report B of Criminal Cases disposed of in the Month of March 1855, in the Zillah of Combaconum.

(Here enters F. No. 1082 of 1855.)

The Court of Fouzdaree &c.

Case No. 22 by the acting Sub Judge

Udalut consider the Sentence passed in this Case a very severe one, and resolve to direct the Acting Sessions Judge to review the Case and Judge whether the Sentence may not be reduced. The Court observe that the acting Subordinate Judge has erred in passing Sentence upon the Prisoner at two different dates. He thus accepted the evidence as respected three of the Prisoners, while he reserved Judgment on it as regarded the fourth.

No 10 by the Magistrate. 2. It does not appear who the complainant alluded to in this charge was; nor why he did not conduct the prosecution. The Charge should have made mention of the prisoner's intention which

which would have enabled the Court of Foujdaree Udalut to Judge whether the Prisoner's offence, which would appear to have been one of a very heinous nature, was adequately punished by a Sentence of Six Months' imprisonment and a fine of 50 Rupees, commutable if not paid, to further imprisonment for 6 Months. The offence is entitled "wounding," but the Charge contains no allegation of a wound inflicted.

No 32 by Acting Sessions Judges 3. The Court direct that the Acting Sessions Judge will Review this Case in order to Judge whether so severe a Sentence as that passed in it is necessary.

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

(Sent following Precept No)

Read the Criminal Reports submitted by the Acting Sessions Judge of Honore for the Year 1854.

(Here enter F. No. No 1140 of 1855.)

Statement No 1. The Court of Foujdaree Udalut direct

direct that the Sessions Judges be requested to append as required in this Courts Proceedings under date the 21st April 1854 a Note at the foot of this Statement shewing how many of the Cases entered under the head of Robbery by open violence, were cases of Riotous plunder of Granaries.

Statement shewing the cases involving Grave Enquiry 2. The One case of Perjury entered in the Statement No 3B as primarily Cognizable by the Court should be entered in this Statement.

3. The entry in Column 4 of this Statement appears to be incorrect.

Table of Suicides & accidental deaths 4 The information required in para 3 of this Courts letter under date the 4th April 1853 should be furnished in this Statement.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Honore by precept returnable within 3 days from and after its receipt.

(Sent following Precept No)

Read Calendar of Case No 32 of 1855 on the file of the Sessions Court of Calicut

(Here enter F. No. No 1134 of 1855)

1 Before passing any order in reference to the Recommendation of the Sessions Judge in the

the above case the Court of Fouzdaree Udalut to be to call for the whole record, and direct that it be forwarded without delay in the language in which it was originally taken.

2. The property does not appear to the Court to be of a description to be identified until therefore they have been able to pass judge of the Case from the Record and pass their orders thereon the Court direct that the execution of the Sentence be suspended.

Ordered that Extract from these Proceedings be forwarded to the Session Judge of Calicut by Receipt returnable within 3 days from and after its receipt.

(Sent following Receipt No.)

Read letter under date the 10th May 1855 from the Session Judge of Madulipatam submitting for the final Judgement of the Fouzdaree Udalut the Record of the Case No. 21 of 1855 on the Calendar of the Session Court.

(Here enter F. Uc. No. 1196 of 1855)

Mr. T. L. Strange

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

that the proof against the Prisoner

Calidindy Soobbah

is sufficient to convict him of the crime of culpable Homicide, for which the penalty Dyut is awardable under the Mahomedan Law as declared in Futwahs of their Law Officer do convict him thereof and under the provisions of Cause second, Section XV Regulation VII of 1802, and Section XXXIV Act VII of 1843, Sentence him to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (3) three months.

Sentence

Read letter under date the 10th May 1855 from the Session Judge of Coimbatore submitting for the final Judgement of the Fouzdaree Udalut the Record of this Case No. 22 of 1855 on the Calendar of the Session Court.

(Here enter F. Uc. No. 1154 of 1855)

Mr. G. L. Hooper and T. L. Strange

The Court of Fouzdaree Udalut on a deliberate consideration of all the circumstances of this Case in evidence before them being of opinion that the proof against the Prisoner

1st Vencatachella Gounden

and

2d Ooroomanda Gounden

is sufficient to convict them of the Crime of Murder and Robbery do convict them thereof; and do sentence the prisoner.

2d Ooroomanda Gounden

to suffer death by being hanged at the usual time and place of execution and the prisoner.

1st Vencatachella Gounden

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 his natural life.

(Sent in No)

Read Extract dated 6th February 1855 from the Session Judge of Madura reviewing the Petty Calendars of the Magistrate for 4th Quarter 1854.

(Here enter F. No. No 433 of 1855)

Read Calendar in Case No 4 of 1855 dated 6th February 1855 from the Session Judge of Coimbatore of a Prisoner committed for

for trial by the Principal Sudder Ameen.

(Here enter F. No. No 468 of 1855)

Read Return dated 9th February 1855 from the Session Judge of Honore to the Precept of the F. No. under date the 30th December 1855 calling for an explanation of the delay in the disposal of the Six Cases entered in the Criminal Reports for the month of December 1854 as being under examination before the Principal Sudder Ameen.

(Here enter F. No. No 473 of 1855)

Read letter dated 20th April 1855 from the Commissioners for the investigation of alleged Cases of Torture returning the Returns forwarded by this Court with their letter of the 9th March last.

(Here enter F. No. No 1022 of 1855)

Read Report dated 14th April 1855. from the Session Judge of Rajamundry of the labour of the Convicts in the Jail at Cocanada for the Month of March 1855.

Here enter F. No. No 1040 of 1855

Read

10th May 1855

Read Statement dated 20th April 1855. Submitted by the Sessions Judge of Mangalore of the actual produce of the labor of the Prisoners for the 1st Quarter of 1855.

(Here enter F. Uc. No. 1086 of 1855) vs

Et Thos W

Friday 11th May 1855.

F. Uc.

At a Court of the Fouzdaree Udalut.

Present.

G. S. Hooper Esqre. } Puisne Judges
T. L. Strange Esqre. }

Read letter dated 21st April 1855 from the acting agent to the Governor of Fort Saint George in Ganjam, submitting Reports of Criminal Cases disposed of by that Officer and his assistants.

(Here enter F. Uc. No. 1105 of 1855)

No. 67 of 1854 by the Agent 1.

The Court of Fouzdaree Udalut observe that there is nothing in the Charge in the Case noted in the Margin to warrant the Designation given to it. The Case must be one of embezzlement or theft.

No. 13 of 1038 by the Agents 2d.

In this Case the nature of the Crime to which the prisoners were accessary should have been given. It is merely stated generally that they aided certain marauders by guiding them to certain Villages. The

Court

11th May 1855.

Court observe that the Sentence is altogether inadequate, and the Regulation under which it has been passed inapplicable.

No 17 of 1855 by the Agent 3. As the Prisoner in this Case was convicted on the Charge of having preferred a wilfully false complaint, he should have been punished, escape from Custody being a distinct offence for which Special punishment is awardable. At the same time the grounds of Sentence do not appear to the Court to justify the conviction.

No 19 of 1855 by the Agent 4. The foregoing remark is also applicable to this Case. A Sentence in some measure adequate to the offence should have been passed. The grounds of Sentence do not, however, serve to support the conviction.

No 20 of 1855 by the Agent 5. This Sentence is unsatisfactorily drawn up. Witnesses may fail to support a Charge but no proof is afforded thereby that the Charge is a false one.

No 24 of 1855 by the Agent 6. The designation of the Crime in this Case should have been "Assault."

The

11th May 1855
No 11 of 1855 by Apt Agent 7. The Court observe that this was a Case for the Magisterial Calendar, the Prisoners not being charged with any Specific crime.

No 13 Do Do 8. The Sentence in this Case is a severe one. The Court of Sujidara Udalut resolve to draw the attention of the Acting Agent to it, and to direct that Officer to review the Case in order to judge whether the Sentence may not be reduced.

Ordered that Extract from these Proceedings be forwarded to the Acting Agent in Ganjam by Precept returnable within X days from and after its receipt.

(Sent following Precept No)

Read letter from the Acting Session Judge of Cumbaconum dated 27th April 1855 forwarding with the Reports in form A of Case No 42 on the file of the Subordinate Court, Copies of the remarks of the Sessions Court in the above case, of letter addressed by the Acting Sessions

11th May 1855.

Sessions Judge to the Acting Subordinate Judge with his reply thereto and requesting the instructions of the Judges of the Sowdaree Udalut on the Subject.

(Vide enter S. No. 1123 of 1855)

1. In the Case referred to in the above report the prisoners a Polea Jawabnavis and a Peon were committed for trial by the Special Assistant Magistrate charged with torture and extortion and released by the Acting Subordinate Judge without any form of trial whatever on a mere perusal of the depositions which were sent up by the Magistrate and which he considered to be so full of discrepancies and contradictions as to be totally incredible

2. The Acting Sessions Judge considering that the course adopted by the Acting Subordinate Judge was opposed to Circular Order of the Sowdaree Udalut dated 2nd June 1847 directed the Acting Subordinate Judge to bring the prisoners to trial before himself and

dispose

dispose of the Case after due enquiry.

3. The Acting Subordinate Judge in reply to the Extract of the Proceedings of the Sessions Court has begged that the question as to how far he was justified in the Course he had pursued might be referred to the Court of Sowdaree Udalut for their consideration being of opinion that the Circular order of the Sowdaree Udalut dated 2nd June 1847 did not apply to Cases of the kind now ordered to be brought up for trial.

4. The Court of Sowdaree Udalut observe that the Acting Subordinate Judge has misapprehended the Proceedings of the Sowdaree Udalut of the above date, the intent whereof has specially been to prohibit such a Course as he has taken in regard to the Case in question, and to show that no prisoner brought before a Criminal Court on a matter within its Jurisdiction is to be let at liberty but after trial.

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

(Sent in H.)

Read

11th May 1855.

Read letter under date the 30th April 1855. from the Sessions Judge of Calicut submitting for the final Judgement of the Foujdaree Udalut the Record of Case No. 16 of 1855. on the Calendar of the Sessions Court of Calicut.

(Here enter F. Uc. No. 1155 of 1855)

Mr. G. S. Hooper and S. Lo. Strange.

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

Sayee Kundy Ramen

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

4th Nott

(Sent in Ho)

Saturday 12th May 1855.

F. Uc.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre.
J. L. Strange Esqre.
} Puisne Judges

Read Foujdaree Miscellaneous Petition presented on the 16th April 1855 by Sree Rama Tatiah of Zillah Vizagapatam

(Here enter F. M. P. No. 121 of 1855.)

Petitioner represents in the above Petition that the first of the persons specified therein, a Mr. Hedley took possession of his well, and made a road through his (Petitioner's) backyard, that certain others entered his house in his absence, stole therefrom a large quantity of Jewels, violated the women of his family, and carried off his wife with a number of ornaments on her person, - that on his preferring charges of the above, the agent and his assistant

Mr. G. S. Hooper 1.

assistant would give him no hearing, and that the latter officer instead of examining his witnesses fined him 5 Rupees, that, a second time appealing for redress in the above and other matters the assistant to the Agent, on the strength of an investigation by the Native authorities Sentenced him to be imprisoned for six Months, (a sentence confirmed by the Agent), and that in a subsequent order Chains and Labour were awarded in addition - Petitioner moreover enumerates various instances in which he considers himself aggrieved by the arbitrary and summary way in which his Petitions for redress were dealt with by the agent and his assistant, and prays that the Court of Fouzdaree Adalut will order the Records connected with this cases cited above to be submitted, and pass orders on the same:-

2. The Court of Fouzdaree Adalut reject this Petition which refers to many matters apparently unconnected with each other and chiefly of a Civil nature, which they cannot take cognizance of.

Order

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

Read Calendar of Case Nº 10 of 1855 of the Sessions Court of Chittoor.-

(Here enter F. C. Nº 1130 of 1855.)

The Court of Fouzdaree 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 Robbery by open violence, be reduced to (8) Eight years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.

1. Daramarayadoo
2. Syed Sah.

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

Read Miscellaneous petition presented on the 26th April by John Tauchamman Vakeel on behalf of Jagannada Taken late Head of Police of Chicacole.-

Here enter F. M. P. Nº 132 of 1855.

Petitioner complains of the

Mr. G. A. Hooper. 1.

Order

Order of the Sessions Court refusing to grant him copies of certain decisions passed against him in Cases Nos 32, 33, & 35 of 1854 on the Magistrate's file, for which copies the Magistrate had directed him to apply to the Sessions Court.-

2. The Petitioner should apply again to the Magistrate for copies of the documents he requires, which have in all probability have returned to that officer to the Sessions Judge to whom it appears they had been forwarded by the Magistrate with the Quarterly returns.-

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

Read Miscellaneous Petition presented on the 30th Ultimo by Pakhaly Moideen of zillah Cuddapah praying that the Petitioner in Sudder and Foujdaree Miscellaneous petition No 14 of 1855 may in consequence of his general bad conduct never be ordered to be restored to his situation of Police ameen of Cuddapah from which he was dismissed by the Magistrate of Cuddapah.-

(Here enter F. M. P. No 135 of 1855)

The Court of Foujdaree Adalut direct that the Petitioner be referred to their order passed on petition No 14 above alluded to.-

Ordered that Extract from these Proceedings and from those on Sudder and Foujdaree Miscellaneous Petition No 14 of 1855 be granted to Petitioner on his application.-

Read Miscellaneous Petition presented on the 30th Ultimo by Sreenevasa Charry Vakeel on behalf of Coetty Chetty of Zillah Madura.-

(Here enter F. M. P. No 134 of 1855.)

Mr. G. S. Hooper

Petitioner appeals from the Proceedings of the Sessions Court of Madura under date the 21st February 1855 confirming the order of the Magistrate dated the 21st November 1854 whereby that officer affirmed the sentence passed by the Joint Magistrate upon the petitioner for collecting the Hill ryots to incite them to refuse the payment of Rists to

12th. May 1855.

to the Renter of Iyempolliem in the Zillah of Madura.-

The Court of Foujdaree Adalut see no reason to interfere with the orders appealed against and they therefore resolve to reject this petition.-

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

The annual Criminal Returns for the year 1854, not having been yet received from the Sessions Judge of ——— the attention of that officer is again called to this Court's letter dated the 8th. January last and he is directed to transmit the Returns in question without further delay.-

Cuddapah
Mangalore

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

(Sent in No.)

No final returns having been received from the Sessions Judge of Calicut to the Precept of the Foujdaree Adalut dated the 3d. March last forwarding for report a Petition

12th. May 1855.-

Petition presented to them by Iravinen Nair and his brother Ramen Nair of that Zillah.-

Ordered that the Sessions Judge of Calicut be required to make a final return to the above Precept without further delay.-

(Sent following Precept to)

Read again Calendar dated 1st. March 1855 Submitted by the Acting Sessions Judge of Combaconum in Case No. 9 of 1855.-

(Here enter F. Dc. No. 638 of 1855.)

Read again Miscellaneous Petitions presented on the 22d. & 29th. March 1855 by Anantammal and Moorooguy of Zillah Combaconum praying for the release of the 1st. and 2d. Prisoners in case No. 9 of 1855 of the Sessions Court of Combaconum.-

(Here enter F. M. P. Nos. 94, 97 & 100 of 1855.)

Read also Return dated the 3d. Instant made by the Acting Sessions Judge of Combaconum to the Precept of

of the Fouzdaree Udalut under date the 7th April last directing the Submission of an english Translation of the entire record in Case No. 9 of 1855.-

(Here enter F. G. No. 1157 of 1855.)

Mr. T. L. Strange 1. In this case two prisoners have been arraigned before the Session Court of Combaconum on charges of assault and wounding.-

2. The Acting Session Judge in concurrence with the verdict of the assessors, convicted the prisoners and sentenced the 1st to 2, and the 2d to 1 years imprisonment with hard labor in irons under Clause 7 Section II Regulation XV of 1803.-

3 The Court of Fouzdaree Udalut observe that the prosecutor was found wounded at the door of the 1st prisoner's house and he and his witness allege that the 1st prisoner was the person who wounded him.- The Prisoners on the other hand plead that the charge has been got up against them by their enemy and next door neighbour Annah Pillay,

Pillay, the Criminal Jewabneveis

The Court think it suspicious

4. that with several alleged spectators of the occurrence none should have tendered aid to the prosecutor but that he should have been left to lie at the 1st prisoners' door until the police authorities arrived to find him there

The first to give information

5. to the Police would seem to have been one Sellapa Naik.- He is a peon in attendance upon the Jewabneveis, and it does not appear what opportunity he had of knowing of what had passed.- Three of the eye witnesses are also persons in the Jewabneveis' employ.-

The Acting Session Judge

6 has noticed the highly suspicious circumstance that the prosecutor gave up the name of the 5th Witness on the night of the wounding as one who had witnessed the occurrence, while he has since allowed that he had no acquaintance with the said witness and only learnt his name the following day.- The

Acting

Acting Sessions Judge has rightly concluded that the evidence of this witness has been got up. It appears to the Court to follow that the charge itself must in such Case also have been concocted, for the naming of the witness was no matter of after thought but occurred at the very outset when the prosecutor lay on the spot in question where he was found wounded.

7. The Court also observes various discrepancies in the evidence which appear to them to indicate the falsehood thereof, and there is moreover a circumstance which serves much to overthrow the Statements made in support of the prosecution and to show that the allegation made by the prisoners that the charge is one got up against them by the Sewabneveis may be well founded in truth; for it appears that there was no blood to be discovered at the spot where the wound is said to have been inflicted, but that traces thereof existed from the entrance to the

the Sewabneveis' house to the 1st prisoner's door where the prosecutor was found, as if the prosecutor had been wounded at the Sewabneveis' door and then taken to the 1st prisoner's to fix the guilt upon him.

As the Court of Foujdaree

8. Udalut are unable to place any confidence in the evidence for the prosecution they acquit the prisoners and direct their release.

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

(Sent following Precept No)

Read Return made by the Acting Sessions Judge of Madura dated 27th April 1855 to the precept of the Foujdaree Udalut under date the 19th April 1855 calling upon the Session Judge of Madura to report what evidence was adduced to prove that the E. Prisoner in Case No. 10 of 1855 brought the stolen property knowing it to be such

10

such.-

(Here enter F.M.C. No. 1124. of 1855.)

1. The Acting Session Judge with the foregoing return forwards copy of a return dated 25th April 1855 from the Subordinate Judge of Madura to a precept from the Sessions Court under date 23rd April 1855.-

2. The late Acting Sessions Judge summary of the evidence by which he considered it proved that the 2d prisoner brought the stolen sheep knowing them to be such is as follows.-

1st that it has been proved by the prosecutor as well as by the 1st and 2d witnesses that 4 of the stolen sheep were found in possession of the 4th witness' son.-

2d that the prosecutor and 1st 2d and 3d witnesses have recognised the sheep as belonging to Prosecutor.-

3d that the 4th and 5th witnesses admit the possession of the sheep which they sold to 6th witness also stating that they had purchased them of the 2d Prisoner.-

4th That the 2d prisoner admitted before the Police

Police the purchase of the sheep from the 1st Prisoner and the resale of them to the 4th and 5th witnesses

3 The Subordinate Judge then remarks that had the 2d Prisoner instead of denying being even in possession of the sheep set up as his defence before the Session Court the purchase of them by him from the 1st Prisoner and admitted having sold them to the 4th and 5th Witnesses he would have been at once acquitted of the crime laid he his charge, but in the face of this denial it has been shown by the foregoing evidence that he did sell them to the 4th and 5th Witnesses and the sheep were identified by their owner and other witnesses he was convicted and sentenced accordingly.-

The Court of Foujdaree

4 Adalut observe that the late Acting Session Judge has convicted the prisoner in the above case on conclusions drawn from mere reasoning and not upon evidence and they therefore resolve to call for the original proceedings in order to

review

review the case. In the mean while they direct the suspension of the Sentence passed upon the 2d prisoner.

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

(Sent following Precept No)

Read Miscellaneous Petition presented on the 26th Ultimo by Gengy of Zillah Chinglepet.

Mr. G. S. Hooper (Herewith enter F. In. P. No 133 of 1855.)

Before finally disposing of the above Petition, the Court of Foujdar Adalut resolve to direct the Sessions Judge of Chinglepet to submit for their consideration an English translation of the record of trial in Case No. 38 of 1854 of the Sessions Court of Chinglepet.

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

(Sent following Precept No)

Read Miscellaneous petition presented on the 16th April by Launer Auchterlony Vakeel

Vakeel on behalf of Oodia Vurma Rajah of Tellicherry.

Herewith enter F. In. P. No 114 of 1855.

Read again Foujdaree Miscellaneous Petition presented on the 22d January 1855, by Launer Auchterlony Esqr. on behalf of Oodia Vurmah Rajah of Tellicherry.

(Herewith enter F. In. P. No 36 of 1855.)

Read also Foujdaree Miscellaneous Petition presented on the 18th September 1854 by S. Tirowmala Chary Vakeel on behalf of Oodia Vurmah Rajah of Tellicherry

(Herewith enter F. In. P. No 202 of 1854)

The Petitioner prays the

Mr. W. A. Morehead 1.
Mr. T. L. Strange Court of Foujdaree Adalut will consent to review its order passed on his Petition on the 21st October last.—

The Court of Foujdaree

2.

Adalut on consideration of all that is before them in the matter of this petition are still of opinion that the case was legally disposed of by the Magistrate and therefore resolve to reject Petitioners request for a review of their former order no valid reasons having been brought

12th October 1855.

brought forward by the Petitioner for such a course.-

Ordered that Extract from these Proceedings be furnished to the petitioners Vakeels on their application.-

Extd/ [illegible]

F.C.

Monday 14th May 1855

At a Court of the Fouzdaree Adalut

Present.

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

Read Copy of the Calendar of Case No. 23 of 1854 on the Rajahmundry Sessions Court's file.-

(Here enter F.C. No. 1050 of 1855)

1 The Court of Fouzdaree Adalut observe that the charge is badly drawn up, and that the Sessions Judge should have had it amended. The manner of the commission of the Crime is not described, nor is the value of the property found in the possession of the Prisoners respectively specified. a Description of this property should further more have been appended.

2 The Court of Fouzdaree Adalut approve of the recommendation of the Sessions Judge in this Case, that the period of imprisonment which the Prisoners noted in the Margin have been adjudged to suffer

1 Ramulla Venkanna
2 Coneru Jogu
3 Seeregana Juggaiah
4 Sattara Narayo

suffer ~~on their~~ conviction of Gang Robbery be mitigated to six years imprisonment and they authorize him to mitigate the sentence accordingly.

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

Sent in &c.

Read Calendar of Cases &c. of 1855 Submitted by the Sessions Judge of Cuddapah.

(Here enter F.D. No. 1156 of 1855)

1

The Court of Foujdaree Adalut consider the Futwah of the Mahomedan Law Officer, given in this case very unsatisfactory. The evidence he recounts as serving to cast suspicion on the Prisoners amply sufficient for their conviction, unless discredited and the Law Officer does not say that it is not entitled to credit.

2

They further observe that the Sessions Judge has given no sufficient reasons for not accepting the said evidence and they

they desire he will inform them what the plea of the Prisoners was as to the property declared to have been given up by them, and on what grounds he may have deemed the evidence for the prosecution not such as could be acted on.

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Cuddapah by precept returnable within 7 days from and after its receipt.

(Sent following precept &c.

Read Supplemental return from the Acting agent in Ganjam dated 21st April 1855 Submitting copy of a letter from Mr. Macdonald Assistant to the Agent and an Extract from a letter from Mr. Samuells Commissioner Tributary Mehals and requesting the permission of the Foujdaree Adalut to admit the men named by Mr. Macdonald to be secured as approver.

(Here enter F.D. No. 1106 of 1855)

For the reasons detailed in

1

the foregoing communications from the Acting Agent in Ganjam, the Judges of the Foujdaree

Fouzdaree Udalut resolve to sanction the admission of certain individuals therein named as approvers provided no other evidence of parties unassociated with the Crimes referred to by them sufficient bar the conviction of the offenders.

Ordered that Extract from these Proceedings be sent to the Acting Agent in Ganjam for his information.

/Sent in Ao /

Read letter dated the 25th April 1855 from the Session Judge of Chingleput, Submitting for the final Judgment of the Fouzdaree Udalut the records of Case No. 7 of 1855.

(Here enter No. 1070 of 1855)

Before disposing of this case, the Court of Fouzdaree Udalut resolve to call upon the Session Judge to forward for their consideration a translation of the under-mentioned documents.

No. 1 Report dated the 11th December 1854 sent to the Head of Police by Peon Broomaul Naick.

No. 4 A deposition dated the 12th December 1854

1854 given before the Police by the deceased's daughter Coottyemmaul.

No. 5. A deposition dated the 13th December 1854 given before the Police by one Chaik Davood.

No. 4. The Court of Fouzdaree Udalut observe is a deposition taken by the Police from the deceased's daughter Cootty-ammaul. She is represented to be 12 years of age and no cause is assigned why she was not examined before the Criminal and Session Courts they resolve therefore to request the Session Judge to take her evidence and submit the same without delay.

Ordered that Extract from these Proceedings be sent to the Session Judge of Chingleput for his information by precept returnable within X days from and after it's receipt.

(Sent following precept No.)

Do W.C.

F. U.

Tuesday
15th May 1855. At a Court of the Toujdaree Udalut.

Present.

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

Read Calendar of Case
No 33 of 1855 of the Session Court of Bellary
(Here enter F.U. No 1158 of 1855)

The Court of Toujdaree Udalut 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 on their conviction of the crime of Robbery be reduced to (5) five years with hard labor in irons, and they do authorize the Session Judge to issue his warrant according[ly].

1 K. Nangah
2. Bheemah

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

Sent in N.

Read Calendar of Case No 7
of 1855 of the Session Court of Honore.
(Here enter F.U. No 1159 of 1855)

The

15th May 1855.

The Court of Tongarree Wealut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of the crime of Forgery, be reduced to (6) Six months with light labor without 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 Hanore for his information.

Sent in No

Read Letter dated 5th May 1855 from the Principal Sudda Ameen in charge of Session Court of Sellone submitting for the final judgement of the Tongarree Wealut the record of Case No 9 of 1855 of the Calendar of the Session Court.

(Here enter F.R. No 171 of 1855)

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

The Court of Tongarree Wealut 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 Annapareddy Tipiriyadu
2d Do Papadu
3d Do Vitadu
4th Do Pedu Aukadu
5th Do Chinna Aukadu

15th May 1855.

6th Do Poli alias Papi
7th Do Pedu Ramudu
8th Do Chinna Vitadu
9th Do Sunkadu
10th Do Chinna Papadu
11th Do Chinnagadu

is sufficient to convict them of the crimes charged, do convict them thereof; and under the provisions of Clause Third Fifth, Section IV Regulation XV of 1803, sentence the prisoners

1st Annapareddy Tipiriyadu
2d Do Papadu
3d Do Vitadu
4th Do Pedu Aukadu
5th Do Chinna Aukadu

to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of (5) five years, the prisoner

6th Annapareddy Poli alias Papi to be imprisoned and kept to [illegible] labor suitable to her sex for and during the period of (5) five years; and the prisoners,

7th Annapareddy Pedu Ramudu
8th Do Chinna Vitadu
9th Do Sunkadu
10th Do Chinna Papadu

and

11th Do Chinnagadu

to be imprisoned and kept to hard labor in irons on the public roads or other public

15th May 1855

public works, for and during the period of (2) Two years.

The Court of Foujdaree Adalut are of opinion that the punishment suggested by the Session Judge is quite inadequate to the guilt of the prisoners; they observe that the attack on the Prosecutor and his son, (deceased) the former of whom was also severely beaten and wounded, was a very savage one, and made without any provocation except what in reality made it the more unjustifiable.

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

Sent in Ap.

Read Return dated 23d April 1855 from the Session Judge of Bellary to the precept of the Foujdaree Adalut under date the 14th April 1855, calling upon the Sessions Judge of Bellary to reduce the sentence passed against the prisoners 3d to 7th in Case No 22 on the Calendar for 1855 or to submit an English translation of the record of the said Case.

(Here enter F. A. No 1112 of 1855)

Read

15th May 1855

Read Calendar of the Case No 26 of 1855 committed for trial before the Acting Agent to the Governor of Fort St. George in Ganjam.

(Here enter F. A. No 1131 of 1855)

Read Calendar of Case No 25 of 1855 on the file of the Sessions Court of Calicut.

(Here enter F. A. No 1132 of 1855)

Read Calendar of Case No 7 of 1855 submitted by the Sessions Judge of Cuddapah.

(Here enter F. A. No 1135 of 1855)

Read Calendar of Case No 18 of 1855 submitted by the Sessions Judge of Cuddapah.

(Here enter F. A. No 1136 of 1855)

Read Calendar of Prisoners in Case No 25 of 1855 submitted by the Sessions Judge of Coimbatore.

(Here enter F. A. No 1145 of 1855)

Read

15th May 1855.

Read Calendar of Case No 13 of 1855 submitted by the Acting Sessions Judge of Combaconum.

(Herewith F.C. No 1171 of 1855)

Read Calendar of Case No 35 on the file of the Sessions Court of Bellary for 1855.

(Herewith F.C. No 1172 of 1855)

Read Calendar of Case No 17 of 1855 on the file of the Sessions Court of Tinnevelly.

(Herewith F.C. No 1173 of 1855)

Read Copy of the Calendar in Case No 33 of 1855 on the file of the Sessions Court of Calicut.

(Herewith F.C. No 1174 of 1855)

Read Calendar of Case No 18 of 1855 on the file of the Sessions Court of Tinnevelly.

(Herewith F.C. No 1175 of 1855)

End

J.W.S

F.C.

Friday 18th May, 1855.

At a Court of the Foujdaree Adalut.

Present.

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

Read Calendar in Case No 8 of 1855 submitted by the Sessions Judge of Rajahmundry.—

(Here enter F.C. No 1177 of 1855)

The Court of Foujdaree Adalut observe that the Sessions Judge has in a note appended to the sentence awarded by him in the above case remarked that in his opinion this case might with propriety have been disposed of by the Subordinate Judge; in these circumstances the Sessions Judge should have remanded the case to the Subordinate Judge for disposal.—

Ordered,

18th May, 1855.

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

/Sent in No. /—

Read Return made by the Sessions Judge of Honore to the precept of the Foujdaree Udalut under date the 23d March 1855 conveying their observations and orders on the petty Calendars for the 4th Quarter of 1854 together with copy of a letter from the Additional Joint Magistrate to the Magistrate of Canara.—

/Here Enter F. No. No. 1160 of 1855/-

The Court of Foujdaree Udalut observe with reference to the explanation offered in Paras: 4 and 5 of the letter accompanying the above return that Case No. 114 in the Petty Calendar was properly one of "Theft" and should have been dealt with accordingly.—

Ordered, that Extract from

18th May, 1855.

from these Proceedings be forwarded to the Sessions Judge of Honore for his information.—

/Sent in No. /—

Read letter dated 3d May 1855 from the Sessions Judge of Chicacole, submitting for the final Judgment of the Foujdaree Udalut the Record of Case No. 4 of 1855 of the Calendar of the Sessions Court.—

/Here Enter F. No. No. 1195 of 1855/-

Mr. G. S. Cooper. 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.

"1st Arlay Naraidoo"

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 on the public roads

or

or other public works for and during the period of his natural life.—

1. In this case the 2 prisoners were charged with the murder of one Moolapoody Pedda Camarauze aged 60 years.—

2. The Law Officer convicted the 1st Prisoner of the offence charged but acquitted the 2d prisoner.—

3. In the acquittal of the 2d Prisoner the Sessions Judge concurred and directed his release but deeming the offence committed by the 1st Prisoner to amount merely to manslaughter, he referred the case to the Foujdaree Udalut and recommended that a sentence of 4 years' imprisonment with hard labor in irons may be passed upon him.—

4. The Court of Foujdaree Udalut concur with the Law Officer in the conviction of the 1st Prisoner of the crime of murder.—

5. They observe that the deceased

deceased was aged 60. the Prisoner is a young man of 25 years of age. The deceased had merely struck him with his hand. the scuffle that followed was not such as by any possibility could justify the prisoner in drawing his dagger and inflicting so deadly a wound as immediately caused deceased's death.—

6. They have accordingly sentenced the 1st prisoner to transportation for life.—

7. The Court of Foujdaree Udalut observe that this case was set down for reference on the 5th ultimo but was not despatched from the Sessions Court till the 3rd instant, this delay of nearly a month in the submission of the record of the case which is short, is very reprehensible.—

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

for

18th May, 1855.

for his information.—

Sent in No. 15

Capt Ellis

Capt Holt

F. C.

Saturday

19th May 1855.

At a Court of the Foujdaree Udalut

Present

G. L. Hooper Esqre. —— Puisne Judge

W. A. Morehead Esqre. —— Puisne Judge

T. L. Strange Esqre. —— Puisne Judge

Read Miscellaneous Petition presented on the 19th April 1855 by John Tachoo menon, Vakeel on behalf of Mamathe Kovil Ragatha Rhagava Rajah and two others of Bayspoor

(Here enter F. M. P. No. 123 of 1855)

Mr. W. Morehead 1

The Petitioners complain and pray for the reversal of the order of the Magistrate of Malabar confirmed by the Session Judge fining them for an assault committed by them on a relative.

2

The Court of Foujdaree Udalut resolve to reject this petition being of opinion that the case has been legally disposed of by the Magistrate and Session Judge.

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

Read

Read Miscellaneous Petition forwarded by the Acting Session Judge of Madura from Appachy Pillay son of Comara pillay Prisoner in Case No. 13 of 1855 on the file of the Criminal Judge of Madura.

(Here enter F. M. P. No. 131 of 1855)

Mr. W. Morehead. 1

The Petitioner's father is charged under Act XXIII of 1850, with a breach of trust in fraudulently misappropriating the surplus fund belonging to the Dindigul Pagoda, of which he was Manager, and in neglecting the regular and faithful management of the said Pagoda.

2.

Petitioner endeavours to show that the charge in question is not of a character which admits of a Criminal prosecution against his father, and concludes by praying the interference of the Court of Zongdaree Udalut to instruct the Acting Session Judge of Madura to dismiss the said Case, which he states, is now under trial before that Officer.

3.

The Court of Zongdaree Udalut direct that the Petitioner be informed that his representation must in the first instance be made to the Acting Session Judge who will dispose of

of the matters in such manner as he thinks proper. If dissatisfied with his decision, Petitioner may then appeal to this Court.

Petition dismissed.

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

Read Miscellaneous Petition presented on the 12th Instant by Videalinga Moodely of Zillah Combaconum praying for the release of the 1st Prisoner in Case No. 10 of 1855 on the file of the Session Court of Combaconum.

(Here enter F. M. P. No. 137 of 1855)

Before disposing of the foregoing

Mr. W. Morehead.

Petition, the Court of Zongdaree Udalut resolve to direct the Acting Session Judge of Combaconum to submit for their consideration, an English translation of the record of trial in the aforesaid case, so far as it regards the 1st Prisoner.

Ordered that Extract from these Proceedings be sent to the Acting Session Judge of Combaconum by Precept returnable in x days from and after its receipt.

(Sent following) Precept No.

Read Miscellaneous Petition presented on the 12th Instant by Lakapaty Dalchatur

of

19th May 1855.

of Zillah Cuddalore.

(Here enter F. M. P. No. 136 of 1855)

Mr. H. Morehead. 1. Petitioner appeals against the order of the Session Court of Cuddalore under date the 12th March 1855, rejecting his Petition No. 165 of 1854 in which he complained of the permission granted by the Magistrate of South Arcot to the weavers of the Village of Chedumbaram to perform a certain festival in the Pagoda of Shree Sabanaya=ger in that village, independently of the Petitioner and his colleagues, who are the Stanikers of the said Pagoda.

2. Before finally disposing of this Petition, the Court of Foujdaree Udalut resolved to direct the Petitioner to produce a copy of the order passed by the Magistrate of South Arcot in the matter.

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

Read letter dated 5th May 1855 from the Session Judge of Bellary, submitting for the final Judgment of the Foujdaree Udalut the record of trial in Case No. 30 of 1855 of the Calendar of the Session Court.

(Here enter F. Vo. No. 1194 of 1855) The

F. Vo

19th May 1855

Mr. Hooper
Mr. Strange

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

"Cumsala Ramadas"

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.

The prisoner in this case was charged with having stabbed 3 individuals with a dagger, from the effects of which wounds they died on the following day.

2. The Law Officer convicted the Prisoner of the crime of Murder on strong presumptive proof and the Session Judge concurring in that finding recommended that the Prisoner should be sentenced to transportation for life.

3. The Court of Foujdaree Udalut concur in the conviction of the Prisoner and have sentenced him to suffer death, as they can find no palliating circumstance in the case that would justify any mitigation of the punishment prescribed by the Law for wilful Murder.

They

They observe that upon slight provocation the Prisoner took a sheathed Dagger from a bag suspended from his shoulder drew it from the sheath and therewith stabbed 3 persons in succession, who died soon after of the wounds so received.

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

Sent in No.

Read letter dated the 14th May 1855 from the Session Judge of Coimbatore, submitting for the final judgment of the Foujdaree Udalut the record of trial in Case No. 21 of 1855 on the Calendar of the Session Court.

(Here enter F. Ub. No. 1213 of 1855)

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,

Mackalawaden,

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

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 his natural life.

(Sent in No.

Read again Calendar of Case No. 102 of 1854 of the Session Judge of Cuddalore

(Here enter F. Ub. No. 658 of 1855)

Read again return dated 24th March 1855 from the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Udalut under date the 22nd March 1855, reviewing the Calendar in Case No. 102 of 1854.

(Here enter F. Ub. No. 846 of 1855)

Read also return dated 10th ultimo from the Acting Session Judge of Cuddalore to the Precept of the Foujdaree Udalut under date the 4th April 1855, calling for the record in Case No. 102 of 1854.

(Here enter F. Ub. No. 984 of 1855)

Read also Miscellaneous Petition of Vyapoory and others received on the 20th April 1855 from the Acting Session Judge of Cuddalore.

(Here enter F. Mo. P. No. 124 of 1855)

Mr. Strange.

The Court of Foujdaree Udalut

feel

feel themselves unable to place any confidence in the evidence for the prosecution. The robbery is said to have occurred on the 2d January 1854, and the prisoners were not arrested until the 2d and 9th of August following. During this interval the Police had had without trace of the robbery or how information on which the prisoners were arrested, was given by the 1st witness. It is to the effect that a few days previous to the arrest he had overheard the 1st and 2d prisoners and four others speaking of the robbery, talking of the division of the booty and of the parties either engaged in the robbery or who had been receivers of the property whereby besides being able to particularize the said six individuals he had also noted down the names of thirty six other persons with details of where the property had been disposed of. The Acting Sessions Judge, although he has convicted the prisoners, has seen ground to mistrust the said evidence. It appears to the Court of Foujdaree Udalut manufactured, and they can place no reliance on what has ensued out of it. It was easy in planning the said evidence, to have produced also property that might answer to what was stolen and to allege that this was discovered with the prisoners, which the

the Court feel it very difficult to believe that some of these articles - namely No. 3 for example which in beads &c consists of 150 items, should remain intact and not made use of for so many months in the hands of one of the robbers.

2. As the Court of Foujdaree Udalut thus discredit the evidence adduced against the prisoners, they acquit them and direct that they be discharged.

Ordered that Extract from these Proceedings be sent to the Acting Principal Sudr Ameen in charge of the Session Court of Cuddalore by Precept returnable within six days from and after its receipt.

(Seal) Following Precept No.

E. Thoth



F. C.

Monday — 21st May 1855 } At a Court of the Foujdaree Adalut

Present

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

Read Calendar of Case No. 31 of 1855 submitted by the Sessions Judge of Masulipatam.

(Here Enter F. C. No. 1183 of 1855)

The prisoner in this case is charged with having unlawfully received and illegally retained in his possession certain gold and silver ornaments knowing at the same time that they had been feloniously stolen or illegally possessed by one Cheravoory Venkamah - Also with having "illegally harboured the aforesaid Venkamah knowing her at the time to be a thief or under other suspicious circumstances".—

The Court of Foujdaree Adalut observe that the latter part of the

2.

the indictment should have been made a distinct Charge - The Count as laid does not moreover Charge an offence to commit the prisoner of being accessory after the fact, he should have been Charged with harbouring Venkamah knowing that she had committed a particular offence. —

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

(Sent in &c.)

Read letter dated 4th May 1855, from the Session Judge of Bellary, submitting for the final Judgment of the Foujdaree Adalut the record of Case No. 26 of 1855 of the Calendar of the Session Court.

(Here Enter F. R. No. 1181 of 1855.)

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

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

"Narrainsamy alias Doorgiah"

is

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 labour on the public roads or other public works for and during the period of his natural life. —

The Prisoner was Charged with murder by poisoning and was acquitted by the Mohomedan Law Officer, but convicted by the Session Judge who recommended that a sentence of transportation should be passed upon him as he entertained the belief that although death had ensued the prisoner had not intended such a result.

The Court of Foujdaree Adalut consider that there is on the record enough to raise a violent presumption that the prisoner did administer some drug to deceased which caused his death. The Court

found

found this presumption on the medical evidence adduced which satisfies them that deceased was poisoned, on the testimony borne to deceased's having on the instant accused Prisoner against whom he had no grudge or spite and from the detailed account given by deceased of all that had occurred between himself and the Prisoner with deceased's subsequent recognition of the Prisoner in the Hospital.—

3. The Court see no reason to doubt the statements of deceased. The witnesses who relate them depose to their being seriously, deliberately and repeatedly made when deceased appeared to be fully aware of what he was saying and in possession of his faculties.—

4. The Court of Enquiry adjudged sentenced the Prisoner to transportation for life.

5. The Court resolve to point out to the Session Judge that the Medical officer should have been examined as to the quantity of Strychnia known to be in store and required distinctly to state whether

whether any had been abstracted.—

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

(sent in Ltr. 1/5

End

J.H.S.—

Tuesday
22nd May 1855

F. U.

At a Court of the Fouydaree Udalut

Present

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

Read Calendar of Case No 190 of 1855
of the Session Court of Tinnevelly
(Here enter F. U. No 1184 of 1855.)

The Court of Fouydaree Udalut approve
of the recommendation made by the Session
Judge in this case that the period of imprison-
=ment which the Prisoner noted in the mar-
=gin has been adjudged to suffer on his con-
=viction of the crime of Gang-robbery, be reduced
to (5) five years with hard labor in irons, and
they do authorize the Session Judge to issue
his warrant accordingly.

Cattaveu.

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

Sent in ditto

Read Criminal Report B for the
month of March 1855, submitted by the Acting
Session

22nd May 1855

Sepion Judge of Madura.

(Here enter S. C. No. 1054 of 1855.)

× × × ×

No. 13 1 The Prisoner is charged with breach of trust under Act XIII of 1850.

2 The Court of Foujdaree Udalut observe that the particular Section of the Act under which the offence is laid should have been set out in the charge.

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

(Sent in No.)

The Records of Trials in referred Cases Nos. 5 and 6 on the Calendar of the Sepion Court of Rajahmundry not having been yet received though the latter case was called for on the 19th Ultimo

Ordered that the Sepion Judge of Rajahmundry be required to submit the Records aforesaid without further delay.

(Sent in No.)

The Record of Trial in referred Case No. 15 of 1855 on the Calendar of the Sepion Court of Coimbatore not having been yet received,

22nd May 1855.

Ordered that the Sepion Judge of Coimbatore be required to submit the Record aforesaid without delay.

(Sent in No.)

Read the Petty Calendars of the Magistracy of Bellary for the 4th Quarter of 1854 received with an Extract from the Proceedings of the Sepion Court of Bellary under date the 10th April 1855.

(Here enter S. C. No. 1042 of 1855.)

Calendar I. No. 45 1 The charge in this case should have been headed "obtaining money under false pretences" and not "fraud"

No. 48. 2 The charge of "snatching" in this case was dismissed by the Assistant Magistrate as not sustained by the evidence, and the Sepion Judge remarks in his review of the Calendar that "no assault appearing to have been committed the charge should have been merely designated as "snatching" instead of "assault and snatching". Nothing then standing against the Prisoner, the sentence should have been cancelled.

The Court of Foujdaree Udalut

3 observe that the disposal of this case is unsatisfactory

Calendar II. No. 215.

unsatisfactory. The Joint Magistrate should have clearly stated whether the assault was proved - his remarks almost lead to the inference that an apaulte, not a violent nature was committed.

No 219. 4 The mode of entry in this case should have been specified

No 223. 5 The Prisoner in this case is charged with having received a bribe of 50 Rupees while holding the Office of Head of Village Police. The Court of Foujdaree Adalut observe that in order to constitute it an indictable offence the charge should have set forth that he received the bribe in his official capacity as Police Officer. The charge should moreover have been headed "receiving a bribe" and not "Extortion".

No 224 6 The Court of Foujdaree Adalut observe that in cases of this nature the indictment should clearly set forth the grounds on which an act not in itself an indictable offence becomes criminal. In the case under review the nature of the suspicious circumstances, a material and necessary point does not appear.

No 233 7 The foregoing remark applies equally

equally to this case one of Embezzlement inasmuch as the material point of the indictment, viz, whether the Gold in question was entrusted to the Prisoner by Prosecutor, is omitted.

No 231 8. The Prisoners in this case are charged with having been "wandering about the "Bazaar during the night with the intention of committing theft". The Court of Foujdaree Adalut observe that an unlawful "intention" does not become indictable until it shows itself in the attempt to commit an unlawful "act"; and that this charge is consequently no offence or misdemeanor.

No 242 9 The official designation of the Prisoner charged with abuse of authority does not appear in the abstract of charge.

No 264 10 The specific act constituting the charge, one of "housebreaking," is not clearly set forth in this indictment; for, it having been ruled that scaling a wall is not in itself a "breaking" unless the same is literally an entry as well. it does not necessarily follow that the act here specified amounts to "house-breaking."

No 282. 11 The Prisoners in this case are charged

22nd May 1855.

charged with having killed a horse valued at 30 Rupees the property of the Prosecutor - The malicious intent constituting this an indictable offence should have been specified.

№ 288 12 The Court of Foujdaree Udalut observe that no mention is made in this charge of the mode of entry, or of the hours, whether by day or by night at which the crime was committed.

Ordered that Extract from these Proceedings be sent to the Session Judge of Bellary for communication to the Magistrate for his information and guidance in future.

/Sent in №/

End

J B S.

Wednesday
23rd May 1855.

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 № 12 of 1855 of the Session Court of Nellore.

(Here enter F. U. № 1104 of 1855)

The Court of Foujdaree Udalut 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 on their conviction of Housebreaking and Theft, be reduced to /4/ four years 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 Nellore for his information

/Sent in №/

Read Petty Calendars of the Magistracy of Tanjore for the 1st Quarter of 1855 together with Extract from the Proceedings of the Session

† Dackili Lingadu.
2d Do. Latchigadu.

Sessions Court of Combaconum under date 11th May 1855.

/Here enter F. C. No. 1201 of 1855/

Punished Calendar General No. 9-

1 The Prisoner who in this case is charged with having assaulted the Prosecutor and inflicted a somewhat severe wound on his left temple, has been sentenced to pay a fine of 5 Rupees or in default to 10 days imprisonment.

2 The Court of Sowdaree Udalut consider this punishment inadequate to the offence the assault was evidently of a brutal nature and that it was committed under the influence of drink is no palliation.

Released Calendar No. 5-

3 The 1st Defendant in this case has been released for want of proof - it is to be inferred that the 2nd and 3rd were released also this should have been specified in the Joint Magistrate's decision.

No. 11-

4 The designation of the Prisoners does not shew what authority they professed, nor is it mentioned in the body of the charge that the offence imputed to them was done in their official capacity.

No. 12-

5 The latter part of the charge in this case should have been more clearly expressed a "broken head and forehead" would indicate the case

case to be one, if not of wounding, at least of aggravated assault.

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

/Sent in No. /

Read Calendar of Case No. 30 of 1855 submitted by the Sessions Judge of Mayaveram.

/Here enter S. C. No. 1182 of 1855/

From the above Calendar it appears that the 1st Prisoner is an old offender having been sentenced on two previous occasions to 7 and 14 years imprisonment with hard labor in irons

In the case under review the

2 Sessions Judge being of opinion that "it is almost useless" to sentence him to any extended term of imprisonment taking all the circumstances of the case into consideration, sentences him to 3 years' imprisonment and to receive 150 lashes

This sentence the Court of

3 Sowdaree Udalut consider wholly inadequate with so incorrigible an offender as the Prisoner in the above case, reformation was hardly

23rd May 1855.

Punished Calendar General No. 9.

Sessions Court of Combaconum under date 11th [illegible] 1855.

(Here enter F. C. No. 1201 of 1855)

1

The Prisoner who in this case is charged with having assaulted the Prosecutor inflicted a somewhat severe wound on his left [illegible]-tick, has been sentenced to pay a fine of 5 Rupees or in default to 10 days imprisonment.

2

The Court of Foujdaree Adalut consider this punishment inadequate to the offence the assault was evidently of a brutal nature and that it was committed under the influence of drink is no palliation.

Released Calendar No. 5.

3

The 1st Defendant in this case has been released for want of proof - it is to be inferred that the 2nd and 3rd were released also this should have been specified in the Magistrate's decision.

No. 11.

4

The designation of the Prisoner does not shew what authority they possess nor is it mentioned in the body of the charge that the offence imputed to them was done in their official capacity.

No. 12.

5

The latter part of the charge in this case should have been more clearly expressed a "broken head and forehead" would indicate the case

23rd May 1855.

case to be one, if not of wounding; at least of aggravated assault.

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

(Sent in No.)

Read Calendar of Case No. 30 of 1855 submitted by the Sessions Judge of Masulipatam.

(Here enter F. C. No. 1182 of 1855)

From the above Calendar it appears that the 1st Prisoner is an old offender having been sentenced on two previous occasions No. 4 and 14 years imprisonment with hard labor in irons

In the case under review the

2

Sessions Judge being of opinion that "it is almost useless" to sentence him to any extended term of imprisonment taking all the circumstances of the case into consideration, sentences him to 3 years' imprisonment and to receive 150 lashes

This sentence the Court of

3

Foujdaree Adalut consider wholly inadequate with so incorrigible an offender as the Prisoner in the above case, reformation was hardly

hardly to be expected, and it was therefore incum-
=bent on the Session Judge to have recorded such
a sentence as would most effectually protect the
public from the consequences of his being again set
at liberty.

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

/ Sent in No. /

Read Letter under date the 14th
May 1855 from the Session Judge of Calicut
submitting for the final judgement of the
Foujdaree Udalut the Record of Cases Nos. 23
and 24 of 1855 on his file

(Here enter F. C. No. $\frac{1226}{1855}$)

The Court of Foujdaree Ud-
=lut on a deliberate consideration of all
the circumstances of the case in evidence
before them being of opinion that the
proof against the Prisoner

"Poola Cheroman Konamel
Chalakel Tanyan"

is sufficient to convict him of the crime
of Murder do convict him thereof and
under the provisions of Section X Regu-
=lation VIII of 1802 sentence him to suffer
death

F. C.
23rd May 1855.

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

/ Sent in No. /

Read letter under date the 14th March
1855 from the Session Judge of Rajahmun-
=dry forwarding English Translation of the
record of Case No. 2 of 1855 on the Calendar
of the Session Court for the final judg-
=ment of the Foujdaree Udalut.

(Here enter F. C. No. $\frac{1214}{1855}$)

The Court of Foujdaree Udalut
on a deliberate consideration of all the cir-
=cumstances of the case in evidence before them
being of opinion that the Prisoners

1st Vullabhareddy Venkatasamy
2nd Chikalla Cunnia
3rd Pandoarty Mullygandoo
4th Goodwada Appyandoo
5th Chullagaly Puddegandoo
6th —Do— Doorgadoo
8th Cooramella Tripaty and
9th Mollaty Venkiah,

are not convicted on presumptive proof or
on the evidence of credible witnesses or
on their own confession of the crime
charged

23rd May 1855.

charged, do acquit them thereof and direct that they be set at liberty.

1 The Court of Fouydaree Uda= =lut are unable to concur with the Sessions Judge in the conviction of the Prisoners being of opinion that the evidence of the 1st, 2nd, 3rd and 4th witnesses was not such as could be relied on.

2 The condition of the body of the deceased after death as shewn by the record at the same time leads the Court of Fouy= =daree Udalut to believe that the deceased did not meet with his death by hanging.

3 The Court of Fouydaree Uda= =lut desire to call the attention of the Ses= =sion Judge to the standing order which has not been observed in this case requiring the names of the Prosecutor's witnesses and Prisoners whenever they occur in the Pro= =ceedings of the Police &c. to be distin= =guished by the proper designation immediately above their names.

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

/Sent in/

End

J. H. S.

F. M.

Saturday 26th May 1855.

At a Court of the Fouydaree Udalut

Present

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

Read a Miscellaneous Petition presented on the 19th Instant by Soobbam= =mah of Zillah Chittoor, praying for the re= =lease of her son Siddareddy a Prisoner in Cases Nos. 21. 22. 23. & 24 of 1854, of the Ses= =sion Court of Chittoor.—

/Here enter F. M. D. No. 141 of 1855/

Mr. Hooper

The Court of Fouydaree Udalut seeing no reason to doubt the correctness of the sentence passed against the Petitioner's son who was convicted of House breaking and theft in 4 different cases resolve to reject her Pe= =tition.—

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

Read

26th. May 1855.

Read Calendar of Case No. 10 of 1855 of the Session Court of Rajahmundry.-

/Here enter F. No. No. 1179 of 1855/

The Court of Foujdaree Adawlut 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.-

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 Rajahmundry by precept returnable within X days from and after its receipt.-

/Sent following Precept. No. /

No

26th. May 1855.

No return having been received from the Session Judge of Combaconum to the Precept of the Foujdaree Adawlut dated the 28th. April last, calling for the proceedings in the case of Aroonachella pillay.-

Ordered that the Session Judge of Combaconum be required to make a return to the above Precept without further delay.-

/Sent in No /

Read Miscellaneous Petition forwarded by the Session Judge of Tinnevelly praying for the release of the 1st. 2d. 4th. and 11th. Prisoners in Case No. 14 of 1855 of the Session Court of Tinnevelly.-

/Now enter F. Mis. P. No. 138 of 1855/

Mr. Hooper

The Court of Foujdaree Adawlut seeing no reason whatever to question the correctness of the sentence passed on the Prisoners in the case in question, resolve to reject this Petition.-

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

Read

26th. May 1855.

Read Calendar of Cases Nos. 10 of 1855 of the Session Court of Rajahmundry.-

/Here enter F. Mo. No. 1179 of 1855/

The Court of Foujdaree Adawlut 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.-

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 Rajahmundry by precept returnable within X days from and after its receipt.

/Sent following Precept No. /

No

26th. May 1855.

No return having been received from the Session Judge of Combaconum to the Precept of the Foujdaree Adawlut dated the 28th. April last, calling for the proceedings in the case of Aroonachella pillay.-

Ordered that the Session Judge of Combaconum be required to make a return to the above Precept without further delay.-

/Sent in No. /

Read Miscellaneous Petition forwarded by the Session Judge of Tinnevelly from Irava Cownden and another praying for the release of the 1st. 2d. 4th. and 11th. Prisoners in Case No. 14 of 1855 of the Session Court of Tinnevelly.-

/Here enter F. Mo. P. No. 138 of 1855/

Mr. Hooper

The Court of Foujdaree Adawlut seeing no reason whatever to question the correctness of the sentence passed on the Prisoners in the case in question, resolve to reject this Petition.-

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

Read

26th May 1855.

Read Miscellaneous Petition forwarded by the Session Judge of Bellary from R. Sagarappa Ingappa and others praying for the release of the 1st 2d 3d and 4th Prisoners in Case No. 21 of 1855 of the Session Court of Bellary.—

/Here enter F. Mg. P. No. 140 of 1855/

Mr. Hooper

The Court of Fouzdaree Udalut see no reason to doubt the correctness of the sentence passed against the Prisoners in the case in question, and they accordingly reject this Petition.—

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

Read Miscellaneous Petition forwarded by the Session Judge of Tinnevelly from Alagherry Vandan complaining of the Proceedings of the Session Court of Tinnevelly bearing date the 21st April 1855 confirming the order of the Principal Sudr Ameen whereby he sentenced the 1st and 5th Prisoners in Criminal Case No. 16 of 1855 to 3 months imprisonment and labor without

F. Mg.

26th May 1855

without irons and to pay a fine of 50 Rupees each commutable, if not paid, to 2 months further imprisonment, and the 2d 3d 4th 8th 11th 19th 21st 22d and 23d Prisoners to two months imprisonment with labor, on a charge of trespass under Regulation X of 1816.—

/Here enter F. Mg. P. No. 139 of 1855/

Mr. Hooper

The Court of Fouzdaree Udalut see no reason to question the correctness of the sentence passed in the case referred to, and they accordingly reject this Petition.

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

Ex. d/ Short

Read return dated 10th Febry. 1855 from the Session Judge of Chittoor to the precept of the Fouzdaree Udalut under date the 30th January 1855 passed on a review of the papers B of Case No. 10 of 1854, disposed of by the Assistant Magistrate of North Arcot.

/Here enter F. Mg. No. 432 of 1855/

Read

26th May 1855.

Read Miscellaneous Petition forwarded by the Session Judge of Bellary from R. Sagarajipa Ingajipa and others praying for the release of the 1st 2d 3d and 4th Prisoners in Case No. 21 of 1855 of the Session Court of Bellary.—

Mr. Hooper

/Here enter F. M. P. No. 140 of 1855/

The Court of Foujdaree Udalut see no reason to doubt the correctness of the sentence passed against the Prisoners in the case in question, and they accordingly reject this Petition.—

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

Read Miscellaneous Petition forwarded by the Session Judge of Tinnevelly from Alagherry Vandan complaining of the Proceedings of the Session Court of Tinnevelly bearing date the 21st April 1855 confirming the order of the Principal Sudr Ameen whereby he sentenced the 1st and 5th Prisoners in Criminal Case No. 16 of 1855 to 3 months imprisonment and labor without

F. M.

26th May 1855

without irons and to pay a fine of 50 Rupees each commutable, if not paid, to 2 months further imprisonment, and the 2d 3d 4th 8th 11th 19th 21st 22d and 23d Prisoners to two months imprisonment with labor, on a charge of trespass under Regulation X of 1816.—

Mr. Hooper

/Here enter F. M. P. No. 139 of 1855/

The Court of Foujdaree Udalut see no reason to question the correctness of the sentence passed in the case referred to, and they accordingly reject this Petition.

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

Et Thos W

Read Return dated 10th Febry. 1855 from the Session Judge of Chittoor to the precept of the Foujdaree Udalut under date the 30th January 1855 passed on a review of the report B of Case No. 10 of 1854, disposed of by the Assistant Magistrate of North Arcot.

/Here enter F. M. No. 432 of 1855/

Read

2th May 1855.

Read Calendar of Case No. 3 of 1855 submitted by the Session Judge of Trichinopoly under date the 8th February 1855.

(Here enter F.C. No. 434 of 1855)

Read Statement submitted by the Session Judge of Calicut under date the 8th February 1855 required by Circular Order No. 4 from 1st July to 31st December 1854.

(Here enter F.C. No. 437 of 1855)

Read Statement submitted by the Session Judge of Calicut under date the 8th February 1855 of Batta paid to Prosecutors and Witnesses attending before the Court from 1st July to 31st December 1854.

(Here enter F.C. No. 438 of 1855)

Et. Thos

Monday
28th May 1855.

F. C.

At a Court of the Foujdaree Udalut

Present.

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

Read Calendar of Case No. 9 of 1855 of the Session Court of Rajamundry.

(Here enter F.C. No. 1178 of 1855)

The Court of Foujdaree Udalut are of opinion that Sentence of (3) Three Years Imprisonment with hard labour in irons will be adequate punishment for the Offence of which the Prisoner in this Case has been convicted and they direct that the Session Judge will Reduce his Sentence accordingly

× Lucksmundas Errata

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

(Sent in No.)

Read

28th May 1855.

Read Petty Calendar of persons punished by the Magistrate and his Assistants in the Zillah of Rajamundry for the 1st Quarter of 1855.

(Here enter F. C. No. 1208 of 1855)

Calendar I
General No. 8 by
the Head Assistant
Magistrate.

1. In this Case the Court of Fouj daree Adalut observe that the Charge is very irregularly framed it includes two distinct offences the dates and parties charged being also distinct each offence should have been prosecuted separately.

2. The Court of S. C. presume that the 1st Prisoner has been dismissed from his situation.

3. The observation of the Head Assistant Magistrate that there was no charge against the 2d Prisoner is unintelligible since he is included in the same count as the 3d prisoner who has been punished.

Ordered that Extract from the Proceedings be forwarded to the Civil Judge of Rajamundry for his information.

(Sent in No.)

4 Mos

F. C.

Tuesday
29th May 1855.

At a Court of the Fouj daree Adalut

Present

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

Read Criminal Report for the Month of April 1855, Zillah Cuddapah.

(Here enter F. C. No. 1223 of 1855.)

Case No. 45 of 1855.
by Mooftey S. Ameen

As the prisoner in this case was charged with "theft", the indictment should have accused him of having feloniously stolen (instead of clandestinely carried away) the gold ornament.

No. 70 by D.

2. This was not a case in which security should have been demanded. If the crime was proved the prisoner should have been punished with imprisonment, if otherwise he was entitled to be released.

No. 71 by Sub. Judge 3.

The charge in this case should have

28th May 1855.

Read Petty Calendar of persons punished by the Magistrate and his Assistants in the Zillahs of Rajamundry for the 1st Quarter of 1855.

(Here enter F. Co. No. 1208 of 1855)

Calendar I
General No. 8 by the Head Assistant Magistrate.

1.

In this Case. The Court of Foujdaree Udalut observe that the Charge is very irregularly framed it includes two distinct offences the dates and parties charged being also distinct - each offence should have been prosecuted separately.

2.

The Court of F. Co. presume that the 1st Prisoner has been dismissed from his situation.

3.

The observation of the Head Assistant Magistrate that there was no charge against the 2d Prisoner is unintelligible since he is included in the same count as the 3d prisoner who has been punished.

Ordered that Extract from the Proceedings be forwarded to the Civil Judge of Rajamundry for his information.

(Sentence &c)

Tuesday
29th May 1855.

F. Co.

At a Court of the Foujdaree Udalut

Present

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

Read Criminal Report B for the Months of April 1855, Zillah Cuddapah

(Here enter F. Co. No. 1223 of 1855.)

Case No. 43 of 1855. 1
by Moosty Y. Ameen

As the prisoner in this case was charged with "theft", the indictment should have accused him of having feloniously stolen (instead of clandestinely carried away) the gold ornament.

This was not a case in which security should have been demanded. If the crime was proved the prisoner should have been punished with imprisonment, if otherwise he was entitled to be released.

No. 70 by Ds.

2.

The charge in this case should have

No. 71 by Sub. Judge 3.

have been headed "misdemeanor," the prisoner's offence consisting in removing the corpse before an inquest had been held upon it; the present heading describes no offence at all.

4. The third count against the prisoner in this Case should have contained the details of his former conviction instead of these being given in a side note.

Case No. 78 of 1855 by Sub Judge

5. The heading should have been "Breach of Revenue Laws." The same remark applies to Case No. 78 disposed of by the Moofty Sudder Ameen.

79 by do -

6. The Court observe that Case No. 79 was cognizable by the Head of Village Police and should not have been committed to the Criminal Court for trial.

80 by - do -

7. It would appear from the prisoner having been released "with a warning" that his treatment of the prosecutrix was at least culpable. The Court desire to know whether the fracture of the prosecutrix's leg was caused by the prisoner's violence; and if so upon what grounds the Subordinate Judge considered

29th May 1855.

considered that he should be exempted from bearing the consequences of such violence.

8. The 1st Prisoner, under the circumstances stated, could not be guilty of "Housebreaking". The charge should have been "theft".

No. 83 by Moofty S. Ameen -

9. The sentence appears a very severe one. But for his previous conviction the prisoner would for the offence charged have been amenable to the jurisdiction of the Head of Village Police. The Sessions Judge is requested to examine the record and pass such orders in the Case as may be necessary. The observations made in para: 4 apply also to this Case.

No. 84 by Sub Judge.

10. Much delay occurred in transmitting many of the Cases to Court. Notice has been taken of this circumstance by the Sessions Judge. The Court of Foujdaree Adalut direct that measures be adopted by the Magistracy to put a stop to this irregularity on the part of the District Police.

Orders

have been headed "misdemeanor," the
prisoner's offence consisting in removing
the corpse before an inquest had been
held upon it; the present heading describes
no offence at all.

4. The third count against
the prisoner in this Case should have
contained the details of his former convict
instead of these being given in a sidem

Case No 76 of 1855 — by Sub Judge

5. The heading should have
been "Breach of Revenue Laws," The same
remark applies to Case No 78 disposed of
by the Moosty Sudder Ameen.

79. by do —

6. The Court observe that Case
No 79 was cognizable by the Head of Village
Police and should not have been committed
to the Criminal Court for trial.

80 by do —

7. It would appear from the
prisoner having been released "with a
warning" that his treatment of the
prosecutrix was at least culpable. The
Court desire to know whether the fracture
of the prosecutrix's leg was caused by
the prisoner's violence; and if so upon
what grounds the subordinate Judge
considered

considered that he should be exempted
from bearing the consequences of such
violence.

8. The 14th Prisoner, under the
circumstances stated, could not be
guilty of "Housebreaking". The charge
should have been "theft".

No 83 by Moosty S. Ameen.

The sentence appears a
9 very severe one. But for his previous
conviction the prisoner would for the
offence charged have been amenable to
the jurisdiction of the Nth of Village
Police. The Sessions Judge is requested
to examine the record and pass such
orders in the Case as may be necessary.
The observations made in para 4 apply
also to this Case.

No 84 by Sub Judge.

Much delay occurred in
10 transmitting many of the Cases to Court.
Notice has been taken of this circumstance
by the Sessions Judge. The Court of Foujdaree
Adalut direct that measures be adopted
by the Magistracy to put a stop to this
irregularity on the part of the District
Police.

Ordered

29th May 1855.

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

(Sent following precept No)

Read Copy of the Calendar of Case No 1 of 1855 on the Rajahmundry Sessions Court's file.-

(Here enter F. No. No 1049 of 1855.)

1. The Court of Foujdaree Adalut are of opinion that. looking to the cruelty of the act, and the fact that Prosecutrix has been rendered an object of shame for life; the Sentence passed by the Sessions Judge was too lenient.-

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

(Sent in No)

Read Calendar of Case No 7 of 1855 Submitted by the Sessions Judge of Coimbatore.-

(Here enter F. No. No 1228 of 1855.)

1. The Court of Foujdaree Adalut before finally disposing of this Case resolve to

29th May 1855.

to call upon the Sessions Judge to forward the record of the trial.-

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

(Sent following precept No)

End

J.W.S.

F.C.

Wednesday 30th May 1855.

At a Court of the Fouzdaree Adalut.

Present

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

Read letter dated 18th May 1855 from the Session Judge of Chittoor submitting for the final Judgment of the Court of Fouzdaree Adalut the Record of Case No 3 of 1855 of the Calendar of the Sessions Court

(Here enter F.C. No 694 of 1855.)

The Court of Fouzdaree Adalut on a deliberate consideration of all the circumstances before them, being of opinion that the Prisoner.-

Routoo Pillay

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

The Prisoner was charged with receiving

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

1. Stolen property. The Law officer acquitted the Prisoner but the Session Judge considering him guilty recommended that he should be sentenced to 4 years imprisonment with hard labour in irons.-

The Court of Fouzdaree Adalut

2. observe that all that really can be considered evidence against the Prisoner is an alleged verbal confession

confession before a Police Officer and which the prisoner has throughout denied this they deem insufficient for his conviction and therefore direct his immediate release.-

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

(Sent in No.)

Read again letter dated the 25th April 1855 from the Sessions Judge of Chingleput submitting for the final Judgment of the Foujdaree Adalut the Record of Case No. 1 of 1855 on the Calendar of the Sessions Court.-

(Here enter F.C. No. 1070 of 1855.)

Read also return dated the 22nd May 1855 from the Sessions Judge of Chingleput to the precept of the Foujdaree Adalut under date the 14th Instant calling for a translation of certain papers in Case No. 1 of 1855 on the Calendar of the Sessions Court.-

(Here enter F.C. No. 1269 of 1855.)

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.-

1. Moortegan
2. Parasooramen
3. Mysaroo alias Vencatasawmy
4. Vurden and
5. Commen.

is sufficient to convict them of the crimes charged

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

Mr. G. L. Hooper
Mr. J. L. Strange

The Prisoners in this Case 1. were charged with Murder; The Law officers convicted the 1st 2nd 3rd 4th and 5th Prisoners, declaring that strong suspicion attached to the 6th and 7th.

The Sessions Judge concurred 2. with the Law officer in the conviction of the Prisoners 1 to 4 and recommended that they should be transported for life, but considering the evidence against the 5th Prisoner insufficient to establish his guilt he recommends that he should be held to security for 3 years on 2 sureties of 100 Rupees each or be imprisoned for that period - Concurring in the finding of the Law officers regarded the 7th Prisoner the Sessions Judge directed him to produce two Sureties in 100 Rupees each for three years

The

The 6th Prisoner be released unconditionally

3. The Court of Foujdaree Adalut concur with the Sessions Judge in the conviction of the prisoners 1 to 4, but they see no grounds for excepting the 5th Prisoner as not proved guilty equally with the other four. The guilt of the Prisoners depends on their confessions before the Police which the Court of Foujdaree Adalut consider to have been sufficiently corroborated by other circumstances to be received as genuine.

4. It is proved that the 6th Prisoner (released) took the 2d witness a neighbour of the deceased to Madras that his presence might cause no hinderance to the Proceedings of the murderers. The 8th witness the mother of the 2d Prisoner deposes to this Prisoner having been called away on the night of the murder by the 1st Prisoner. The 2d Prisoner has it is observed by the Sessions Judge a mark of a wound on his foot corresponding with the statement made in the confession as to his having been thus wounded by the fall

30th May 1855.

fall of a lamp in the deceased's house at the time of the Murder.

It is also shown that the

5. 1st 2d and 3d Prisoners were at enmity with the deceased though the Court of Foujdaree Adalut remark that no credit can be given to the Statement of the 2d and 3d witnesses as to Special threats made by them against him.

The Court of Foujdaree Adalut

6 consider that if the statements in confession made by the 1st to 4 Prisoners be genuine those made by the 5th Prisoner must be considered equally so. The Court merely discredit his assertions of his reluctance to take a part in the murder while he consented to be present while it was being perpetrated. They resolve therefore to sentence the prisoners 1 to 5 to be transported for life.

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

(Sent in No.)

The Annual Criminal Reports for the year 1854 not having been yet

received

received from the Session Judge of Cuddapah although they have been already once called for, the Session Judge is now directed to forwarded the Reports in question without any further delay and to explain the cause of his not having submitted them sooner.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Cuddapah by Precept returnable within 24 hours from and after its receipts.-

(Sent following Precept No.)

Read Convict Labour Report Dated 2nd April 1855 Submitted by the Session Judge of Salem, of the Jail under his charge for the Months of March 1855.-

(Here enter F. Co. No. 1152 of 1855.)

Read Return dated 3rd May 1855 from the Session Judge of Calicut, to the Precept of the Fourdarea Adalut under date the 26th April 1855 cancelling the requisite of Security in Case No. 26 of 1855 on the Calendar of Sessions Court.-

(Here enter F. Co. No. 1166 of 1855.)

Read

30th May 1855.

Read letter dated 2nd May 1855 from the Session Judge of Calicut, forwarding the Statement from the Subordinate Judge Shewing the amount realized by the Labor of the Prisoners in the 1st Quarter of 1855 and Stating that both that officer and the Principal Sudder Ameen have reported that no payment was made for bringing up the children of convicts and the latter officer that nothing was realized by the labor of the Prisoners under his charge.-

(Herewith enter F. Co. No. 1167 of 1855.)

Read Report dated 5th May 1855 Submitted by the Session Judge of Cuddapah of Cases pending on the 31st March and committed for trial during the Months of April 1855 which remained on the file of the Sessions Court for more than 25 days.

(Here enter F. Co. No. 1168 of 1855.)

4 Copies

Thursday
31st May 1855.

F. C.

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 18th May 1855 from the acting Session Judge of Combaconum transmitting for the consideration of the Judges copies of a letter from the Magistrate and Proceedings of the Sessions Court to which it refers regarding the admission of an appeal by the Magistrate after the limited time

(Here enter F. C. No 1256 of 1855)

1 The Court of Foujdaree Udalut are of opinion that though according to the letter of Circular Order issued by them a Magistrate is justified in rejecting all appeals that may be preferred after the limited time the Court of Foujdaree Udalut are however decidedly of opinion that he should on all occasions give due consideration to the circumstances urged for such delay, and with reference to the length of time that had

has elapsed, deal with such cases on their merits assigning in every instance his reasons for the admission or rejection of the appeal.

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

Read Criminal Reports for the month of April submitted by the Acting Sessions Judge of Nellore.

(Here enter P. C. No. 1212 of 1855)

3 of 1855- before the Actg Magte-

1 The charge in this case might have been simplified, the time &c., place where and manner in which, the offence was committed is what was actually requisite to be mentioned.

39 of 1855- before the P. S. Amrs-

2 The offence charged against the Prisoner should have been designated in the heading as severe wounding.

43 of 1855- before the P. S. Amrs-

3 The charge is very vaguely and carelessly expressed.

51 of 1855- before the P. S. Amrs-

4 The charge is badly and ungrammatically worded.

The

54 of 1855. before the P. S. Amrs-

5 The foregoing remarks apply to this case also. "enmity on account of fields" is not sufficiently specific; neither was it necessary to allege the cause of enmity.

55 of 1855- before the P. S. Amrs-

6 The acts charged do not constitute an "attempt to commit rape"; if proved the Prisoner was guilty of an indecent assault.

7 The Court of Foujdaree Udalut resolve to call the particular attention of the Acting Sessions Judge to the careless manner in which the charges generally are framed: they request that he will take steps to prevent a recurrence of the same.

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

(Sent in No.)

Read Criminal Reports B for the month of April 1855- Lillah Masulipatam

(Here enter F. C. No. 1224/1855)

Case No. 28 of 1855 by S. Amrs-

The Court of Foujdaree Udalut observe that the Prisoner in this case does not appear to have broken into any building within the curtilage of the Prosecutor's dwelling-house. The Prisoner's crime was therefore "Theft" not "House breaking"

31st May 1855.

No 32 by S. Ann.

"House-breaking with theft".

2 The Court require to know why the witnesses who attested the confession of the Prisoner in this case were not forwarded to Court with the rest of the parties.

No 33 by Sessions Judge.

3 The offence with which these Prisoners were charged was a misdemeanor and not a felony. The term "Smuggling" does not appear applicable, the salt having been obtained within the Talook of Masulipatam, and not being an article on which any duty or excise was leviable.

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

(Sent following Precept No)

Read Criminal Reports for the month of April 1855 submitted by the Sessions Judge of Coimbatore

(Here enter S. Dc. No 1253/1855)

No 31 of 1855 by the S.J. Ann.

The remarks in this case are headed "Suspicion existed". These words convey no direct meaning and appear wholly unnecessary.

The

S. Dc.

31st May 1855.

No 52 of 1855

Nos 56, 57, 58, 59.

No 63 of 1855

No 41 of 1855.

No 70 of 1855.

The 2nd Prisoners previous conviction should have formed a seperate count.

3 The attention of the Sessions Judge is drawn to the Circular Order of the Sudder Udalut under date the 12th May 1852 with reference to the monthly Reports of the Criminal Courts in cases of Perjury.

4 The remarks in para 2 of these Proceedings are equally applicable to this case

5 This appears to have been a case of theft and the charge should have been headed accordingly.

This charge contains superfluous matter. The Sessions Judge should notice the error in future reports wherein it may appear.

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

(Sent in No)

Read letter dated 17th March from the Sessions Judge of Rajahmundry submitting for the final judgment of the Soudaree Udalut

the

31st May 1855.

the record of Case 6 of the Calendar of 1855.

(Here enter S. C. No. 1294/1854).

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 proof against the Prisoners

1st Teegala Bheemadoo

2nd Miethuty Peddy

3rd Naganaboyana Chinniah

4th Mereyala Baulanah

5th Pareseka Anchiah

and

4th Moorla Gungadoo,

is sufficient to convict them of the crimes charged, do convict them thereof and sentence them to be transported to such place or places beyond Seas 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.

The Prisoners are charged with Gang-robbery and Murder - the 1st, 2, 3rd, 4th, & 5th and 4th were convicted by the Sessions Judge and he recommended that the 5 Prisoners should suffer death and the others be transported for

31st May 1855.

life.

2. The Court of Foujdaree Udalut concur in the conviction of the Prisoners.

3. The case rests merely on the confession of the Prisoners made before the Head Assistant Magistrate and the Subordinate Judge.

4 In regard to these confessions the Court of Foujdaree Udalut observe that the Prisoners are Hill-people, a wilde and ignorant race and it is difficult to determine whether their confessions were really voluntary or induced by the efforts of the Police, in many cases that have come under the observation of the Court of Foujdaree Udalut confessions apparently as freely made as those under notice, have on subsequent investigation been shown to be false.

Under these circumstances the Court of Foujdaree Udalut hesitate to pass, on the 5th Prisoner, the irrevocable sentence recommended by the Sessions Judge. They therefore sentence all the Prisoners to transportation for life.

Ordered that Extract from these

31st May 1855.

These Proceedings be sent to the Sessions Judge of Rajahmundry for his information.

Sent in No. /

End

J.B.S.

F. C.

Friday 1st June 1855. At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Petty Cases disposed of by the Magistracy of Cuddapah for the 4th Quarter of 1854.

(Vide infra F.C. No. 1043 of 1855.)

Calendar No. I. 1.
Case No. 35.

The Sentence in this Case, the Court of Foujdaree Adalut considers inadequate. The offence is one that calls for the most strenuous efforts of the Magistracy to suppress, and the infliction of so slight a punishment is not likely to have the desired effect. They presume however that the Gomastah, in addition to the punishment awarded, has been dismissed.

Calendar No. II. 2.
Case No. 58.

This Charge should have been headed "Assault and Robbery."

Case No. 60. 3.

The Court of Foujdaree Adalut observe

observe that an indictment as an "Accessory" cannot lie for minor offences, for those, that is to say, not amounting to "Felony"; and that Persons, who had the case been one of Felony would have been indicted as "Accessories," are in a Petty Offence (as this appears to be) proceeded against as "Principals."

Calendar No. III. Case No. 62. 4. The heading of this charge — "Assault, &c." is objectionable, more especially as "Assault" appears to be a minor part of the offence detailed in the Abstract of Charge.

Case No. 63. 5. The charge should in order to render the case cognizable under the enactment providing against "Abuse of Authority" — have set forth the circumstances attending the unjustifiable acts therein specified, and also the fact of the said acts having been perpetrated by Defendant in virtue of his authority or influence as a "Police" Officer, and while actually engaged in the performance of "Police-duties." The official designation of persons charged with offences of this nature should invariably be entered.

Calendar No. II. Case No. 64. 6. The foregoing remark applies equally to this case, in which, moreover, the charge is badly drawn up.

Calendars Nos. III and IV do not appear to call for any remarks.

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

(Sent in No.)

Read Report B for the month of April, 1855, submitted by the Sessions Judge of Tinnevelly.

(Here enter S.R. No. 1231 of 1855.)

The Court of Sudder

Case No. 16 of 1855. Before the Principal Sudder Ameen. 1. Do not consider the sentence in this case inadequate. The prisoners are charged with a most outrageous act of violence committed apparently in no provocating circumstances.

The

1st June, 1855.

2.

The above remarks apply to this case also, the prisoners according to the charge treated the prosecutor most cruelly and their detention pending trial has been made the ground of their being released without further punishment.

Case No. 31 of 1855.

3.

It is not put in the body of the charge that the prisoners not only committed an assault, but also plundered the prosecutor's shop; whereas the charge is only headed Assault. According to the dates entered the prisoners were arrested on the 8th April and their detention to the 25th has been considered adequate punishment for them. The remarks recorded in the preceding cases apply to this case which has been disposed of in a very satisfactory manner.

Case No. 33 of 1855.

4.

The Sessions Judge should not have passed these sentences ex-parte without check.

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

3

(Sent in No.)

1st June, 1855.

Read Criminal Reports of the Magistracy of Tanjore for the month of April, 1855, submitted by the Acting Sessions Judge of Combaconum.

(Here enter F.C. No. 1235 of 1855.)

Case No. 16. by the Special Assistant of Tanjore.

1.

The prisoners are charged with abuse of authority; the nature of their employment should have been stated, there is nothing in the abstract of the record furnished to the Court, to show that the prisoners were acting in any official capacity.

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

(Sent in No.)

Read Calendar of Case No. 26 of 1855 submitted by the Sessions Judge of Coimbatore.

(Here enter F.C. No. 1246 of 1855.)

The prisoner was tried for

1.

"Murder", and convicted by the Law Officers of Homicide; the Sessions Judge concurring in the conviction

1st June, 1855.

Read Criminal Reports of the Magistracy of Tanjore for the month of April, 1855, submitted by the Acting Sessions Judge of Combaconum.

(Here enter F.B. No. 1235. of 1855.)

Case No. 16. by the Special Assistant of Tanjore.

1. The prisoners are charged with abuse of authority, the nature of their employment should have been stated, there is nothing in the abstract of the record furnished to the Court, to show that the prisoners were acting in any official capacity.

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

(Sent in No.)

Read Calendar of Case No. 26 of 1855 submitted by the Sessions Judge of Coimbatore.

(Here enter F.B. No. 1246 of 1855.)

The prisoner was tried for 1. "Murder, and convicted by the Law Officer of Homicide; the Sessions Judge concurring in the conviction

1st June, 1855.

2. The above remarks apply to this Case also, the prisoners according to the charges treated the prosecutor most cruelly and their detention pending trial has been made the ground of their being released without further punishment.

Case No. 31 of 1855.

Case No. 33 of 1855.

3. It is not put in the body of the charge that the prisoners not only committed an assault, but also plundered the prosecutor's shop; whereas the charge is only headed Assault. According to the dates entered the prisoners were arrested on the 8th April and their detention to the 25th has been considered adequate punishment for them. The remarks recorded in the preceding cases apply to this case which has been disposed of in a very satisfactory manner.

4. The Sessions Judge should not have passed three sentences one without check.

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

(Sent in No.)

1st June, 1855.

Convictions, Confirmed the Futwah, and Sentenced the Prisoner to be Imprisoned with hard Labor in Irons for 10 Years under Clause II, Section XV, Regulation III of 1802.

2. The Court of Foujdaree Adalut observe that this Case was clearly one of Murder and should have been referred to the Judges of Foujdaree Adalut for final judgment.

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

(Sent in No)

Read Calendar in Case No 22 of 1855 submitted by the Sessions Judge of Cuddapah.

(Here enter F.R. No 1258 of 1855.)

The prisoner in this case was committed on the 17th December, 1854, but was not sent up to the Criminal Court until 30th April, 1855. The Court of Foujdaree Adalut desire that the cause of this delay be reported.

Ordered

1st June, 1855.

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

(Sent following receipt No)

Read Criminal Report for the month of April, submitted by the Sessions Judge of Tellicherry.

(Here enter F.R. No 1273 of 1855.)

Case No 1. This case headed "Fraud," would appear from the charge to be one of Theft.

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

(Sent in No)

Read Report B of persons punished in the Zillah of Canara by the Magistracy, submitted by the Sessions Judge.

(Here enter F.R. No 1281 of 1855.)

Case No 4. The value of the property stolen should have been stated. The 2nd Count was unnecessary, the prisoner was not in possession of the property when

whom assprehended.

2. The prisoner is said to be in possession of the stolen property on the 9th April; but the sentence is passed on the 7th idem, the discrepancy should be explained.

Ordered that the Extract from the proceedings be forwarded to the Session Judge of Mangalore for his information by post & returned within III days. (Sent in No.)

Read Criminal Report dated 1st May, 1855, submitted through the Session Judge of Chicacole for the month of April, 1855.

(Here enters F.M. No. 1280 of 1855.)

Read Calendar in Sessions Case No. 20 of 1855 submitted by the Sessions Judge of Tinnevelly under date the 21st May 1855.

(Here enters F.M. No. 1289 of 1855.)

Read Calendar in Case No. 16 of 1855 submitted by the Sessions Judge of Cuddapah under date the 23rd May, 1855.

(Here enters F.M. No. 1290 of 1855.)

Read Calendar in Case No. 20 of 1855 submitted by the Sessions Judge of Cuddapah under date the 23rd May, 1855.

(Here enters F.M. No. 1291 of 1855.)

Read letter dated 22nd May, 1855, from the Sessions Judge of Calicut, forwarding the Warrant issued for the execution of the sentence of death passed on the Prisoner in Case No. 16 of 1855 on the Calendar of the Sessions Court.

(Here enters F.M. No. 1303 of 1855.)

Read Calendar in Case No. 12 of 1855 submitted by the Acting Sessions Judge of Salem under date the 18th May, 1855.

(Here enters F.M. No. 1308 of 1855.)

Read Calendar of Cases Nos. 18 and 19 of 1855 submitted by the Sessions Judge of Chittoor under date the 24th May, 1855.

(Here enters F.M. No. 1314 of 1855.)

Read Criminal Report B. dated 21st May, 1855 submitted by the Agent to the Governor, at Ganjam for the month of April, 1855.

(Here enters F.M. No. 1316 of 1855.)

Read

1st June, 1855.

Read Calendar of Cases No. 6 of 1855 submitted by the Sessions Judge of Chicacole under date the 22nd May, 1855.

(Here enter F.R. No. 1319 of 1855.)

Read Calendar in Case No. 13 of 1855 submitted by the Acting Sessions Judge of Vellore under date the 29th May, 1855.

(Here enter F.R. No. 1321 of 1855.)

Read Return dated 28th May, 1855 from the Sessions Judge of Cuddapah to the precept of the Sheristadar Adalut under date the 14th May, 1855 requiring further information respecting the grounds of the release of the prisoners on security in No. 19 of the Calendar for 1855.

(Here enter F.R. No. 1324 of 1855.)

Read Return dated 30th May, 1855 from the Sessions Judge of Chingleput to the precept of the Sheristadar Adalut under date the 5th May, 1855 requiring him to issue instructions to the Magistrate to refund to Sellappa

1st June, 1855. Moodelly and others the fines levied from them.

(Here enter F.R. No. 1326 of 1855.)

Read Calendar in Case No. 6 of 1855 submitted by the Sessions Judge of Tellicherry under date the 16th May, 1855.

(Here enter F.R. No. 1329 of 1855.)

Ed 1RD.

F. H.

Saturday
2d. June 1855 } At a Court of the Foujdaree Adalut.

Present

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

Read Calendar of Case No. 11 of 1855 of the Sessions Court of Trichinopoly.

(Here enter F. H. No. 1283 of 1855)

The Court of Foujdaree Adalut

1st Vizapoory.

approve of the recommendation made by the Sessions Judge in this case, that the period of imprisonment which the prisoner noted in the Margin has been adjudged to suffer on his conviction of Robbery by open violence &c., be reduced to (7) Seven years with hard labor in irons, and they do authorize the Sessions Judge to issue his warrant accordingly.-

The Court of Foujdaree

2.

Adalut desire to call the attention of the Magistrate to the remarks of the Sessions Judge respecting the

released

2d. June 1855.

released prisoners and intimate to him that in the opinion of the Court of Foujdaree Adalut the Police labor under great suspicion of having aided the prosecutor in preferring a false charge against the Prisoners. —

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

(Sentence No /

Read letter under date the 28th May from the Session Judge of Chingleput forwarding English translation of the record of Case No. 10 of 1855, on the Calendar of the Session Court, for the final Judgment of the Court of Foujdaree Adalut. —

(Here Enter F.H. No. 1313 of 1855./

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

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

"Dawson"

is not convicted on presumptive proof

or on the evidence of credible witnesses or on his own Confession of the Crime Charged, do acquit him thereof, and direct that he be set at liberty. —

The prisoner who was Charged with murder was ~~Convicted~~ by the Assessors of having murdered the deceased under the impulse of passion incited by seeing him ravish his (prisoner's) wife. —

The Session Judge concurred with the Assessors as to fact, but on consideration of the circumstances that incited the prisoner to the commission of the above act, acquitted him and referred the case for the final Judgment of the Court of Foujdaree Adalut.

The Court of Foujdaree Adalut on a review of the record of the above case concur in the opinion of the Session Judge, they therefore direct the prisoner's acquittal and order his immediate release. —

Ordered that Extract from

2d June 1855.

From these proceedings be sent to the Session Judge of Chingleput for his information

(Sent in No.)

Read Miscellaneous petition forwarded by the Session Judge of Calicut from Vakary praying for the release of the prisoner in Case No. 19 of 1855 on the file of the Session Court of Calicut.—

(Here enter F. M. P. No. 150 of 1855)

Mr. S. L. Strange.

The Court of Foujdaree Adalut seeing no ground to question the correctness of the Judgment passed upon the Prisoner, resolve to reject this Petition.—

Ordered that Extract from these proceedings be sent to the Session Judge of Calicut for Communication to the Petitioner.—

(Sent in No.)

Read Miscellaneous petition presented on the 30th May 1855 by Messrs. Arthur and Alexr. Ritchie Pleaders on behalf of Venkatapathy Pillay and 16 others of Zillah Tinnevelly.

(Here enter F. M. P. No. 153 of 1855)

Before

2d June 1855.

Mr. S. L. Strange.

Before disposing of this petition the Court of Foujdaree Adalut request that the Session Judge will transmit to them the original record of case No. 13 of 1855 on the file of the Session Court to enable them to judge of the propriety of the sentence passed therein which appears to the Court to be a very heavy one.—

Ordered that Extract from these proceedings be sent to the Session Judge of Tinnevelly by precept returnable within III days from and after its receipt.

(Sent following precept No.)

Read again Miscellaneous Petition presented on the 12th February 1855 by Karaimen Nair and his brother Ramen Nair of Zillah Calicut.—

(Here Enter F. M. P. No. 56 of 1855)

Read also supplemental Return made by the Session Judge of Calicut on the 7th May 1855 to the precept of the Foujdaree Adalut under date the 3d March 1855 in the matter of the foregoing Petition.—

(Here Enter F. R. No. 1193 of 1855)

The

2d June 1855.

Mr T.L. Strange. /

The Sessions Judge having called upon the Magistrate for the Proceedings connected with the case under review, reports that the sentence passed therein by that Officer was warranted by the evidence adduced.

2.

On view of what appears in this Return, the Court of Foujdaree Adalut see no ground for interfering in Petitioner's behalf. The local authorities have exercised their Judgment on the evidence before them, and the Petitioner has not afforded the Court any ground for questioning the correctness of the said Judgment.

3.

They accordingly resolve to dismiss this Petition.—

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

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

/ Sent in Mr /

Read

2d June 1855.

Read Miscellaneous petition presented on the 30th May 1855 by Messrs Arthur and Alexander Ritchie Vakeels on behalf of Goorooloo, of Zillah Cuddapah.—

(Here Enter Z.R. No 154 of 1855)

Petitioner was formerly

Mr T.L. Strange. /

Head of Police of the Taluk of Pooleevendlah in the Zillah of Cuddapah, and was dismissed from the Public Service under the orders of this Court dated the 14th February 1853.—

Petitioner enters upon a

2.

detailed statement of his conduct in connection with Case No 36 of 1854 on the file of the Sessions Court of Cuddapah, and prays the Court to reconsider their orders and direct his restoration to his office.—

The Court of Foujdaree

3.

Adalut have attentively perused the contents of this petition and have heard the Petitioner's Vakeel in support thereof, and finding that nothing is put before

them

them to lead the Court to cancel the order they have passed in the matter, resolve to reject the Petition.—

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

Read Miscellaneous petition presented on the 19th Ultimo by Sashuma-mah of Zillah Nellore.—

(Here Enter F. M. P. No. 143 of 1855)

Mr. T. L. Strange. /

The Court of Foujdaree Adalut resolve to refer the Petitioners to their order dated the 21st April last in the matter to which this Petition relates.

2

Petition dismissed.—

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

Read Miscellaneous petition presented on the 19th Ultimo by Chulla-Vencataramoodoo and 2 others of Zillah Nellore.—

(Here Enter F. M. P. No. 142 of 1855)

Mr. T. L. Strange.

The Court of Foujdaree Adalut

Adalut see no reason to question the correctness of their order dated the 5th Ultimo, and accordingly resolve to reject the Petition.—

Ordered that Extract from these proceedings be granted to the Petitioners on their application.—

Read Miscellaneous petition presented on the 26th Ultimo by Venecata-ramannah of Zillah Cuddapah.—

(Here Enter F. M. P. No. 146 of 1855)

Mr. T. L. Strange. /

The Petitioner complains that certain individuals have taken forcible possession of his Indigo factory together with the accounts, bonds and others vouchers connected with it; and that the complaint preferred by him on the subject was taken no notice of by the Head of Police of Poolevendlah through the influence of the accused party.—

Petitioner therefore prays

2.

the interference of the Court of Foujdaree Adalut to order Justice to be done to him in the matter.

The

them to lead the Court to cancel the order they have passed in the matter, resolve to reject the Petition. —

Ordered that Extract from these proceedings be given to the Petitioners' Vakeels on their application.

Read Miscellaneous petition presented on the 19th Ultimo by Sashumah of Zillah Nellore. —

(Here Enter F. M. P. No. 143 of 1855)

Mr T. L. Strange. 1

The Court of Sudder Adalut resolve to refer the Petitioner to their order dated the 21st April last in the matter to which this Petition relates.

2

Petition dismissed. —

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

Read Miscellaneous petition presented on the 19th Ultimo by Chulla Venkataramoodoo and 2 others of Zillah Nellore. —

Mr T. L. Strange.

(Here Enter F. M. P. No. 142 of 1855)

The Court of Sudder Adalut

do not see no reason to question the correctness of their order dated the 5th Ultimo, and accordingly resolve to reject the Petition. —

Ordered that Extract from these proceedings be granted to the Petitioners on their application. —

Read Miscellaneous petition presented on the 26th Ultimo by Venkata=ramanmah of Zillah Cuddapah. —

(Here Enter F. M. P. No. 146 of 1855)

Mr T. L. Strange. 1

The Petitioner complains that certain individuals have taken forcible possession of his Indigo factory together with the accounts, bonds and others vouchers connected with it; and that the complaint preferred by him on the subject was taken no notice of by the Head of Police of Poolevendlah through the influence of the accused party. —

Petitioner therefore prays 2.

the interference of the Court of Sudder Adalut to order Justice to be done to him in the matter.

The

3.

The Court of Foujdaree resolve to reject the Petition, the Magistrate of Cuddapah being the proper authority to whom the Petitioner should address himself.—

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

Read Miscellaneous petitions presented on the 19th and 26th of May 1855 by Vakeel Vully Ahmud Sait on behalf of Ravootha Pillay of Zillah Chittoor.

(Here enter F. M. P. Nos 144 and 145 of 1855)

Read also letter dated 18th May 1855 from the Sessions Judge of Chittoor submitting for the consideration and final Judgment of the Foujdaree Adalut an English Translation of the record of Case No. 3 of 1853.—

(Here enter F. U. No. 1227 of 1855)

Mr W. A. Morehead.

The Court of Foujdaree Adalut having under date the 30th ult. directed the release of the Prisoner in Case No. 3 of 1853 on the Calendar

of the Sessions Court of Chittoor, no further Orders are required on these Petitions.

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

Read again Miscellaneous petition presented on the 29th March 1855 by Munjoonadhaya of Zillah Mangalore

(Here Enter F. M. P. No. 103 of 1855.)

Read also return made by the Sessions Judge of Mangalore on the 8th May 1855 to the precept of the Foujdaree Adalut under date the 21st April 1855, calling upon him to state what acts of violence or intimidation were Committed in the case of the above Munjoonadhaya, so as to constitute the offence one of a Criminal nature.—

(Here Enter F. U. No. 1192 of 1855)

In view of the explanation

Mr S. L. Strange.

herein offered the Court of Foujdaree Adalut decline to interfere with the order appealed from.—

They therefore resolve to dismiss

2

this Petition.—

Ordered

2d. June 1855.

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

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

(Sent in No.)

Read Miscellaneous petitions forwarded by the Sessions Judge of Rajahmundry from M. Venkaiah, C. Teeroopaty, P. Mullegadoo, G. Appigaudoo, C. Peddegaudoo, V. Venkatasamy, and 6. Convicted Prisoners in Case No. 2 of 1855 of the Sessions Court of Rajahmundry. —

(Here Enter F. R. P. Nos. 147, 148, 149, 157, & 152 of 1855)

Mr. T. L. Strange.

The Court of Foujdaree Adalut having in their Proceedings under date the 23d. May 1855, directed the release of the Prisoners in the case in question, observe that no order is called for upon the above petitions. —

Ordered that Extract from these proceedings be sent to the Sessions Judge of Rajahmundry for Communication to the petitioners.

(Sent in No.)

Jas Stuart

F. R.

Monday.
4th June, 1855.

At a Court of the Foujdaree Adalut.

Present.

G. L. Hoopes, Esqre.,
W. A. Morehead, Esqre.,
T. L. Strange, Esqre.,
} Puisne Judges.

Read Calendar of Petty cases disposed of by the Magistracy of Guntoor for the 1st Quarter of 1855.

(Here enter F. R. No. 1161 of 1855.)

The Crime alluded to in the Abstract of this charge should have been entered as

Calendar No. I.
Case No. 2.

1.

Defendants.

Case No. 5.

2.

If the case were one of robbery as designated in the heading, it was not cognizable by the Assistant Magistrate and the sentence passed was altogether inappropriate. If it not stated in the charge whether the property removed was taken away feloniously or not, and the sentence relates only to the matter of the theft. The report of this case should not

have

Calendar No. II.

have been made in so insufficient a manner

3.

The Court of Inquiry

Adalut have frequently had occasion to remark

that cases of this description, in which

Police Officers are charged with ill treatment

or unjustifiable acts of oppression in the per-

formance of any duties, other than those apper-

taining to the Police Department, are not cog-

nizable under Regulation III of 1819, as those

of Authority, and that persons so charged must

be dealt with in their private capacity and

be proceeded against under the general Regulations.

Calendar, No. I. Case No. 2.

Calendar, No. II. Case No. 8.

4.

The Sessions Judge will draw the

attention of the Magistrate to the wording of charges

of this nature, their incomplete[illegible] frequently render-

ing it extremely doubtful whether or not the charges

should be entered under the head of Abuse of

Authority. In the latter of the cases quoted

in the margin, the principal Defendant having

been indicted under his Revenue Designation of

"Tehsildar," and not under that of "Head of Police,"

it would appear that the ill treatment was alleged

to have been practised in reference to Revenue matters

and

was, consequently not cognizable under Regula-

tion III of 1819.

Calendar No. II. Case No. 12.

5.

The Indictment in this case

is unintelligible, and there is nothing to show

the connection between the Abstract and the

heading of the charge.

Case No. 13.

6.

There is nothing in the Ab-

stract of charge which can be looked on, in the

light of a Trespass.

The Court of Inquiry

Case No. 17.

7.

Adalut observe, that the offence charged

in the case under review is not of the nature

of those in which a compromise is allowable,

and that the admission of a Razeenamah

in the present instance was irregular. The

charge should, moreover, have been headed "Assault

and Beating."

Calendar No. IV does not

8.

appear to call for any remark.

Ordered that Extract from

these Proceedings be sent to the Sessions Judge of

Dinapore for communication to the Magistrate

for his information and future guidance.

(Sent in No.

Read

4th June, 1855.

Read Criminal Report for the month of April, 1855, submitted by the Sessions Judge of Chicacole.

(Here enter S. R. No. 1280 of 1855.)

Case No. 13 of 1855. 1.

The charge in this case is badly drawn up, if prepared in the Moorfly Sudr Ameen's Court by servants who do not understand English, any errors that occur should be corrected by the Sessions Judge, before transmission of the report to the Judges of the Court of Foujdaree Adalut.

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

(Vide in No.)

Read Calendar of Cases No. 21 of 1855 submitted by the Sessions Judge of Cuddapah.

(Here enter S. R. No. 1292 of 1855.)

1.

The Court of Foujdaree Adalut desire the Sessions Judge to call upon the Magistrate to report specially, who the Pattadar alluded to in this case is, on whose information the prisoners were apprehended, and to state

4th June, 1855.

state in what manner the Police availed themselves of his services.

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

(Vide following precept No.)

Read Calendar of Cases No. 11 of 1855 on the file of the Sessions Court of Nellore.

(Here enter S. R. No. 1237 of 1855.)

The Court of Foujdaree Adalut observe that the Acting Sessions Judge's Return in the above case is incomplete. It should have contained full information as to the merits of the case, with the Acting Sessions Judge's review of the evidence, on which he bases his conviction. Before passing final orders in the matter, the Court resolve to call upon the Acting Sessions Judge to furnish without delay the information required.

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

4th June, 1855. Sessions Judge of Nellore by precept returnable within III days from and after its receipt (that following precept No.).

Rec'd 18th.

31st

Thursday.
5th June, 1855.

F. C.

At a Court of the Foujdaree Adalut

Present

G. L. Cooper, Esqre,
W. A. Morehead, Esqre,
I. L. Strange, Esqre,

Puisne Judges.

Read Report B. for the month of April, 1855, submitted by the Agent to the Governor in Vizagapatam.

(Also enter F. C. No. 1278, of 1855.)

In this case the 2nd and 3rd prisoners

Case No. 12.

1. prisoners are charged with being accessories, but it is not shown in what way.

The 2nd prisoner according to the

2. abstract of the sentence has been punished together with the 1st for the theft with which he was not charged. The Court of Foujdaree Adalut desire to be informed what offence was established against him.

The Court of Foujdaree

Case No. 13.

3. Adalut observe that the prisoners 3 to 5 in this

this case are not charged with any offence, yet they have been punished. The Agent to the Governor is desired to furnish the necessary explanation of this error.

Ordered that Extract from these Proceedings be forwarded to the Agent to the Governor of Fort St. George, at Vizagapatam by precept returnable in V days from and after its receipt.

(Sent following precept No)

Read Calendar of Case No 9 of 1855 submitted by the Sessions Judge of Ahmore.

(Here enter F.H. No 1293 of 1855.)

The Court of Sudder Adawlut direct that the Sessions Judge will direct the Magistrate to call the attention of the Additional Joint Magistrate to the error he has committed in dealing with this case which was purely of a Criminal nature, as a matter for criminal prosecution; the circumstances of the case appearing sufficiently clear to have warranted

warranted the Acting Sessions Judge in discharging the Prisoner without trial.

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

(Sent in No)

Read Return dated 22nd May 1855 made by the Sessions Judge of Chingleput to the Precept of the Sudder Adawlut under date 28th April 1855, calling for translation of the record of trial connected with case No 38 of 1854, on the Calendar of the Sessions Court of Chingleput.

(Here entered F.H. No 1270 of 1855.)

Read again Miscellaneous Petitions presented on the 16th and 26th April 1855, by Mowgehy Chinny, and Gengy of the Zillah of Chingleput.

(Here entered F.H. P. Nos 113, 117, and 133 of 1855.)

Read again Calendar in Case No 38 of 1854 submitted by the Acting Sessions Judge of Chingleput.

(Here entered F.H. No 1 of 1855.)

The prisoners, eleven in number were

Mr G. S. Hooper

were put on their trial for going robbery and 1 to 10 convicted by the Law Officer the 11th (a female) declared guilty of having in possession of plundered property with a guilty knowledge. In this connection the Acting Resident Judge concurred and sentenced the first 10 prisoners to the mitigated punishment of 7 years' imprisonment with hard labour in irons, and the 11th prisoner to imprisonment for 4 years.

2. On a consideration of the Record of the trial, the Court of Sudder Adalut are of opinion that the evidence is wholly insufficient for the conviction of any of the prisoners.

3. The principal evidence against the prisoners is their alleged recognition by the 1st, 2nd, 3d, 4th, and 5th witnesses among the gang on the night of the robbery in the prosecutor's house, and the discovery of certain articles of trifling value found in possession of some of them. This evidence however is not trustworthy, for though the 5th witness deposes to having distinctly seen the 2nd, 3d, 4th, 5th and 6th prisoners; the 2nd, 3d, 4th, 5th, 6th, and 7th prisoners; the 1st, 5th, 8th, and 9th prisoners; and the 3d witness, the 1st, 4th, the 9th prisoners; and the 5th, the 1st prisoners; yet, in their depositions in Case No. 36 of 1854, copies of which have been sent for, they were not able to identify any one of the robbers. The Court of Sudder Adalut observe that before the Police Officers, the 2nd witness professed to identify the 10th prisoner instead of the 5th, and the 4th witness named the 1st prisoner instead of, as before the Court, the 9th.

4. The prisoners were apprehended and their huts searched one month after the robbery, in consequence of their having been implicated by one Mootheen in his confession before the Police; the articles said to have been stolen were found in possession of the 1st, 2nd, 3d, and 11th prisoners, but now, as claimed by the prosecutor were found in the huts

5

of the 4th, 5th, 6th, 7th, 8th, 9th, & 10th prisoner.

5.

The prisoners state that they were apprehended on suspicion that the articles which the prosecutor claims are their own property which may very probably be true, for, the witnesses for the prosecution cannot satisfactorily identify them as the property of the prosecutor.

6.

In these circumstances, the Courts of Sanguas Oddalut resolve to acquit all the prisoners, and direct their immediate release.

7.

The consideration of the foregoing case has led the Courts of Sanguas Oddalut to doubt the correctness of the disposal of Case No. 36 of 1854, and they, therefore, resolve to call for a translation of the

(Reversed

Record thereof.

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

(Entries No.

Read Calendar in Case No. X of 1855 submitted by the Sessions Judge of Calicut under date the 8th May, 1855.

(Here enter F.B. No. 1185 of 1855.)

Read Calendar in Case No. 13 of 1855 submitted by the Sessions Judge of Tinnevelly under date the 12th May, 1855.

(Here enter F.B. No. 1198 of 1855.)

Read Calendar of Cases No. 8 of 1855, submitted by the Acting Sessions Judge of Vizagapatam under date the 7th May, 1855.

(Here enter F.B. No. 1199 of 1855.)

Read Criminal Reports dated 1st May, 1855, submitted by the Acting Principal Sudder Ameen in charge of the Sessions Court of Cuddapah.

(Here enter F.B. No. 1211 of 1855.)

Read

Read Return dated 12th May
from the Sessions Judge of Mangalore, to the precept
of the Sudder Adalut under date the 5th May
1855, cancelling the requisition of security under
which the Prisoner in Case No. 15 on the Ses-
sions Calendar for 1855 (Arzee Khan) was
(Here enter F.R. No. 1216 of 1855.)

Read Return dated 11th May
1855 from the Sessions Judge of Tellicherry, to the
precept of the Sudder Adalut under date
the 30th April, 1855, having reference to the
Criminal Reports submitted by the Sessions
Court for the month of March, 1855.
(Here enter F.R. No. 1217 of 1855.)

Read Letter dated 15th May 1855
from the Acting Sessions Judge, Cuddapah trans-
mitting the Return, of the Acting Subordinate
Judge certifying the execution of the Sentence of
death on Vairabun Chetty, Prisoner in Sessions Case
No. 12 of 1855.
(Here enter F.R. No. 1222 of 1855.)

Read Calendar of Cases
No. 14 of 1855, submitted by the Sessions Judge
of

of Trichinopoly under date the 16th May, 1855.
(Here enter F.R. No. 1230 of 1855.)

Read Criminal Report B
dated 9th May 1855, submitted by the Sessions
Judge of Tellicherry for the month of April, 1855.
(Here enter F.R. No. 1233 of 1855.)

Read Calendar of Cases
No. 7 of 1855 submitted by the Sessions Judge
of Guntoor under date the 18th May, 1855.
(Here enter F.R. No. 1236 of 1855.)

Read Criminal Report B
dated 30th April, 1855, submitted through the
Sessions Judge of Chingleput for the month of April, 1855.
(Here enter F.R. No. 1240 of 1855.)

Read Return dated 14th May,
1855 from the Sessions Judge of Calicut, to the
precept of the Sudder Adalut under date
the 7th May, 1855, desiring to be informed of
what nature were the confessions of the 1st,
2nd, and 3rd prisoners before the Police in Case
No. 27 of 1855 on the Calendar, whether to their
commission of the robbery or merely to their
reception of the stolen property. &c &
(Here enter F.R. No. 1241 of 1855.)

Read

5th June, 1855.

Read Calendar of Cases No. 16 of 1855 submitted by the Sessions Judge of Bimlipatam under date the 29th May 1855.

(Here enter F. C. No. 1346 of 1855.)

Read Calendar of Cases No. 20 of 1855 submitted by the Acting Sessions Judge of Combaconum under date the 31st May, 1855.

(Here enter F. C. No. 1348 of 1855.)

Rec'd

F. C.

Wednesday 6th June 1855 } At a Court of the Foujdaree Adalut

Present

G. A. Hooper Esquire
H. A. Morehead Esquire } Puisne Judges.
J. L. Strange Esquire.

Read letter from E. Stony Esqre Sessions Judge of Bellary dated 11th April 1855 requesting permission to withdraw his letter No. 45 of the 9th March and to substitute present communication.—

(Here Enter F. C. No. 986 of 1855)

Read again letter from the Sessions Judge of Bellary dated 9th April 1855 offering some observations in regard to the Extract from the proceedings of the Foujdaree Adalut of the 3d Instant in Case No. 159 on the Sessions Calendar for 1855.—

The Court of Foujdaree Adalut with reference to the above letters resolve to inform the Sessions Judge that they consider them irregular and in every respect objectionable, they merely contain a repetition

of

of the Judgment which he had already recorded and call in question the correctness of the observations passed by the Foujdaree Adalut, a course of proceeding which it is not competent for the Sessions Judge to adopt. The Court of Foujdaree Adalut have nevertheless again perused the record of the case referred to and have failed to discover any grounds for altering the opinion they have already expressed in their proceedings dated the 3d April 1855 as to the manner in which the case in question has been disposed of by the Sessions Judge.

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

(Sent in No.)

Read return made under date the 15th May 1855 by the Sessions Judge of Calicut to the precept of the Foujdaree Adalut of the 10th May 1855 calling for the whole record in Case No. 32 of 1855 on the file of the Sessions Court

and directing the suspension of the sentence until further orders.—

(Here enter F. H. No. 1261 of 1855)

The Court of Foujdaree Adalut

on review of the records of this case observe that the articles traced to the 1st prisoner were not of a nature to be identified, and that neither the prosecutor nor his witnesses could say that they were his. In these circumstances the conviction of the prisoner cannot be sustained and the Court of Foujdaree Adalut direct his release.—

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

(Sent in No.)

Read letter under date the 2d April 1855 from the Sessions Judge of Coimbatore forwarding English translation of the record of Case No. 2 of 1855, on the Calendar of the Sessions Court for the final Judgment of the Court of Foujdaree Adalut.

(Here enter F. H. No. 927 of 1855)

The

of the Judgment which he had already recorded and call in question the correctness of the observations passed by the Foydaree Adalut a course of proceeding which it is not competent for the Session Judge to adopt. The Court of Foydaree Adalut have nevertheless again perused the record of the case referred to and have failed to discover any grounds for altering the opinion they have already expressed in their proceedings dated the 3d April as to the manner in which the case in question has been disposed of by the Session Judge.

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

(Sent in No)

Read return made under date the 15th May 1855 by the Session Judge of Calicut to the precept of the Foydaree Adalut of the 10th May 1855 calling for the whole record in Case No 32 of 1855 on the file of the Sessions Court and

and directing the suspension of the sentence until further orders.—

(Here enter F. A. No 1261 of 1855)

The Court of Foydaree Adalut

on review of the records of this case observe that the articles traced to the 1st prisoner were not of a nature to be identified, and that neither the prosecutor nor his witnesses could say that they were his. In these circumstances the conviction of the prisoner cannot be sustained and the Court of Foydaree Adalut direct his release.—

Ordered that Exctract from these proceedings be sent to the Session Judge of Calicut for his information.

(Sent in No)

Read letter under date the 2d April 1855 from the Session Judge of Coimbatore forwarding English translation of the record of Case No 2 of 1855 on the Calendar of the Sessions Court for the final Judgment of the Court of Foydaree Adalut.

(Here enter F. A. No 927 of 1855)

The

6th June 1855.

Mr Hooper
and
T. L. Strange.

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

1st Mootto Kristnasamy Calingaroya Govinden Polygar
2d Camana Pillay
3d Comaracoorom Pillay.
4th Covee Candeapillay
5th Aguttooran
6th Mootton
7th Maury
8th Massayandy.
9th Rungen
10th Sittandy and
11th Carostjen.

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

The Court of Foujdaree Adalut on consideration of the above record are of opinion that the circumstances under

6th June 1855.

under which the deceased met with his death are of a highly suspicious character, and that there is much reason for believing that his death was caused by maltreatment at the hands of the 1st prisoner or his people when forwarded in their custody to that of the Head of Police.

The deceased was suffering from very slight headache before his death which however did not prevent his attending to his daily labor and the statements of the witnesses tend to prove not that he died from illness but from ill treatment received before he came into the hands of the 1st prisoner.

All the witnesses admit that deceased had some slight marks of injury on his hand and leg before he came before the Head of Police, and the 8th witness a vaccinator has deposed that he found him at the Cutchery the day before he died suffering in his opinion from the effects of violence and shewing marks of it on his back as well

well as on the points above specified.—

4. There is no evidence to the actual perpetration of the violence which the Court of Zoujdaree Adalut can receive as trustworthy - The 1st, 2nd 4th and 5th witnesses deposed before the Assistant Magistrate that they witnessed the violence offered to deceased and the 3d 6th and 7th witnesses made statements corroborative of their evidence, but before the Sessions Court they have all retracted their evidence - There remain as eye witnesses the 12th 13th and 16th witnesses. The evidence of the two former was not forthcoming until the 22d February 1855 / the deceased having died on the 15th November 1854 / and the Court of Zoujdaree Adalut do not consider it deserving of credit - The testimony of the 10th witness is also considered not trustworthy - He has long been at Enmity with the 1st Prisoner on account of land and this fact renders the visit as alleged to have been made by him to the Prisoners premises

unlikely. —

5. The Court of Zoujdaree Adalut being of opinion that the evidence for the Conviction of the prisoners respecting whom the trial has been referred is not to be depended on resolve to acquit them and direct their immediate release - The Court of Zoujdaree Adalut resolve to cancel the security required by the Sessions Judge of the 2d and 4th prisoners.

6. The Court of Zoujdaree Adalut notice that the examination of the case by the Principal Sudr Ameen has been extremely ill conducted - He should on the witnesses not maintaining the evidence given by them before the Assistant Magistrate have ascertained precisely what testimony they were prepared to give and have recorded their statements and taken steps to bring to trial such of them as appeared to have perjured themselves; but from the meagre and imperfect examination held by the Principal Sudr Ameen it is difficult

to

to form any opinion as to what the ul-
-timate statements of the recanting
witnesses were and he appears to have
forwarded the whole of them to the Sessions
Court as available evidences for the
prosecution. —

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

(Sent in Pc)

Ex 18 C.

Thursday
7th June 1855.

F. C.

At a Court of the Foujdaree Adalut

Present

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

Read letter dated 26th May
from the Acting Session Judge of Combacon-
-um forwarding copies of correspondence between
himself and the Acting Subordinate
Judge who refused to release the prisoner
in Calendar Case No. 56 of 1855 with reference
to the Precept and Extract issued to him

/Here enter F. C. No. 1312 of 1855/

Read also letter dated 24th
May from the Acting Session Judge of
Combaconum submitting for the consider
-ation of the Judges, Criminal report
No. 56 of 1855 and copies of the proceed-
-ings held thereon and of the return
and a letter from the Subordinate Judge.

/Here enter F. C. No. 1298 of 1855/

On consideration of the fore-
-going correspondence, the Court of Foujdaree
Adalut

to form any opinion as to what the ul:
=timate statements of the recanting
witnesses were and he appears to have
forwarded the whole of them to the Sessions
Court as available evidences for the
prosecution.—

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

(Sent in Pc.

Ed HC.

Thursday
7th June 1855.

F.U.

At a Court of the Foujdaree Udalut

Present

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

Read letter dated 26th May
from the Acting Session Judge of Combacon:
forwarding copies of correspondence between
himself and the Acting Subordinate
Judge who refused to release the prisoner
in Calendar Case No. 56 of 1855 with reference
to the Precept and Extract issued to him

/Here enter F.U. No. 1312 of 1855/

Read also letter dated 24th
May from the Acting Session Judge of
Combaconum submitting for the consider
-ation of the Judges, Criminal report
No. 56 of 1855 and copies of the proceed-
-ings held thereon and of the return
and a letter from the Subordinate Judge.

/Here enter F.U. No. 1298 of 1855/

On consideration of the fore-
-going correspondence, the Court of Foujdaree
Udalut

Udalut observe that the exceptions taken by the Acting Subordinate Judge to the proceedings of the Acting Session Judge in review of Criminal Case No. 56 of 1855 were unusual and uncalled for.-

2. Section XXIII Regulation X of 1816 and Section VI Regulation VI of 1822 and the Regulations, which vest the Subordinate Judge with the powers to the exercise of which Mr. Innes has taken objection.-

3. A careful reference to these enactments ought to have satisfied the Acting Subordinate Judge that the Acting Session Judge had not erred but failing this the Court of Foujdaree Udalut are of opinion that a very slight examination of the records of his own Court should have convinced him that a practice which since the passing of Act VII of 1843 had passed unchecked could not be an erroneous one and prevented the reference now under consideration.-

4 They desire also to point out to the Acting Subordinate Judge that the proceedings of the Session Court are forwarded to

7th June 1855.

to him for his guidance, and not for comment, and they desire that for the future all such proceedings may be attended to by the Acting Subordinate Judge without obstruction or delay.-

Ordered that Extract from these Proceedings be sent to the Session Judge of Combaconum for communication to the Acting Subordinate Judge.—

Sent in No. /

Read Calendar of Case No. 11 of 1855 submitted by the Acting Session Judge of Salem under date the 26th April 1855.-

/ Here Inter F.R. No. 1204 of 1855 /

Read return dated 16th May 1855 from the Session Judge of Tinnevelly to the precept of the Foujdaree Udalut under date the 4th May 1855 directing the attention of Session Judge to a case of Fraud disposed of by the Sudder Ameen of Ettiyapooram.—

/ Here Inter F.R. No. 1207 of 1855 /

Read return dated 10th May 1855 from the Session Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 7th April 1855 calling upon the Session

Udalut observe that the exceptions taken by the Acting Subordinate Judge to the proceedings of the Acting Session Judge in review of Criminal Case No. 56 of 1855 were unusual and uncalled for.-

2. Section XXIII Regulation X of 1816 and Section VI Regulation XI of 1822 and the Regulations, which vest the Subordinate Judge with the powers to the exercise of which Mr. Innes has taken objection.-

3. A careful reference to these Enactments ought to have satisfied the Acting Subordinate Judge that the Acting Session Judge had not erred but failing this the Court of Foujdaree Udalut are of opinion that a very slight examination of the records of his own Court should have convinced him that a practice which since the passing of Act XII of 1843 had passed unchecked could not be an erroneous one and prevented the reference now under consideration.-

4 They desire also to point out to the Acting Subordinate Judge that the proceedings of the Session Court are forwarded to

to him for his guidance and not for comment, and they desire that for the future all such proceedings may be attended to by the Acting Subordinate Judge without obstruction or delay.-

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

Sent in No. /

Read Calendar of Case No. 11 of 1855 submitted by the Acting Session Judge of Salem under date the 26th April 1855.-

/ Here Enter F. R. No. 1204 of 1855 /

Read return dated 16th May 1855 from the Session Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 4th May 1855, directing the attention of Session Judge to a case of Fraud disposed of by the Sudder Ameen of Luggy.-

/ Here Enter F. R. No. 1207 of 1855 /

Read return dated 10th May 1855 from the Session Judge of Rajahmundry to the precept of the Foujdaree Udalut under date the 7th April 1855, calling upon the Session

Sessions Judge to reduce his sentence in Case
No. 16 of 1854 on the Calendar to 18 Months —
imprisonment.—

/Here enter F.R. No. 1215 of 1855/

Read return dated 10th May 1855
from the Sessions Judge of Cuddapah to the
precept of the Fouzdaree Adalut under date
the 2d May 1855 making certain remarks on
the Criminal Reports of the Subordinate
Court for the month of March last.—

/Here enter F.R. No. 1206 of 1855/

Read letter under date the 14th
May 1855 from the Acting Principal Sudr
Ameen in charge of the Sessions Court Cuddalore
explaining the cause why the usual Jail
Return do not accompany the B Reports
for the month of April 1855.

/Here enter F.R. No. 1210 of 1855/

Read letter under date the 17th
May 1855 from the Acting Session Judge of
Madura, requiring to be informed whether
Jails should be visited by Sessions Judges
in future.—

/Here enter F.R. No. 1243 of 1855/

Read

Read Calendar of Case No. 36
of 1855, submitted by the Session Judge
of Bellary under date the 17th May 1855.

/Here enter F.R. No. 1245 of 1855/

Read Criminal Report B
dated 14th November 1854 submitted by
the Session Judge of Mangalore for the
month of April 1855.—

/Here enter F.R. No. 1259 of 1855/

Read Extract from the
Proceedings of the Session Judge's Court
at Coimbatore under date the 15th May
1855 held on review of the Petty Calendars
for the 1st Quarter of 1855.—

/Here enter F.R. No. 1257 of 1855/

J.A.S.

F. U.

Friday
8th June 1855.

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 1855
of the Session Court of Salem
(Here enter F. U. No. 1309/1855)

The Court of Foujdaree Udalut 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 on their conviction of House-breaking and Theft be reduced to (3) three years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

1. Chinna Cutty
2. Nullee
3 Armogum.

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

Sent in No. 1

Read Calendar of Case No.

14

8th June 1855.

Masulipatam for his information.

/ Sent in No. /

Read letter dated 30th May 1855 from the Session Judge of Calicut submitting for the final judgment of the Foujdaree Udalut the record of Case No. 35 of 1855 on his file.

Here enter F. C. No. $\frac{135}{1855}$

Mr. Morehead
" 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

"Tiroomalatha Parambil"

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

/ Sent in No. /

Read letter dated 30th May 1855 from the Session Judge of Bellary forwarding for the final judgment of the Foujdaree Udalut the Record of Case No. 32 of 18 on

Register

7th Jan

8th June 1855

with intention to inflict the corporal punishment to which the Prisoner in the above case was sentenced within a week or ten days of his receiving and on the expiration of the period of his sentence to forward him with a memorandum of his offences to the Magistrate in order that he might take such steps as he deemed expedient to protect the public from any future depredations on the part of the Prisoner.

2 The Court of Foujdaree Udalut intimate to the Session Judge that in their opinion the infliction of corporal punishment in the manner proposed by the Session Judge is objectionable and they direct that it be at once administered.

3 The measures also proposed to be taken by the Session Judge on the release of the Prisoner are illegal.

4 The Session Judge can only issue general instructions to the Magistrate in conformity with the notification contained in Circular Order of the Foujdaree Udalut under date 29th April 1836.

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

8th June 1855.

insufficient for the conviction of the Prisoner; the house in which the documents were found is not his but belongs to 5 Witness: the search was very carelessly made and in the absence of the Prisoner.- And the evidence as to place of discovery of the documents is unsatisfactory.

They resolve therefore to acquit the Prisoner and order his immediate release.

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

/ Sent in No 14

E. 3/11/55

Translation

Saturday
9th June 1855.

F. D.

At a Court of the Foujdaree Adalut

Present

G. L. Hooper Esqre.
W. A. Morehead Esqre.
T. E. Strange Esqre.
} Puisne Judges

Read Miscellaneous Petition presented on the 23d April 1855 by Todiary Naiken of Pillah Chinglepute.-

/ Here enter F. M. P. No. 126 of 1855 /

Mr. W. A. Morehead / The Petitioner prays for the capital punishment of the Prisoners in case No. 1 of 1855 on the file of the Sessions Court of Chinglepute who were charged with having murdered the Prisoner's brother Cossipoo Naiken.-

2. The Court of Foujdaree Adalut resolve to direct that the Petitioner be referred to their proceedings of the 30th May last, by which, the Prisoners 1 to 5 have been sentenced to transportation.-

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

Read

8th June 1855.

insufficient for the conviction of the Prisoner; the house in which the documents were found is not his but belongs to 5 Witness: the search was very carelessly made and in the absence of the Prisoner,- and the evidence as to place of discovery of the documents is unsatisfactory.

They resolve therefore to acquit the Prisoner and order his immediate release.

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

/ Sent in he / 4

Translation

Saturday
9th June 1855.

X

F. C.

At a Court of the Foujdaree Udalut

Present

G. S. Hooper Esqre.
W. A. Morehead Esqre.
T. E. Strange Esqre.
} Puisne Judges

Read Miscellaneous Petition presented on the 23d April 1855 by Todasy Naiken of Pillah Chingleput.-

/ Here enter F. M. P. No. 126 of 1855 /

Mr. W. A. Morehead / The Petitioner prays for the capital punishment of the Prisoners in case No. 1 of 1855 on the file of the Session Court of Chingleput who were charged with having murdered the Prisoner's brother Coppoo Naiken.-

2 The Court of Foujdaree Adalut resolve to direct that the Petitioner be referred to their proceedings of the 30th May last, by which, the Prisoners 1 to 5 have been sentenced to transportation.-

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

Read

June 185

9th June 1855.

/ the Prisoner /

Read Miscellaneous Petition
presented on the 5th April last by Sadachy
of Zillah Chinglepuk praying for the im-
-conditional release of the 7th Prisoner in
Case No. 1 of 1855 of the Session Court of
Chinglepuk.-

/ Here enter F. M.P. No. 110 of 1855 /

Mr. W. A. Morehead

The Court of Foujdaree Adalut
see no reason to interfere with the sentence
passed by the Session Judge upon the
7th Prisoner requiring him to produce
two securities in 100 Rupees each for a
term of 3 years. They accordingly resolve
to reject this Petition.-

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

Read Miscellaneous Petition
presented on the 5th April last by Moortigow
and others of Zillah Chinglepuk.-

Mr. W. A. Morehead /

/ Here enter F. M.P. No. 109 of 1855 /

This is an application for
release of the 1st 2d 3d 4th and 5th Prisoners
in Case No. 1 of 1855
of Chinglepuk

Tuesday

9th June 1855.

2.

The Court of Foujdaree Adalut
having given the record of the case their
deliberate consideration, have in proceed-
-ings under date the 30th May 1855 sentenced
the prisoners in question to be transport-
-ed for life. They therefore resolve to reject
this petition.-

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

Read petition — pre-
-sented on the 2d Instant, by Govindummah
of Zillah Chinglepuk.-

/ Here enter F. M.P. No. 155 of 1855 /

Mr. W. A. Morhead /

Petitioner prays for the release
of her husband Pauper Prisoner in Case
No. 10 of 1855 on the Calendar of the Session
Court of Chinglepuk.-

The Court of Foujdaree Adalut
having in their Proceedings under date
the 2d Instant, directed the release of
the Prisoner in question, no order is
called for upon this petition.—

Ordered that Extract from
these

these Proceedings be furnished to the Petitioner on application.—

Read further return made by the Acting Session Judge of Madura dated 24th May 1855 to the Precept of the Foujdaree Udalut dated 12th May 1855 calling for original proceedings in Calendar Case No. X of 1855 and directing the suspension of the sentence passed on the 2d prisoner—

/ Here enter F. R. No. 1299 of 1855 /

Read also return made by the Acting Session Judge of Madura dated 27th April 1855 to the precept of the Foujdaree Udalut calling upon the Session Judge of Madura to report what evidence was adduced to prove that the 2d prisoner in Case No. X of 1855 bought the stolen property knowing it to be such—

/ Here enter F. R. No. 1124 of 1855 /

Read again Calendar in Case No. X of 1855 submitted by the Acting Session Judge of Madura.—

/ Here enter F. R. No. 944 of 1855 /

The

1 The Court of Foujdaree Adalut on consideration of the Record in this case observe that there is no evidence to show that the 2d prisoner purchased the sheep knowing them to be stolen.—

2. The only account of the matter is that given by the prisoner himself before the police wherein nothing arises to indicate guilty knowledge. The prisoner's subsequent denial of the purchase on which the Acting Session Judge rests as justifying his conviction of him affords no proof of the prisoner's guilt, but may be attributed to his seeking this as the best means of defending himself from the Criminal Charge still pressed against him.—

3. The Court of Foujdaree Adalut resolve therefore to reverse the sentence passed on the prisoner and direct his immediate release.—

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

these Proceedings be furnished to the Petitioner on application.—

Read further return made by the Acting Session Judge of Madura dated 24th May 1855 to the Precept of the Foujdaree Udalut dated 12th May 1855 calling for original proceedings in Calendar Case No. X of 1855 and directing the suspension of the sentence passed on the 2d prisoner—

/ Here enter F. R. No. 1299 of 1855 /

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/ Here enter F. R. No. 1124 of 1855 /

Read again Calendar in Case No. X of 1855 submitted by the Acting Session Judge of Madura.—

/ Here enter F. R. No. 944 of 1855 /

The

1 The Court of Foujdaree Udalut on consideration of the Record in this case observe that there is no evidence to show that the 2d prisoner purchased the sheep knowing them to be stolen.—

2. The only account of the matter is that given by the prisoner himself before the police wherein nothing arises to indicate guilty knowledge. The prisoner's subsequent denial of the purchase on which the Acting Session Judge rests as justifying his conviction of him affords no proof of the prisoner's guilt, but may be attributed to his seeking this as the best means of defending himself from the Criminal charge still pressed against him.—

3. The Court of Foujdaree Udalut resolve therefore to reverse the sentence passed on the prisoner and direct his immediate release.—

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

Judge of Madura by precept returnable within 5 days from and after its receipt /Sent following precept No. /

Read Calendar of Case No. 14 of 1855 of the Session Court of Salem.

/ Here enter P.R. No. 1310 of 1855 /

The Court of Fouzdaree Udalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his conviction of Attempt at Gang Robbery by open violence be reduced to /4/ four years with hard labor in irons and 90 Lashes and they do authorize the Session Judge to issue his warrant accordingly.-

Cara Puttan

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

/ Sent in No. /

Read Calendar in Case No. 38 of 1855 submitted by the Session Judge of

of Bellary.-

/ Here enter P.R. No. 1341 of 1855 /

The prisoner charged with theft is convicted by the Session Judge, who reports that there are 6 previous convictions against the prisoner, and sentenced under Section XXI Regulation VII of 1802 to 7 years imprisonment with hard labor in irons, but in consideration of his youth recommend that a mitigated sentence of 3 years imprisonment may be awarded.-

The Court of Fouzdaree

2.

Udalut do not see that there are any circumstances in this case to lead them to concur in the recommendation of the Session Judge, the prisoner the young, is an old offender and it is necessary to prevent his committing any further depredations on society as long as is legally possible.-

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

9th June 1855.

Judge of Bellary for his information.

/Sent in N.

Read Calendar in Case XVI of 1855 on the file of the Session Court of Tpichinopoly.-

/Here enter F.R. N. 1347 of 1855/

The Court of Foujdaree Udalut observe that the Session Judge has omitted to mention in his sentence the fact proved against the prisoner on which his conviction rests; the abstract of the evidence in the Calendar shows that the prisoner was identified by the prosecutor and the 1st and 2d Witnesses as among the robbers. It is on this evidence the Court of Foujdaree Udalut presume he has been convicted.-

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

/Sent in N.

End
J.P.S.

Monday
11th June 1855.

F.U

At a Court of the Foujdaree Udalut

Present.

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

Read Calendar of Petty Cases disposed of by the Magistracy of Nellore for the 1st Quarter of 1855.

/Here enter F.U. N. 1296 of 1855/

Calendar I N. 387
II N. 1.

1. The offenders in these cases are charged with having unduly exerted their authority and influence as Government Servants, in the commission of various Acts of oppression. The Court of Foujdaree Udalut observe that the Acts in question being in no way connected with Police matters, the cases under review should have been dealt with under the general Regulations, and not under the special enactment providing against "Abuse of Authority"

Calendar II N. 9.

2. This charge should have been headed 'making a false and Malicious charge'

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

/Sent in N.

11th June 1855.

Read Criminal Report No. 1 of the Agent Court at Ganjam for April 1855 together with copies of Reports B from his Assistants

/Here enter F. U. No. 1301 of 1855/

1. The Acting Agent will be pleased to call upon his assistant for explanation regarding the very great delay[x] which has taken place in the disposal of Cases No. 3 and 9, the latter of which appears from the Column of Remarks to be still pending

[x] 3 & 3½ months respectively

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

/Sent following Precept No. /

Read Calendar in Case No. 37 of 1855 submitted by the Session Judge of Bellary

/Here enter F. U. No. 1330 of 1855/

1. The prisoners 1 to 3 charged with house breaking and receiving stolen property knowingly and theft were convicted by the Session Judge of the crime laid to their charge and were sentenced by him, the 1st and 3rd to 7 years imprisonment with hard labor in irons, the 2nd to the same term of imprisonment without irons, but in consideration of the youth of the 2nd prisoner his age being apparently 12 to 14 years, he recommended that he should receive 20 lashes with the Catonine tails and be discharged with a suitable warning

2. The Court of Foujdaree Udalut are of opinion that the punishment proposed by the Session Judge

to be inflicted on the 2nd prisoner is wholly inadequate; in consideration however of his youth they resolve to reduce the sentence passed on him by the Session Judge from 7 to 3 years imprisonment and direct that as far as circumstances may permit he should be kept apart from the other prisoners in the Jail.

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

/Sent in No. /

Read Letter from the Agent to the Governor at Kurnool, submitting in conformity with the Agency Rules for final Decision a summary of the evidence in a case of Housebreaking and Theft with his opinion on the punishment to be awarded.

/Here enter F. U. No. 1367 of 1855/

1. The Court of Foujdaree Udalut concur in the conviction of the Prisoners, and approve of the sentences proposed by the Agent to be passed upon them respectively

2. They therefore authorize him to issue his Warrant accordingly

Ordered that Extract from these Proceedings be forwarded to the Agent at Kurnool for his information

/Sent in No. /

Read Report furnished by the Session Judge of Chittoor, of Cases pending on the 31st May 1855 before the Session Court of Chittoor for a period in excess

excefs of 25 days calculated from the day of commitment.

/Here enter F. U. No. 1343 of 1855./

1. The Court of Fouzdaree Udalut direct that the Sefsion Judge will no longer delay the disposal of this Case, unlefs he has received intimation that the Witneffes have been served with the summons, and are on their way to Chittoor

Ordered that Eextract from these Proceed=ings be forwarded to the Sefsion Judge of Chittoor for his information and guidance

/Sent in No. /

Read Calendar of Case No. 12 of 1855 on the file of the Sefsion Court of Chittoor

/Here enter F. U. No. 1328 of 1855/

1. The attention of the Sefsion Judge is drawn to the delay of six (6) days, between the closing of the Trial and the recording of the sentences.

Ordered that Eextract from these Pro=ceedings be forwarded to the Sefsion Judge of Chittoor for his information and guidance

Sent in No.

Read Calendar of Committed Case No. 15 of 1855 forwarded by the Sefsion Judge of Chicacole.

/Here enter F. U. No. 1345 of 1855./

1. The Prisoner in this Case being only charged with 'Manslaughter' the Court of Fouzdaree

Udalut

Udalut resolve to call upon the Sefsion Judge for explanation of the grounds upon which he has thought it necefsary to refer this case for their final disposal, He being himself competent to pafs sentence.

Ordered that Eextract from these Pro=ceedings be forwarded to the Sefsion Judge of Chicacole by Precept returnable within V days from and after its receipt

/Sent following Precept No. /

End

J. W. S.

Tuesday.
12th June, 1855.

F. H.

At a Court of the Stipendiary Magistrate of

Present

G. L. Hooper, Esqre.
W. A. Morehead, Esqre.
J. L. Strange, Esqre.
} Puisne Judges

Read letter dated the 31st May 1855 from the Acting Session Judge of the

(Here enter F. H. No. 1352 of 1855.)

1. The Acting Session Judge having given the notice of the Court of Stipendiary Magistrate that he has omitted to put in, and prove the deposition given by the prisoner before the head of Police, and requesting instructions whether he may before receiving the opinion of the Law Officers hand the deposition in question read and proved, giving the prisoner an opportunity of offering any explanation he may desire in regard to his former statement and the evidence of the attesting witnesses.

2. The Court of Stipendiary Magistrate does not see any objection to the course proposed to be followed by the Acting Session Judge with

regard

19th June, 1855.

Magistrate, and of his reply thereto, and requesting to be furnished with the orders of the Court regarding the payment of the batta within mentioned.

(Here enter F. C. No. 1353 of 1855.)

The Court of Sudder Adalut are of opinion that if any necessity exists for the payment of Batta, as requested by the Acting Head Assistant it should be paid, and the amount entered in the Magistrate's Bill for contingent charges.

Ordered, that an Extract from these proceedings be forwarded to the Magistrate of Tinnevelly for his information

(Sent in No.)

Read the Criminal Reports submitted by the Session Judge of Mangalore for the year 1854.

(Here enter F. C. No. 1288 of 1855.)

Statement No. 2. 1. The Court of Sudder Adalut observe that the Session Judge should have appended, as required in this Court's proceedings under date the 21st April 1854, a note at the foot of this Statement, showing how many of the cases entered

12th June, 1855. entered under the head of Robbery by open violence were cases of Riot or plunder of granaries.

Appendix D to Statement No. 2. 2. The aggregate number of Persons detained before the Police should have been 771 and not 772.

Do. G to Do. 3. The total number of Cases under the head "Cases disposed of under Act VII of 1843," should correspond with the total number of Cases in Column 36 of the Statement No. 2.

Do. B to Statement No. 4. 4. The seven persons whose cases are entered as pending, should have been excluded from the Appendix noted in the margin.

Statement showing the Cases involving grand injury. 5. Columns 46, 47, and 48 should have been filled up.

Comparative Abstract showing Crimes and their dimensions. 6. Columns 34, 35, and 36 should have been filled up.

Statement No. 10. Bengal form. 7. The entries in Columns 4, 5, 6, and 28 under the head "Magistrates," should have been 36_2_16 and 49 respectively.

8. The entries in Columns 4, 5, 6, and 28, under the head "District Police," are also incorrect.

9. The necessary corrections have been made in the Register's Office.

Ordered,

12th June, 1855.

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

(Sent in No)

Read the Criminal Reports submitted by the Session Judge of Cuddapah for the year 1854.

(Here enter F. D. No. 365 of 1855.)

Appendix A to Statement No. 3. A.

1. The Court of Foujdaree Adalut observe that the one person imprisoned in default of payment of fine should also be included under the head "Imprisoned" Minor Columns, "Under 3-6-12, &c. months."

D. C to Statement No. 3. B.

2. The entry of one person in Column 27 of the Statement as having died, &c. should be excluded from this Appendix.

Statement No. 10 Bengal form.

3. The aggregate of the entries in Columns 2 to 27 under the head "Session Judge" should be 104 and not 110; and the entry in Column 28 should be 199.

4. The necessary corrections in the foregoing Statements have been made in the Registers Office.

5. The Sessions Judge is requested to explain without delay the cause of the detention of Prisoners before him for more than 30 days, in order to the cause being explicited in the Column of Remarks of the Appendix B to Statement No. 4.

6. The Sessions Judge will also forward the Statement shewing the executive Police Force for the year 1854 as required by this Courts letter dated 21st October, 1854.

Ordered, that Extract from these proceedings be forwarded to the Session Judge of Cuddapah for his information, by precept returnable within V days from and after its receipt.

(Sent following precept No)

Read Extract from the proceedings of the Sessions Court of Tinnevelly, submitting the explanation received from the Magistrate with reference to the causes of delay in certain cases disposed of by the Native Officers of Police.

(Here enter F. D. No. 1295 of 1855.)

1. The Court of Foujdaree Adalut regret to observe the very serious delays which have

12th June, 1855.

have occurred in the greater number of the cases disposed of by the Native Officers of Police, and cannot but remark that the causes assigned by the Magistrate appear to them by no means satisfactory.

2. The Session Judge will be pleased to draw the attention of the Magistrate to the anomalies in the entries of the dates in the cases noted in the margin, from which the warrants for apprehending the Defendants would appear to have been issued prior to the date of the complaint.

Nos. 84 and 93.

3. The dilatory Proceedings of the Heads of Police in the disposal of the cases in this Statement, extending ——— in several instances, over a period of 3, 4, and even 5 months, require a more careful supervision on the part of the Magistracy. The Court of Judicature do not direct that the Session Judge will bring these remarks promiscuously to the notice of that Officer, who will, they trust, use every exertion to prevent the recurrence of the irregularities adverted to.

12th June, 1855.

Ordered, that a Extract from these proceedings be forwarded to the Session Judge of Demerara for his information, and for communication to the Magistrate.

(Sent in No.)

Read again letter dated 18th April 1855 from the Acting Agent to the Governor of Fort St. George in Ganjam.

(Here enter F. R. No. 1104 of 1855.)

Read also Return made by that Officer to the Precept of this Court under date the 25th May 1855, calling for an English translation of the record of Criminal Case No. 30 of 1855, on his file.

(Here enter F. R. No. 1349 of 1855.)

1. The prisoner was indicted for "Child-stealing", in having feloniously led and taken away, and detained in her possession the prosecutrix's infant son, aged about 3½ years.

The Agent convicts the prisoner of the Crime charged, and recommends that she be sentenced to three years' imprisonment with labor suited to her sex.

The

2.

The prisoner has admitted having taken away the prosecutor's son. Her earlier statements were that she did so in order to bring him up, having no children of her own, and it appears therefrom that she had previous knowledge that the child was the prosecutrix's son; a fact denied to, also by the prosecutrix. As the prisoner made no attempt to restore the child to his parent, it is clear that she designed to appropriate him. There are however, grounds to believe that the prisoner has acted greatly in ignorance, and in consideration of this and of the length of time she has already been in custody, the Court of Tuticorin are of opinion that she will be sufficiently punished by undergoing six months' simple imprisonment, and they direct the Acting Agent to issue the warrant accordingly.

3.

The defective manner in which the case was reported by the Acting Agent led to the necessity of sending for the record.

Ordered, that Extract from these proceedings

proceedings be forwarded to the Acting Agent to the Governor of Fort St. George, at Ganjam, for his information.

(Sent in No.)

Read letter dated 18th May 1855, from the Sessions Judge of Chittoor, submitting Criminal Reports for the month of April 1855.

(Here enter F.R. No. 1232 of 1855.)

Read Criminal Reports dated 15th May 1855, submitted by the Sessions Judge of Trichinopoly for the month of April 1855.

(Here enter F.R. No. 1234 of 1855.)

Read Criminal Reports dated 1st May 1855 submitted thro' the Acting Sessions Judge of Combaconum for the month of April 1855.

(Here enter F.R. No. 1235 of 1855.)

Read Calendar of Cases No. XI of 1855 submitted by the Acting Sessions Judge of Madura under date the 16th May, 1855.

(Here enter F.R. No. 1239 of 1855.)

Read

Read letter dated 17th May 1855, from the Sessions Judge of Coimbatore reporting the execution at ½ past 6 o'clock A.M. on the 17th Instant, of the sentence of death passed by the Court of Sessions Adalut on Coroomandal Coundan, 2nd prisoner in Case No. 22 of 1855 on the Calendar of his Court.

(Here enter F.M. No. 1248 of 1855.)

Read Calendar of Case No. 34 of 1855 submitted by the Sessions Judge of Masulipatam under date the 18th May, 1855.

(Here enter F.M. No. 1250 of 1855.)

Read letter dated 14th May 1855 from the Agent to the Governor, at Vizagapatam, forwarding the warrant issued by him with reference to the sentence of the Sessions Adalut in Case No. 7 of his Court's file.

(Here enter F.M. No. 1252 of 1855.)

Read Return dated 14th May 1855 from the Agent to the Governor, at Russellcondah, to the precept of the Sessions Adalut under date the 4th May 1855 requiring explanation as to the grounds upon which the cases

No. 7

No. 7 and 18 of 1855 entered in the Criminal Report for March last have been committed to the Criminal Court.

(Here enter F.M. No. 1254 of 1855.)

Read Calendar of Case No. 34 of 1855 submitted by the Sessions Judge of Bellary under date the 17th May 1855.

(Here enter F.M. No. 1266 of 1855.)

Read Return dated 21st May 1855 from the Acting Principal Asst. Agent in charge of the Sessions Court of Cuddalore to the precept of the Sessions Adalut under date the 19th May 1855, acquitting the 1st, 2nd, and 3rd prisoners in Sessions Case No. 102 of 1854, and directing their release.

(Here enter F.M. No. 1275 of 1855.)

24th/55

12th June, 1855.

Appendix
Statement

12th June, 1855.

Read letter dated 17th
1855, from the Sessions Judge of Cu
reporting the execution of the death by
A. M. on the 17th Instn of the Prisoner
death passed by the Court of Sessions
Cuddalore on Rajamundry Convict, 2nd Prisoner
in Cal. No. 22 of 1855 on the Calendar of
his Court.

(Here enter F.H. No. 1248 of 1855.)

Read Calendar of Cases
of 1855 submitted by the Sessions Judge of
Madulapatam under date the 18th May, 1855.

(Here enter F.H. No. 1250 of 1855.)

Read letter dated 14th May
1855 from the Agent to the Governor, at
Vizagapatam, forwarding the warrant issued by
him with reference to the sentence of the
Sanjeevee Adalut in Case No. 7 of this Court's
file.

(Here enter F.H. No. 1252 of 1855.)

Read Return dated 14th May
1855 from the Agent to the Governor, at Vizag-
apatam, to the precept of the Sanjeevee Adalut
under date the 4th May 1855 requiring explan-
ation as to the grounds upon which the cases
Nos.

12th June, 1855.

Nos. 7 and 18 of 1855 entered in the Criminal
Report for March last have been committed
to the Criminal Court.

(Here enter F.H. No. 1254 of 1855.)

Read Calendar of Cases
No. 34 of 1855 submitted by the Sessions
Judge of Bellary under date the 17th May
1855.

(Here enter F.H. No. 1266 of 1855.)

Read Return dated 21st May
1855 from the Acting Principal Sudr Ameen
in charge of the Sessions Court of Cuddalore
to the precept of the Sanjeevee Adalut under
date the 19th May 1855 acquitting the 1st,
2nd, and 3rd prisoners in Sessions Case No. 102
of 1854, and directing their release.

(Here enter F.H. No. 1275 of 1855.)

F. U.

Wednesday 13th June 1855. } At a Court of the Foujdaree Udalut.

Present

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

Read letter under date the 25th May 1855 from the Sessions Judge of Bellary submitting an English translation of the record of Case No. 25 of 1855 with reference to the observation of the Court of Foujdaree Udalut in their proceedings of the 19th April 1855.

Here enter F. U. No. 1336 of 1855

Read again Calendar in Case No. 25 of 1855 submitted by the Sessions Judge of Bellary.

(Here enter F. U. No. 950 of 1855.)

The Court of Foujdaree Udalut observe that the course taken by the Sessions Judge in submitting a translation of the record in the above case without any further remarks or any explanation whatever on his part is objectionable

objectionable and hardly decorous.

2 If the observations recorded by the Court of Foujdaree Udalut on the sentence of the Session Judge in the Case as forwarded by him admitted of any qualification or any explanation of the merits of the Case, that it was in the power of the Session Judge to have offered, it was the duty of the Session Judge to have submitted such explanation for the consideration of the Court of Foujdaree Udalut.

3 The record only of the trial has been submitted by the Session Judge, without having been called for, in order that the Court of Foujdaree Udalut may discover from its grounds for the justification of the sentence passed by him.

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

(Sent in Ps)

Read Criminal Report for the Month of April 1835 forwarded by the Sessions

13th June 1835.

Sessions Judge of Bellary.

(Here enter F. Co. No. 1245 of 1835)

No 70. 1 This charge should have been headed "Abuse of authority"

No 85. 2 The Court of Foujdaree Udalut observe that the crime charged in the case under review is "Gang Robbery"

Nos 99 & 112 3 The attention of the Subordinate Judge is drawn to Circular Order No 193 B (2nd October 1830), directing that specifications of previous convictions, enhancing the punishment of a prisoner on a subsequent Conviction of any felony, should be entered in a separate Count.

Nos 100 - 101 - 102 - 104 - 105 - 106 - 107 - 108 - 117 - 118 - 119 - 120 - 121 - 122 - 123. 4 In the Cases noted in the margin Prisoners indicted as principals in the Theft or Robbery of property, are charged in a second Count with having received a portion of the property knowing it to have been stolen. They should have been charged with having been found in possession of it.

5 The charge in this Case is badly drawn up.

Ordered

13th June 1855

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

(Sent in No)

Read Return dated 2nd June 1855 from the Sessions Judge of Cuddapah to the Precept of the Foujdaree Udalut under date the 30th May 1855 reporting submission of the Criminal Reports for the year 1854

Were enter F.U. No 382 of 1855

The Court of Foujdaree Udalut desire that the attention of the Magistrate of Cuddapah may be particularly drawn to the very imperfect manner in which, according to the return of the Sessions Judge, his reports were submitted, and that in future such measures may be taken as will prevent a similar recurrence.

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

(Sent in No)

Thursday
14th June 1855.

F.U.

At a Court of the Foujdaree Udalut.

Present

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

Read Calendar of Cases disposed of by the Acting Agent of Ganjam and his Assistants during the first quarter of 1855.

Here enter F.U. No. 1355 of 1855

No 5 of 1855 by the Acting Principal Assistant

The Court of Foujdaree Udalut observe 1. that the sentence in this case should have been passed under section VII Regulation X of 1816, the enactment quoted not providing for the punishment of offences of this description

Calendar III Case No 21 of 1854 by Acting Principal Assistant.

The prisoner in this Case appears to have been committed for trial on a charge of Arson and security to have been demanded from him in consequence of suspicion resting upon him in connection with that charge - The requisition of security under such circumstances partakes of the nature of a sentence and the case should therefore have been entered in Calendar No I 2.

Ordered that Extract from these Proceedings be forwarded to the Acting Agent to the Governor

of Fort saint George at Ganjam for his information

/Sent in No. /

Read Reply of the Session Judge of Masulipatam dated 26th May 1855, to an Extract from the Proceedings of the Court of Foujdaree Udalut under date the 21st May 1855 remarking upon the charges in Case No. 31 of 1855 of his Court's file.

/Here enter F. U. No. 1331 of 1855/

1.

The Court of Foujdaree Udalut instructed the Judge that the offences should have been made matter for separate Indictments, and not have been divided into Counts.

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. 41 of 1855 of the Sessions Court of Bellary

/Here enter F. U. No. 1373 of 1855/

1.

In this case of "Attempt at Gang Robbery" the Prisoner has been convicted and sentenced to the punishment prescribed in Clause 3d. Section IV Regulation XV of 1803, which the Sessions Judge now recommends may be mitigated to 7 years.

2.

The Court of Foujdaree Udalut deem the

punishment proposed inadequate for the Prisoners offence as, however, he does not appear to be an old offender, and the crime he now stands guilty of is not of an aggravated nature, the Court resolve to sanction a mitigation of the Prisoner's sentence to 8 years Imprisonment with hard labor in irons and the Sessions Judge is hereby authorized to issue his Warrant accordingly

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

/Sent in No. /

Read Report of Cases pending on the 30th April and committed for trial during the month of May 1855 before the Sessions Judge of Calicut.

/Here enter F. U. No. 1379 of 1855.

No. 34 of 1855.

1.

The Court of Foujdaree Udalut desire to be informed what had prevented the closing of the case noted in the margin if the examination of the Witnesses for the defence as well as for the prosecution has terminated, the Sessions Judge is directed to proceed to pass sentence without delay.

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

/Sent in No. /

12th

14th June 1855.

The record of trial in referred Case No. 15 of 1855 on the Calendar of the Sessions Court of Chittoor not having been yet received.

Ordered that the Sessions Judge of Chittoor be directed to submit the record aforesaid without delay.

Ext. Th. W

Friday 15th June 1855 } At a Court of the Foujdaree Adalut.

Present.

G. S. Hooper Esquire
W. A. Morshead Esquire } Puisne Judges.
J. L. Strange Esquire

F. H.

Read letter dated 5th June from the Acting Sessions Judge of Salem (Vide Enter F. H. No. 1397 of 1855)

The Acting Sessions Judge in the above letter suggests that in order to prevent frauds on the part of Peons it would be advisable to desire the Collector to make arrangments for the issue of pay to Moonsiffs and their Servants from the Talook Treasuries, and he requests sanction for carrying the above arrangement into effect.

The Court of Foujdaree Adalut

2.

inform the Acting Sessions Judge that he should apply to the Collector on this subject, it being one on which they do not deem it requisite to pass any orders.

Ordered

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

(Sent in No. /

Read Calendar of Case No. 11 of 1855 on the file of the Sessions Court of Chittoor.—

(Here Enter F. H. No. 1327 of 1855/

1 The prisoners in this case who were convicted of the crime of robbery by open violence were sentenced by the Sessions Judge to 14 years imprisonment with hard labor in irons under Clause 3d Section IV Regulation XV of 1803, the 1st prisoner being further sentenced to pay a fine of 300 Rupees under Act XVI of 1850.—

2. The Court of Zoujdarree Adalut approve of the above sentence, and direct further that the prisoners be sent to the Jail at Chingleput there to undergo their sentence.—

Ordered that Extract from these proceedings be sent to the Sessions Judges of Chittoor and Chingleput for

for their information.—

(Sent in No. /

Read Calendar of Case No. 36 of 1855 of the Sessions Court of Calicut.—

(Here Enter F. H. No. 1357 of 1853/

1 The Court of Zoujdarree 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

1st Katil Avara
2d Alan Chatan.

to suffer on their Conviction of Theft and possessing stolen property, be reduced to (3) Three years with hard labor in irons and they do authorize Session 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 return dated 6th June 1855 made by the Acting Sessions Judge of Nellore to the precept of the Zoujdarree Adalut under date the 4th June directing the Acting Sessions Judge to give full

information

15th June 1855.

information as to the merits in Case in Calendar 11 of 1855.-

(Here Enter F. H. No. 1383 of 1855)

Read again Calendar in Case No. 11 of 1855 submitted by the Acting Session Judge of Nellore.-

(Here Enter F. H. No. 1237 of 1855)

1 The Court of Foujdaree Adalut point out to the Acting Session Judge that his sentence in the above case was not prepared in accordance with the Circular Order of the Foujdaree Adalut, and they desire that in future he will embody in his sentence his reasons for passing it and not as in the present instance refer the Court to the Futwah of the Law officer.-

2. The Court of Foujdaree Adalut approve of the reduction of the sentence of imprisonment to 4 years as recommended by the Acting Session Judge.-

Ordered that Extract from these proceedings be sent to the Acting

Acting Session Judge of Nellore for his information.-

(Sent in No. /

Read Calendar in Case No. 21 of 1855 submitted by the Session Judge of Tinnevelly.-

(Here Enter F. H. No. 1360 of 1855)

1 The prisoner was indicted on a charge of Perjury. The Court of Foujdaree Adalut observe that as required by Circular Order 31st January 1820 the manner in which it was material to the issue of the trial to shew the absence of the 3d Defendant ~~was~~ should be set out, because if it is not shewn really to be so, the charge necessarily falls to the ground.

2. The course followed by the Civil Judge and adverted to in para 3 of the Session Judges remarks, the Court of Foujdaree Adalut consider to have been irregular; if the District Moonsiff refused a review of Judgment a regular appeal was open to the party aggrieved, but no order for a review of Judgment could

lee

be passed by the Civil Judge.—

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

(Sent in No.)

Read Calendar of Case No. 18 of 1855 and translations of part of the Police proceedings submitted with a letter dated 31st May 1855 by the Session Judge of Mangalore.

(Here Enter F. H. No. 1364 of 1855)

The Session Judge in forwarding the above recommends that as the evidence in the case is chiefly circumstantial the 5th Prisoner should be admitted as an approver.—

2. The Court of Fouzdaree Adalut decline acceding to the recommendation of the Session Judge as they fail to discover in the statements of the 5th Prisoner any points that could with safety be made available for the conviction of the other Prisoners.

3. The Court of Fouzdaree Adalut would point out to the Session Judge that his letter under notice is incomplete as it

it affords them no means of judging of the propriety of the request. The Court of Fouzdaree Adalut observe that the Session Judge should have given a short description of the case with the nature of the evidence available and should have them specified what evidence was to be expected from the 5th Prisoner and how far it was likely to lead to the conviction of the other prisoners. The inclosures are herewith returned.—

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

(Sent in No.)

Read Criminal reports submitted by the Session Judge of Calicut under date the 18th May 1855 for the month of April 1855.—

(Here Enter F. H. No. 1271 of 1855)

Read Criminal reports submitted by the Session Judge of Honore under date the 16th May 1855 for the month of April 1855.—

(Here Enter F. H. No. 1272 of 1855)

Read.

Read Criminal Reports submitted by the acting Sessions Judge of Salem under date the 1st May 1855 for the month of April 1855.—

(Here Enter F.R. No. 1274 of 1855)

Read return dated 22d May 1855 from the Acting Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 12th May 1855 directing the release of the 1st and 2d Prisoners in Case No. 9 of 1855.—

(Here enter F.R. No. 1279 of 1855)

Read Criminal Reports submitted by the Sessions Judge of Rajahmundy under date the 1st May 1855 for the month of April 1855.

(Here Enter F.R. No. 1282 of 1855)

Read return dated 22d May 1855 from the Acting Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 16th Instant conveying their orders and instructions on the Criminal Reports for March 1855.—

(Here Enter F.R. No. 1284 of 1855)

Read Criminal Reports

Submitted

Submitted by the Sessions Judge of Chicacole under date the 19th May 1855 for the month of April 1855.—

(Here Enter F.R. No. 1285 of 1855)

Extract

Thos. Ellis

Saturday
16th June 1855.

F. C.

At a Court of the Foujdaree Udalut.

Present

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

Read Calendar of Case No 19. of 1855 submitted by the Acting Sessions Judge of Combaconum.

(Here enter F. C. No 1391 of 1855)

The Court of Foujdaree Udalut direct that the stripes which the prisoner in this case has been sentenced to receive be inflicted at once. The Court of Foujdaree Udalut resolve to reduce the term of imprisonment to which the Prisoner has been sentenced to 4 Years, and authorize the Acting Sessions Judge to issue his warrant accordingly.

The

15-1/2

16th June 1855. 2

The Court of Fouzdaree Adalut request that in future the Acting Session Judge will compress his sentences. It is sufficient that he should record the facts proved against the prisoner and on what evidence or if not proved why the evidence was considered untrue or inadequate.

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

Sent in Ps

Read Calendar of Case No 17 of 1855 of the Session Court of Tschinopoly.
(Herewith F.C. No 1393 of 1855)

The Court of Fouzdaree Adalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Highway Robbery be reduced to (7) Seven years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Saivee

Ordered

16th June 1855.

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

Sent in Ps

No Return having been received from the Session Judge of Masulipatam to the Precept of the Fouzdaree Adalut dated the 3rd May 1855, directing the release of the prisoners in Session Case No 12 of 1855 and requiring the Magistrate strictly to investigate the causes which led to the detention of the Prisoners in the above case and in Nos 13-14-15 and 16 from the 8th to the 17th January before any examination into them was made reporting the result to this Court-

Ordered that the Session Judge of Masulipatam be required to make a return to the above Precept without further delay-

Sent in Ps

Read Letter dated 4th June from the Acting Sessions Judge of Salem enclosing copy of a letter from the Magistrate of Salem objecting to

the

16th June 1855. The proceedings of the Sessions Court directing the release of the prisoner in case No 15 of 1855 together with the Memo. referred to by the Magistrate in the last para of his letter-

(Here enter F. N. No $\frac{1380}{1855}$)

1

The Prisoner in Case No 15 of 1855 formerly Record Keeper of the Collector's Cutchery was brought to trial before the Sessions Court on a charge of Fraud preferred by the Magistrate of Salem in having knowingly and with intent to defraud certain persons Plaintiffs in Original Suit No 75 of 1845 on the file of the Salem Moonsiff prepared for the Defendants in the said Suit copies on Stampt papers of certain forged documents purporting to be copies of the official documents belonging to the public records under his charge-

2

The Acting Sessions Judge directed the prisoner should be released observing, that with reference to Circular Order Foujdaree Adalut of the 7th December 1853, No 200, the proceedings of the Magistrate in taking up the case against the prisoner

16th June 1855. prisoner in the present stage of the Civil Suit now Appeal Suit No 146 of 1850 on the file of the Civil Court of Salem was clearly irregular.

3 In his letter dated 29th May copy of which is now under notice, the Magistrate objected to the proceedings of the Sessions Court on the grounds that the payment of the pension to the prisoner, who had ceased to hold the situation of Record Keeper in Case No 15 of 1855 having been suspended until he could clear himself of the charge brought against him, he would have been subject of complaint if the trial should be deferred until the termination of the Civil Suit which might be protracted for an indefinite period- He therefore requested that the matter might be referred to the Court of Foujdaree Adalut for their orders.

4. The Court of Foujdaree Adalut approve of the course pursued by

16th June 1855.

by the Sessions Judge in the disposal of this case, and concur in the opinion expressed by him in his letter of the 4th June, that the Magistrate has in his Revenue capacity ample powers to deal with cases of misconduct on the part of his subordinates in regard to public records; and they direct the Magistrate in his Revenue Capacity at once to proceed against the prisoner, who has been released by the Sessions Judge under Clause 5 Section II Regulation IX of 1822.

Ordered that Extract from the Proceedings be furnished to the Acting Sessions Judge of Salem for his information and for communication to the Magistrate.

Sent in Sr.

Read again Miscellaneous Petition from P. Venkadoo and another forwarded by the Sessions Judge of Rajahmundry.

(Here enter F.H. P. No 119 of 1855)

Read

16th June 1855

Read also Return and Supplemental Return dated the 24th and 29th Ultimo, to the Precept of the Court of Foujdaree Adalut dated the 28th April 1855. directing the submission of an English Translation of Record of Case No III of 1855 on the Calendar.

(Here enter Nos 1302 & 1410 of 1855)

Mr. J. L. Sharpe

1 The prisoners in the Case in question were indicted on a charge of feloniously stealing from the prosecutrix Jonde jewels to the value of Rs 157-12-.

2. The jurors convicted the prisoners of the crime charged. The Sessions Judge concurring in the conviction sentenced the prisoners to seven years' imprisonment, and the 1st prisoner to receive, in addition, a 100 lashes with a cat o'nine tails. This was mitigated in the instance of the 2d Prisoner to imprisonment for one year.

3 In their Proceedings of the 28th April held on the petition of the prisoners praying for their release, the Court of Foujdaree Adalut directed the Sessions Judge to forward an English translation of the record

of

16th June 1855.

of the case which the Court have now received and perused.

4.

The prisoners conviction depends upon the fact of the property removed by the 2nd prisoner not belonging to her, but to the prosecutrix. The Court find no evidence to establish the fact. The witnesses to the point do not prove how the property was acquired, and the prosecutrix's statement on this head is a very questionable one. She says that she, her son, and the 2d prisoner, together, acquired it. This is allowing the 2d prisoner to have a right therein. As to the prosecutrix's son he is still but a lad, and it does not appear how he could have aided in the acquisition. On the other hand it is allowed that the 2d prisoner had the charge of the said property and made use thereof. The 2d prisoner evidently removed the effects as her own and not feloniously, for after taking them out of her box, she locked up the box leaving therein other things which were not hers and she hung up the key in

16th June 1855

lieu of carrying it with her as was her wont. While therefore there is no evidence to the property belonging to the prosecutrix, there is much room for thinking that the 2d prisoner is the owner thereof. For the above reasons the Court of Foujdaree Adalut acquit both the prisoners and direct their release.

Ordered that Extract from these Proceedings be sent to the Session Judge of Rajahmundry for communication to the Petitioner.

Sent in No.

Read again Calendar of Case No 27 of 1855, submitted by the Session Judge of Coimbatore.

(Here enter F. R. No 1228/1855)

Read also Return dated 4th June 1855 from the Principal Sudr Ameen in charge of the Zillah Court of Coimbatore to the precept of the Foujdaree Adalut under date the 29th May 1855 calling upon the Session Judge to forward the record of the trial of Case No 27 of 1855 on the Calendar of his Court.

(Here enter F. R. No 1385/1855)

The Court of Foujdaree Adalut having considered the above record,

see

16th June 1855. see no reason for disturbing the sentence recommended by the Sessions Judge; and they accordingly direct that the period of imprisonment awarded to the prisoners in this case be reduced to 7 years with hard labor in irons.

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

Sent in Sr

The Court of Foujdaree Adalut having duly considered the whole record of the proceedings in Case No 57 of 1854 on the Calendar of the Session Court of Combaconum are of opinion that the evidence is insufficient to convict the prisoner of the crime charged and do accordingly acquit him and direct that he be unconditionally released.

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

(Sent following Precept No)

Read again letter dated 4th July 1854 from the Acting Civil Judge of Combaconum reporting regarding the

16th June 1855 the money which was defalcated from the Treasury of the Civil Court and which has since been made good by the Sheriff, Balagooroomoorty Chetty.

(Here enter S.R. No 1445/1854)

Read again letter dated 13th July 1854 from the Acting Civil Judge of Combaconum reporting with reference to his letter of the 4th instant that Rupees 80 which were received from the Sheriff's Court was not credited in the Sheriff's accounts and that the said amount was instantly paid by him and recommending his public dismissal from Office unless the Sudder Adalut consider that a prosecution for fraud shall be instituted against him.

(Here enter S.R. No 1526/1854)

Read again letter dated 23 August 1854 from the Acting Civil Judge of Combaconum reporting with reference to the Court's letter of the 25th ultimo that he has not yet communicated to the Sheriff his dismissal from Office as a further deficiency of Rupees 335 has been discovered in the accounts.

(Here enter S.R. No 1699/1854)

Read again letter dated 7th April 1853 from the Acting Civil Judge of Combaconum reporting regarding the

examination

15

16th June 1855. Examination of the past Treasury Accounts in the Civil Court of Combaconum.

(Here enter S.R. No 906/1855)

Read again letter dated 19th Febuary 1855 from the Acting Civil Judge of Combaconum. reporting regarding the system of keeping the Treasury Accounts in his Court, with reference to the Courts letter of the 13th instant.

(Here enter S.R. No 506/1855)

Read letter dated 11th December 1854 from the Civil Judge of Combaconum submitting a report upon the defalcations in the Treasury of the Civil Court of Combaconum.

(Here enter S.R. No 2823/1854)

Read again Calendar of Case No 57 of 1854 submitted by the Sessions Judge of Combaconum.

(Here enter F.R. No 2838/1854)

Read Return dated 21st December 1854 submitted by the Sessions Judge of Combaconum to the precept of the Fouj: = daree Adalut under date the 14th December 1854 requiring the Sessions Judge to state in what respect the Security described in the Petition of Balajeeroo: = moorty Chetty is considered insufficient.

(Here enter F.R. No 3165/1854)

Read

4

16th June 1855. Read again Return dated 27th November 1854 submitted by the Sessions Judge of Combaconum to the precept of the Fouj:daree Adalut under date the 24th November 1854 containing their remarks on Case No 57 of 1854 on the file of the Sessions Court.

(Here enter F.R. No 2944/1854)

Read again Miscellaneous Petition presented by E. Salmon Esqr Vakeel on behalf of Baalajeeroomoorty Chetty of Jillah Combaconum.

(Here enter F.R.P. No 273/1854)

Read again Miscellaneous Petition presented by E. Salmon Esqr Barister at Law on behalf of Baalajeeroomoorty Chetty of Jillah Combaconum.

(Here enter F.R.P. No 2/1855)

Read again Return dated 30th January 1855 submitted by the Acting Sessions Judge of Combaconum to the precept of the Fouj:daree Adalut under date the 8th January 1855 directing to forward an English translation of the Record of Sessions Case No 57. of 1854.

(Here enter F.R. No 317/1855)

Read again Miscellaneous Petition presented by E. Salmon Esqr Barister at Law

16th June 1855.

Law on behalf of Bandycoorcoorcourty Chitty of Tillak Combaconum.

(Herewith F.R.P. No 41/1855)

Read again Return dated 26th February 1855 submitted by the Acting Sessions Judge of Combaconum to the precept of the Tonjdaree Adalut under date the 15th February 1855 pointing out certain deficiencies in the examination of Session Case No 57 of 1854 and directing that they may be supplied.

(Here enter F.R. No 555/1855)

Read again Return dated 27th March 1855 submitted by the Acting Sessions Judge of Combaconum to the precept of the Tonjdaree Adalut under date the 22nd March 1855 calling for further explanation in Session Case No 57 of 1854.

(Here enter F.R. No 872/1855)

Read Return dated 24th April 1855 submitted by the Acting Session Judge of Combaconum to the precept of the Tonjdaree Adalut under date the 20th April 1855 calling for further information in the matter of Session Case No 57 of 1854.

(Here enter F.R. No 1099/1855)

Read Letter dated 21st May 1855 from the Acting Session Judge of Combaconum submitting final Return to the Precept and Extract from the Proceedings of the Tonjdaree

16th June 1855. Tonjdaree Adalut of the 20th April 1855 calling for further information in the matter of Session Case No 57 of 1854.

(Here enter F.R. No 1277/1855.)

1 The prisoner in this case the Shroff of the Civil and Sessions Court was charged with embezzlement and on conviction was sentenced by the Sessions Judge to three years imprisonment with hard labor in irons and to pay a fine equal to the Amount proved to have been embezzled.

2 The prisoner having appealed from the sentence of the Sessions Court the record of the trial was sent for, Mr. Salmon Vakeel on behalf of the prisoner in the above case was heard orally in support of his petition, and the Sessions Judge was called upon several times to supply certain deficiencies in the Record.

3 On a careful consideration of the record and the proceedings connected with this trial, the Court of Tonjdaree Adalut have come to the conclusion that the conviction of the prisoner cannot be sustained. The Court of Tonjdaree Adalut do not find from the

16th June 1855.

the evidence that the alleged deficiency of money has been established as a fact; the accounts submitted by the Acting Sessions Judge of the balances in the Court Cash Chest do not show clearly that any such deficiency exists.

4 The charge against the prisoner has been founded on the circumstance of the two sums laid in the charge as embezzled having been acknowledged as received into the treasury by the prisoner, but with no corresponding entry of such payment being made in the Court Cash accounts. Such being the case it was presumed that the money which should according to the receipt have been forthcoming from the Court Cash Chest had been embezzled by the prisoner; but it is not impossible that the omission to enter the said sums in the Cash account may have been accidental, and that in reality no fraud has occurred regarding them.

5 The Court of Foujdaree Adalut are of opinion that the Court accounts should have been carefully adjusted and if it were then clearly shown that

16th June 1855.

that a sum of money was really wanting to meet the demands for which the Court had been found liable, the prisoner ought to have been put upon his trial. To elucidate this fact however no attempt has been made and the Court Cash Chest still contains unadjusted a sum of Rupees 23,430-

6. Such being the vague state of the record, the Court of Foujdaree Adalut do not consider that such proof of the Prisoners' guilt exists as can justify the Court in confirming the sentence appealed from. They therefore direct that the prisoner be released.

7 The Court of Foujdaree Adalut resolve to instruct the Civil Judge to proceed at once to the adjustment of the accounts of his Court, allotting the different sums in deposit to the claims on account of which they have been paid into the Court Treasury. When this has been done the Court of Foujdaree Adalut desire that the Civil Judge will submit a report showing the state of the Court Cash Chest when if requisite a report will be made

on

16th June 1855. on the subject to Government-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum by precept returnable within six weeks from and after its receipt-

(Sent following Precept)

Read again Miscellaneous Petition presented on 30th April 1855 by Sreenevasa Naik late jail Peon of Cuddalore-

(Here enter S. & F. R. No 35/1855)

Read Return made by the Acting Principal Sudr Ameen in charge of the Sessions Court of Cuddalore to the Precept of the Sudder Adalut under date 12th May 1855 requiring a more detailed explanation than that given in the order of the Acting Sessions Judge dated 24th February 1855 of the cause which led to the dismissal of the Jail Peon Seenevasa Naick.

(Here enter Judr No 1289 of 1855)

Mr Morehead

On consideration of the explanation given in the above Return, the Court of Foujdaree Adalut see no reason to interfere with the order now

16th June 1855. now appealed against, they therefore reject this petition-

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

Sent in Sp

Read Miscellaneous Petition presented on the 9th Instant by Govindasamy Naicken of Tillak Combaconum-

(Here enter F. R. P. No 156/1855)

Mr G. S. Hooper

The object of this Petition is to induce the Court of Foujdaree Adalut to reconsider Petitioners case as set forth in Foujdaree Miscellaneous Petition No 75 of 1855 and to issue orders for his re-employment as Jail Peon-

The Court of Foujdaree Adalut resolve to refer Petitioner to the orders passed by them on his former petition-

Petition rejected-

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

Read Miscellaneous Petition presented on the 9th June 1855 by Razoola Sellore- (Ramanah & others of Tillak

(Here enter F. R. P. No 157/1855)

Petitioners

16th June 1855. on the subject to Government-

Ordered that Extract from these Proceedings be sent to the Sessions Judge of Combaconum by precept returnable within six weeks from and after its receipt-

(Sent following Precept No)

Read again Miscellaneous Petition presented on 30th April 1855 by Sheenevasa Naik late Jail Peon of Cuddalore-

(Here enter S. & F. R. No 35/1855)

Read Return made by the Acting Principal Sadr Ameen in charge of the Sessions Court of Cuddalore to the Precept of the Sudder Adalut under date 12th May 1855 requiring a more detailed explanation than that given in the order of the Acting Sessions Judge dated 24th February 1855 of the cause which led to the dismissal of the Jail Peon Seenevasa Naick.

(Here enter ~~S. & F. R.~~ Judr. No 1289 of 1855)

Mr. Morehead

On consideration of the explanation given in the above Return, the Court of Foujdaree Adalut see no reason to interfere with the order now

16th June 1855. now appealed against, they therefore reject this petition-

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

Sent in do

Read Miscellaneous Petition presented on the 9th instant by Govindasawmy Naicken of Gillah Combaconum.

(Here enter F. M. R. No 156/1855)

Mr. G. S. Hooper

The object of this Petition is to induce the Court of Foujdaree Adalut to reconsider Petitioners case as set forth in Foujdaree Miscellaneous Petition No 75 of 1855 and to issue orders for his re-employment as Jail Peon.

The Court of Foujdaree Adalut resolve to refer Petitioner to the orders passed by them on his former petition.

Petition rejected-

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

Read Miscellaneous Petition presented on the 9th June 1855 by Razoola Nellore- Ramanah & others of Gillah

(Here enter F. M. R. No 157/1855)

Petitioners

16th June 1855.

M.S.d. Hoopes

Petitioners pray the Court of Fouzdaree Adalut to call up the records in Case No 13 of 1854 and cancel the mitigated sentence of three years imprisonment passed upon their relatives the 2nd, 3rd & 4th prisoners in that Case.

2. The Court of Fouzdaree Adalut on perusing again to the Calendar received from the Session Court, see no reason to question the correctness of the conviction in the case in question and therefore resolve to reject this Petition.

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

Read Criminal Report submitted by the Session Judge of Bellary for the month of April 1855.

(Here enter F.R. No 1214/1855.)

Read Calendar submitted by the Session Judge of Salem in Case No 15 of 1855.

(Here enter F.R. No 1361 of 1855)

Read

16th June 1855.

Read Calendar submitted by the Session Judge of Bellary in Case No 40 of 1855.

(Here enter F.R. No 1363 of 1855)

Read Return dated 31st May 1855 submitted by the Session Judge of Rajahmundry to the precept of the Fouzdaree Adalut under date the 26th May 1855 calling upon the Session Judge to reduce to two years his sentence in Case No 10 of 1855 on the Calendar and in case of non-concurrence to submit an English translation of the record.

(Here enter F.R. No 1371/1855)

Read Return dated 28th May 1855 submitted by the Acting Agent to the Governor in Ganjam to the precept of the Fouzdaree Adalut under date the 11th May 1855 offering certain explanation on the remarks of the Fouzdaree Adalut on the monthly report of March 1855.

(Here enter F.R. No 1374 of 1855)

Read Copy of the Calendar submitted by the Session Judge of Calicut

in

16th June 1855.

Mr. S. Hooper

Petitioners pray the Court of Fonjdaree Adalut to call up the records in Case No 13 of 1854 and cancel the mitigated sentence of three years imprisonment passed upon their relatives the 2d, 3d & 4th prisoners in that Case.

2. The Court of Fonjdaree Adalut on perusing again to the Calendar received from the Sessions Court, see no reason to question the correctness of the conviction in the case in question and therefore resolve to reject this Petition.

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

Read Criminal Report submitted by the Sessions Judge of Bellary for the month of April 1855.

(Here enter F. R. No 1244/1855.)

Read Calendar submitted by the Sessions Judge of Salem in Case No 15 of 1855.

(Here enter F. R. No 1361 of 1855)

Read

16th June 1855.

Read Calendar submitted by the Sessions Judge of Bellary in Case No 40 of 1855.

(Here enter F. R. No 1363 of 1855)

Read Return dated 31st May 1855 submitted by the Sessions Judge of Rajahmundry to the precept of the Fonjdaree Adalut under date the 26th May 1855 calling upon the Sessions Judge to reduce to two years his sentence in Case No 10 of 1855 on the Calendar and in Case of non-concurrence to submit an English translation of the record.

(Here enter F. R. No 1371/1855)

Read Return dated 28th May 1855 submitted by the Acting Agent to the Governor in Ganjam to the precept of the Fonjdaree Adalut under date the 11th May 1855 offering certain explanation on the remarks of the Fonjdaree Adalut on the Monthly Reports of March 1855.

(Here enter F. R. No 1374 of 1855)

Read Copy of the Calendar submitted by the Sessions Judge of Calicut

in

16th June 1855. in Case No 38 of 1855.

(Here enter F.R. No 1392/1855)

Read Letter dated 5th June 1855 from the Sessions Judge of Cabicut forwarding the Warrant issued for the execution of the sentence of death passed by the Court of Tonjoaree Moalut on the Prisoner in Case No 23 of 1855 on the Calendar Sessions Court Cabicut with Acting Subordinate Judge's endorsement thereon and copy of his report according to Circular Order Tonjoaree Moalut 3rd July 1830.

(Here enter F.R. No 1400/1855)

Read Copy of the Calendar submitted by the Sessions Judge of Cabicut in Case No XL of 1855.

(Here enter F.R. No 1401/1855)

Read Calendar submitted by the Acting Sessions Judge of Nellore in Case No 15 of 1855.

(Here enter F.R. No 1402/1855)

Read Calendar submitted by the Acting Sessions Judge of Nellore in Case No 16 of 1855.

(Here enter F.R. No 1403/1855)

Read Copy of the Calendar submitted by the Sessions Judge of Mangalore in Case No 17 of 1855 with the remarks

16th June 1855. of the Sessions Court thereon.

(Here enter F.R. No 1404/1855)

Read Calendar submitted by the Sessions Judge of Trichinopoly of Case No XVIII of 1855 on the file of the Sessions Court.

(Here enter F.R. No 1405/1855)

Read Calendar submitted by the Sessions Judge of Trichinopoly of Case No XIX of 1855 on the file of the Sessions Court.

(Here enter F.R. No 1406/1855)

Read Report submitted by the Sessions Judge of Bellary of a Case pending on the 30th April 1855 before the Sessions Court of Bellary for a longer period than 25 days.

(Here enter F.R. No 1408/1855)

Read Report submitted by the Sessions Judge of Guntoor in Form B of Criminal Cases disposed of in the month of May 1855.

(Here enter F.R. No 1412/1855)

Ed Holt

George Ellis

F. 16.

Monday
18th June, 1855.

At a Court of the Tanjadore Adalut.

Present

G. L. Hooper, Esqre,
W. A. Morehead, Esqre,
J. L. Strange, Esqre,
} Puisne Judges.

Read again Calendar in Case No. 13 of 1855, submitted by the Sessions Judge of Trinomaly under date the 31st March, 1855.

(Here enter F. 16. No. 910 of 1855.)

Read again also letter dated 14th May 1855 from the same Officer, reporting upon the conduct of the Tahsildar of Shunkerayanar Coil Taluk in Sessions Case No. 13 of 1855.

(Here enter F. 16. No. 1225 of 1855.)

Read letter dated 6th June 1855, from the Magistrate of Trinomaly stating that perceiving no justification for the misconduct of the Tahsildar of Shunkerayanar Coil Taluk in the cases within mentioned, and being dissatisfied with the excuses offered by him, it has been recommended to the Board of Revenue that he should be removed from the public service.

(Here enter F. 16. No. 1411 of 1855.)

The

18th June, 1855.

1. The Court of Sudder Adalut on consideration of the foregoing Reports from the Session Judge, are of opinion that the Tahsildar of Shenkrannaur Covil Talook is utterly unfit to exercise the duties of a Head of Police, and they therefore resolve, under the powers vested in them by Section XXXIX of Act VII of 1843 to dismiss him from that situation.

Ordered, that Extract from these proceedings be forwarded to the Session Judge of Tinnevelly for communication to the Magistrate.

(Sent in No.)

Read Calendar of Cash No. 15 of 1855 of the Session Court of Madura.

(Here enter F.B. No. 1396 of 1855.)

1. The Court of Sudder Adalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of High-way Robbery, be reduced to (7) Seven years with hard labor in irons, and they do authorize the Session Judge to issue his warrant accordingly.

Villaparumal.

The

18th June, 1855.

2. The Court of Sudder Adalut request that the Acting Session Judge will in future compress his sentences which are far too lengthy.

It is sufficient if the sentence contain the facts accepted for the prisoners conviction with a notice of the witnesses who deposed thereto

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

(Sent in No.)

Read letter dated 4th June, from the Session Judge of Madura forwarding copy of Extract of Proceedings of the Session Court under date the 21st May, 1855.

(Here enter F.B. No. 1407 of 1855.)

1. The Session Judge in the above letter submits for the opinion of the Judges of the Court of Sudder Adalut the question whether the extended powers of the Magistracy under Section LIV, Act VII of 1843 can be applied to cases of false complaint made before themselves.

The Court of Sudder Adalut

2. resolve

resolved to furnish the Sessions Judge with copy of an Extract from these proceedings under date the 11th January, 1855, which contains the ruling of the Court on the point now referred to them for opinion.

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

(Sent in No.)

Read Extract from the proceedings of the Sessions Court of Cuddapah under date 31st May 1855, forwarding the Criminal Statements for the year 1854 forwarding letter from the Magistrate of Cuddapah on the same subject

(Here enter S.R. No. 1365 of 1855.)

1. The Court of Sudder Adalut observe that the Magistrate of Cuddapah in his letter of the 28th March 1855, to the Sessions Judge, recommended that the reward of 300 Rupees offered for the capture of Guddam Bauligaudoo escaped convict sentenced to Rupees 1000; and further, that a pardon be granted to any of the escaped convicts (who may afford such

such information as will secure his capture.

2. There being good reason to believe that the above-named escaped convict has been concerned in planning and executing many of the robberies referred to in the Criminal Statements under notice. The Court of Sudder Adalut direct the Magistrate at once to apply to this Court under the provisions of Section XXI, Regulation IX of 1816, for such an amount of reward as he may consider sufficient to obtain the re-capture of the convict in question.

Ordered, that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for communication to the Magistrate.

(Sent in No.)

Read Calendar in Case No. 14 of 1855 submitted by the Acting Sessions Judge of Nellore.

(Here enter S.R. No. 1377 of 1855.)

1. The Court of Sudder Adalut concur in the recommendation of the Acting Sessions Judge to produce the sentence against the

resolved to furnish the Sessions Judge with copy of an Extract from these proceedings under date the 11th January, 1855, which contains the ruling of the Court on the point now referred to them for opinion.

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

(Sent in No.)

Read Extract from the proceedings of the Sessions Court of Cuddapah under date 31st May 1855, reporting the Criminal Statement for the year 1854 forwarding letter from the Magistrate of Cuddapah on the same subject

(Here enter S.R. No. 1365 of 1855.)

1. The Court of Sudr Adawlut observes that the Magistrate of Cuddapah in his letter of the 28th March 1855, to the Sessions Judge, recommends that the reward of 300 Rupees offered for the capture of Guddam Bandigaudoo escaped convict enhanced to Rupees 1000; and further, that a pardon be granted to any of the escaped convicts (who may afford such

such information as will secure his capture.

2. There being good reason to believe that the above-named escaped convict has been concerned in planning and executing many of the robberies referred to in the Criminal Statement under notice. The Court of Sudr Adawlut direct the Magistrate at once to apply to this Court under the provisions of Section XXI, Regulation IX of 1816, for such an amount of reward as he may consider sufficient to obtain the re-capture of the convict in question.

Ordered, that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for communication to the Magistrate.

(Sent in No.)

Read Calendar in Case No. 14 of 1855 submitted by the Acting Sessions Judge of Nellore.

(Here enter S.R. No. 1377 of 1855.)

1. The Court of Sudr Adawlut concur in the recommendation of the Acting Sessions Judge to reduce the sentence against the

resolved to furnish the Sessions Judge with copy of an Extract from these proceedings under date the 11th January, 1855, which contains the ruling of the Court on the point now presented to them for opinion.

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

(Sent in No.)

Read Extract from the proceedings of the Sessions Court of Cuddapah under date 31st May 1855, forwarding the Criminal Statements for the year 1854 forwarding letter from the Magistrate of Cuddapah on the same subject

(Here enter S.R. No. 1365 of 1855.)

1. The Court of Sudder Adalut observe that the Magistrate of Cuddapah in his letter of the 28th March 1855, to the Sessions Judge, recommends that the reward of 300 Rupees offered for the capture of Guddam Bauligaudoo escaped convict sentenced to Rupees 1000; and further, that a pardon be granted to any of the escaped convicts (who may afford such

such information as will secure his capture.

2. There being good reason to believe that the above-named escaped convict has been concerned in planning and executing many of the robberies referred to in the Criminal Statements under notice. The Court of Sudder Adalut direct the Magistrate at once to apply to this Court under the provisions of Section XXI, Regulation IX of 1816, for such an amount of reward as he may consider sufficient to obtain the re-capture of the convict in question.

Ordered, that Extract from these proceedings be forwarded to the Sessions Judge of Cuddapah for communication to the Magistrate.

(Sent in No.)

Read Calendar in Criminal No. 14 of 1855 submitted by the Acting Sessions Judge of Nellore.

(Here enter S.R. No. 1377 of 1855.)

1. The Court of Sudder Adalut concur in the recommendation of the Acting Sessions Judge to produce the sentences against the

the 1st prisoner in the above case to 7 years' imprisonment with hard labor in irons, and authorize him to issue his warrant accordingly.

2. The evidence, as to the identification of the first of the prisoners is, in the opinion of the Court of Sunjdaree Adalut, open to much suspicion. They, therefore, desire the Acting Sessions Judge will suspend his sentence as regards the remainder of the prisoners, and transmit to the Court of Sunjdaree Adalut, without delay the record (no translation is required) of the trial.

Ordered, that Extract from these proceedings be forwarded to the Acting Sessions Judge of Nellore for his information, by receipt returnable in III days from and after its receipt.

(Extract following, receipt No.)

Read thirty Calendars dated 23rd May 1855, submitted by the Sessions Judge of Cuddapah, disposed of by the Assistant Magistracy during the 1st Quarter of

of 1855.

(Here enter F. No. 1304 of 1855.)

Read Form A. dated 26th May 1855 submitted by the Sessions Judge of Guntoor, of Criminal Case No. 24 of 1855 disposed of by him.

(Here enter F. No. 1305 of 1855.)

Read Calendar of Case No. 14 of 1855 submitted by the Sessions Judge of Chittoor under date the 25th April 1855.

(Here enter F. No. 1306 of 1855.)

Read Criminal Report B, dated 28th May 1855 submitted by the Sessions Judge of Cuddapah for the month of April 1855.

(Here enter F. No. 1332 of 1855.)

Read Copy of the Calendar of Case No. 16 of 1855 submitted by the Sessions Judge of Chittoor under date the 12th May 1855.

(Here enter F. No. 1359 of 1855.)

Read Copy of the Calendar of Case No. 39 of 1855 submitted by the Sessions Judge of Bellary under date the 31st May 1855.

(Here enter F. No. 1362 of 1855.)

Read Criminal Report, dated 1st June 1855 submitted by the Acting Principal Sudr Ameen, in

18th June 1855.

in charge of the Sessions Court at Cuddalore,
of cases pending before it for a period in excess
of 25 days.

Have entered F.R. No. 1368 of 1855.)
Ex. of Thos W

Tuesday,
19th June 1855.

F. R.

At a Court of the Foujdaree Adalut

Present.

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

Read Petty Calendar of the Magistracy of Guntoor for the 1st Quarter of 1855 submitted by the Sessions Judge

(Here enter F.R. No. 1370 of 1855)

Calendar I. 1. The Court of Foujdaree Adalut
Case II. observe that this case headed "Misde-
meanor" was apparently one of "theft"
and that a sentence of fine was not
legal.

Case V. 2. The preceding remarks apply
to this case also.

Calendar II 3. The Court of Foujdaree Adalut
Case III remark that the prisoner in this case
was released on the ground of insanity a
proceeding which was manifestly impro-
per as insanity can afford no grounds
for the release of a party guilty of
an offence. They therefore resolve
to call upon the Magistrate to submit
a report upon this case in order that
if necessary steps may be taken to
prevent the repetition of acts of
Criminality by the party in question.

Ordered

19th June 1855.

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

(Sent in No.

The Calendars of petty cases disposed of by the Magistracy during the 1st Quarter of 1855, not having been yet received.

Ordered that the Session Judge of — × be required to submit the Calendars in question without further delay.

× Bellary. Chittoor Cuddalore Cuddapah Mangalore S. Canara.

Precept returnable within V days from and after its receipt.

(Sent following Precepts Nos

Read Report dated 31st May 1855 submitted by the Session Judge of Masulipatam of persons apprehended and delivered to him in the month of May 1855.

(Here Enter S.R. No 1375 of 1855)

Read Calendar of case No 30 of 1855 submitted by the Session Judge of Calicut under date the 1st June 1855.

(Here Enter S.R. No 1378 of 1855)

Read

19th June 1855.

Read letter dated 1st June 1855 from the Session Judge of Bellary transmitting the original death warrant issued by his Court in case No 30 on the Sessions Calendar for 1855 together with a copy of the Subordinate Criminal Judge's letter which accompanied it.

(Here Enter S.R. No 1381 of 1855)

Read Calendar of case No 15 of 1855 submitted by the Acting Sessions Judge of Combaconum under date the 4th June 1855.

(Here Enter S.R. No 1387 of 1855)

Read Calendar of case No 169 1855 submitted by the Acting Sessions Judge of Combaconum under date the 4th June 1855.

(Here Enter S.R. No 1388 of 1855)

Read Calendar of case No 17 of 1855 submitted by the Acting Sessions Judge of Combaconum under date the 4th June 1855.

(Here Enter S.R. No 1389 of 1855)

Read Calendar of case No 18 of 1855 submitted by the Acting Sessions Judge

19th June 1855.

Judge of Combaconum under date the
4th June 1855.-

(Here Enter Fl. No 1390 of 1855)

Ex & Ath

Wednesday
20th June 1855

F.M.C.

At a Court of the Fouzdaree Adalut

Present

G. S. Hooper Esqre
W. R. Morehead Esqre
T. L. Strange Esqre
} Puisne Judges

Read letter, dated 13th June 1855, from the Acting Session Judge of Salem, submitting for the final judgment of the Fouzdaree Adalut the record of Case No. 16 of 1855 on the Calendar of the Session Court.

(Here enter F.M.C. No 143 of 1855)

Mr. Morehead and Strange

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

1st Chinnaveerien

and

2d Appavoo

is sufficient to convict them of the crime of Murder, do convict them thereof; and

under

under the provisions of Section X Regulation VIII of 1802 sentence the prisoner,

1st. Chinnaveerien

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

2d. Appavoo

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 his natural life.—

1. The Prisoners in this case were charged with murder and convicted by the Session Judge who in forwarding the case for the final judgment of the Court of Fouzdaree Udalut recommended that the 1st Prisoner should suffer death by being hanged, and the 2d. in consideration of his youth and apparent weakness of intellect be imprisoned for 14 years with hard labor irons.—

2. The Court of Fouzdaree Udalut concur with the Acting Session Judge

Judge in his conviction of the Prisoners and accordingly sentence the 1st Prisoner to suffer death, and the 2d. Prisoner to transportation for life.—

3. The Court of Fouzdaree Udalut observe that there is no evidence whatever to show that the 2d. Prisoner was of weak intellect, on account of which coupled with his youth, the Acting Session Judge has recommended him to mercy; the Acting Session Judge has omitted to state his age, which, a reference to the Police proceedings, shows to be 20 years, his youth cannot therefore in the opinion of the Court of Fouzdaree Udalut be urged in extenuation of his crime.—

4 The Court of Fouzdaree Udalut consider that it will suffice if the extreme penalty of the law be enforced against the 1st Prisoner, and on these grounds determine to pass the mitigated sentence of transportation for life on the 2d. Prisoner.—

5. The Court of Fouzdaree Udalut

20th June, 1855.

Udalut point out to the Acting Session Judge that both the Prisoners should have been charged as Principles in the first degree.—

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

/ Sent in No /

Ex. 8th/Nott

F. No.

Friday ---- At a Court of the Foujdaree Udalut
22d June 1855 ---

Present.

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

Read again Criminal Report B. for the months of April 1855 Zillah — Masulipatam.

(Here enter F. No. No 1224 of 1855.)

Read also Return of the Session Judge of Masulipatam, to the Precept of the Foujdaree Udalut under date the 31st May 1855. conveying their Remarks on his Monthly Criminal Report B for April last.-

(Here enter F. No. No 1422 of 1855.)

1. The Court of Foujdaree Udalut observe that no exception was taken, in para: 1 of their proceedings of the 31st Ultimo, to the Sentence passed upon the prisoner in Case No 28- Their object was

to

20th June, 1855.

Udalut point out to the Acting Session Judge that both the Prisoners should have been charged as the Principles in the first degree.—

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

J. Sent in No. 1/5

Sd/ Holt

F. Co.

Friday - - - - - At a Court of the Foujdaree Udalut
22d June 1855. - -

Present.

G. S. Hooper Esqre. | Puisne Judges
J. L. Strange Esqre. |
W. A. Morehead Esqre. |

Read again Criminal Report B. for the months of April 1855 Zillah — Masulipatam.

(Here enter F. Co. No. 1224 of 1855.)

Read also Return of the Session Judge of Masulipatam, to the Precept of the Foujdaree Udalut under date the 31st May 1855. conveying their Remarks on his Monthly Criminal Report B for April last.-

(Here enter F. Co. No. 1422 of 1855.)

1. The Court of Foujdaree Udalut observe that no exception was taken, in para: 1 of their proceedings of the 31st Ultimo, to the Sentence passed upon the prisoner in Case No. 28- Herein object was

to

to point out that as no place of habitation was alleged have been broken into, the term "Housebreaking" did not apply. The charge might perhaps have been headed Breaking into a granary "with theft".-

2. The remarks of the Court on Case No. 33 were confined to the body of the charge. No allusion was made either to the Heading or the Sentence. The Court, in reference to the use of the word "feloniously" in the charge, observed that the prisoners offence did not amount to a felony. They also showed that the term "smuggling" was inapplicable. The prisoners should have been charged with being in unlawful professions of spontaneous salt and still punished under the enactment quoted by the Sessions Judge. The Court of Fouzdaree Adalut used the term Misdemeanour merely to denote the quality of the prisoners offence as the context clearly indicates.-

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

(Sent in No.)

Ext. Mad.

F. No.

Saturday 23d. June 1835 } At a Court of the Fouzdaree Adalut.

Present.

G. S. Hooper Esquire
W. A. Morehead Esquire } Prisne Judges
J. L. Strange Esquire

Read Criminal Report B for the Month of May 1835 submitted by the Sessions Judge of Cuddapah.

(Here enter F. No. 1454 of 1855)

Criminal file No. 98 of 1855 Before the Sub. Judge

In indictments for Murder the felonious intent should always be set forth.

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

(Sent in No.)

Read Miscellaneous Petition presented by Narrainasamy Moodely of Madras.-

(Here enter F. M. P. No. 159 of 1855)

Petitioner

22d. June 1855.

to point out that as no place of habitation was alleged have been broken into, the term "Housebreaking" did not apply. The charge might perhaps have been headed Breaking into a granary, "with theft".-

2. The remarks of the Court on Case No. 33 were confined to the body of the charge. No allusion was made either to the Heading or the Sentence. The Court, in reference to the use of the word "feloniously" in the charge, observed that the prisoners offence did not amount to a felony. They also showed that the term "smuggling" was inapplicable. The prisoners should have been charged with being in unlawful possession of spontaneous salt and still punished under the enactment quoted by the Sessions Judge. The Court of Fouzdaree Adalut used the term Misdemeanour merely to denote the quality of the prisoners offence as the context clearly indicates.

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

(Sent in No.)

Ext. Mott

F. No.

Saturday 23d. June 1855 } At a Court of the Fouzdaree Adalut

Present

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

Read Criminal Report B for the Month of May 1835 submitted by the Sessions Judge of Cuddapah.

(Here enter F. No. No. 1454 of 1835)

Criminal file No. 98 of 1835 Before the Sub. Judge

In indictments for Murder the felonious intent should always be set forth.

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

(Sent in No.)

Read Miscellaneous Petition presented by Narrainasamy Moodely of Madras.-

(Here enter F. M. P. No. 159 of 1835)

Petitioner

23d June 1835

Mr. W. A. Mearshead 1 Petitioner prays for the interference of the Court of Foujdaree Udalut in the matter of a Complaint preferred by himself and his grand mother before the Assistant Magistrate of South Arcot charging one Cooporsamy with having ill treated his wife (Petitioner's sister) the said Complaint having resulted in the Complainants being fined for making a false accusation.

2 The Court of Foujdaree Udalut resolve to refer the Petitioner to the Session Judge of Cuddalore who, they observe, has returned to his duties.

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

(Sent in No)

Read petty Calendar of Cases disposed of during the 1st quarter 1835 by the Magistracy of Masulipatam submitted by the Session Judge together with Extract from the Proceedings of the Sessions Court of Masulipatam under date the 7th June 1835.

(Here enter F. C. No 1124 of 1835)

The

23d June 1835

Calendar 4 General 1 The Sessions Judge has on his
No 13. proceedings of the 7th June noticed the way irregular manner in which this case was disposed of by the Special Assistant Magistrate - the Court of Foujdaree Udalut observe that against the prisoner (who has escaped) several warrants had been issued and that the charge denotes him to be a notorious robber, his apprehension appears to have taken place on the 21st July and the reasons given for not at once dealing into the case are in no way satisfactory

2 The Court of Foujdaree Udalut desire the Magistrate will furnish without delay an explanation of the cause taken by the Head of Police in having on his own responsibility released the prisoner for a month on bail

3 The Court of Foujdaree Udalut desire the Sessions Judge to point out to the Magistrate that allowing Prisoners called upon to furnish securities to make on that account money deposits is opposed to their Circular instructions dated 12th April 1830 to which the prisoner had been held by the Magistrate

Ordered

23rd June 1835

Mr. W. A. Morehead 1 Petitioner prays for the interference of the Court of Foujdaree Udalut in the matter of a Complaint preferred by himself and his grand mother before the Assistant Magistrate of South Arcot charging one Coopoosamy with having ill treated his wife (Petitioner's sister) the said Complaint having resulted in the Complainants being fined for making a false accusation.

2 The Court of Foujdaree Udalut resolve to refer the Petitioner to the Sessions Judge of Cuddalore who, they observe, has returned to his duties.

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

(Sent in No)

Read petty Calendar of Cases disposed of during the 1st quarter 1835 by the Magistracy of Masulipatam submitted by the Sessions Judge together with Extract from the Proceedings of the Sessions Court of Masulipatam under date the 9th June 1835.

(Here enter F. Cs. No 1121 of 1835)

The

23rd June 1835

Calendar of General Nos 12.

1 The Sessions Judge has, on his proceedings of the 7th June noticed the very irregular manner in which this Case was disposed of by the Special Assistant Magistrate - the Court of Foujdaree Udalut observe that against the prisoner (who has escaped) General warrants had been issued and that the charge denotes him to be a notorious robber his apprehension appears to have taken place on the 21st July and the reasons given for not at once dealing into the Case are in no way satisfactory

2 The Court of Foujdaree Udalut desire the Magistrate will furnish without delay an explanation of the cause taken by the Head of Police in having on his own responsibility released the prisoner for a Month on bail

3 The Court of Foujdaree Udalut desire the Sessions Judge to point out to the Magistrate that allowing Prisoners called upon to furnish securities to make on that account money deposits is opposed to their Circular instructions dated 12th April 1830 to which the prisoner had been held by the Magistrate

Ordered

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.

Sent following Precept.

Read Foujdaree Miscellaneous petition presented on the 19th June 1855 by J. Ouchterlony Esqr. Pleader on behalf of Coodally Theyath Vittil Coonhy Kellapew and another of zillah Tellicherry.

Here enter F. M. P. No 162 of 1855

Mr. Morehead

Petitioners pray for Review of this Courts' Proceedings under dates the 24th March and 14th April 1855, rejecting the prayer of their petition No 16 of 1853 and declining to disturb an order passed by the Sessions Judge of Tellicherry on the 14th September 1854 Confirmatory of a Decision of the Magistrate, whereby Petitioners' Complaint of "Forcible Entry" was dismissed on the alleged ground that the land was not in his (Petitioners') possession at the time, but was in the occupancy of Defendants.

2 The Court of Foujdaree Adalut being of opinion from the petition of review now

now filed that this case has not been fully disposed of on its merits by the lower Courts, resolve to call upon the Sessions Judge to submit the record for their consideration.

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

(Sent following Precept No)

Read Miscellaneous Petition presented on the 9th June 1855 by S. Teroomal Marry Vakeel on behalf of Krishna Menon of zillah Calicut.

(Here enter F. M. P. No 157 of 1855)

Petitioner appeals from the Proceedings of the Sessions Court of Calicut under date the 8th March 1855, modifying a decision of the Magistrate which declared Petitioner to have a joint right to certain lands, and decreeing the sole right and title of the said lands to belong to his niece Cheroodeny, and not to him. (Petitioner)

Petitioner

2. 23rd June 1853

Mr. W. A. Morehead 2

Petitioner not having filed the Magistrates' order, the Court of Fouzdaree Udalut resolve to reject this petition.

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

Ext. 8th Inst.

F. Uc.

Monday
25th June 1855 } At a Court of the Fouzdaree Udalut.

Present

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

Read Calendar in Case No. 21 of 1855 submitted by the Acting Sessions Judge of Combaconum.

(Here enter F. Uc. No. 1436 of 1855)

The Court of Fouzdaree Udalut desire the Acting Sessions Judge will transmit the first Statement made by the 3rd Witness in this case before the Police and that he will call upon the Magistrate to report what was known of the 3rd Witness and what led the Head of Police to act on his improbable story.

Ordered that Extract from these Proceedings be forwarded to the Acting Civil Judge of Combaconum by Precept returnable within V days from and after its receipt.

(Sent following Precept No.)

Read

25th June 1835

Read Report B submitted by the Sessions Judge of Cuddalore.

Here enter F. Co. N° 1437 of 1833

Criminal File N° 52 of 1833 Before the Acting Principal Sudr Ameen.

The Prisoner should have been charged with "abuse of authority" and the "Harbouring thieves" should have formed a distinct Charge. the Court of Foujdaree Udalut further direct the attention of the Principal Sudr Ameen to be called to the very indistinct manner in which the Charge has been framed.

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

(Sent in N°),

Compiler

End
J. W. S.

F. Co.

Thursday 26th June 1835. } At a Court of the Foujdaree Udalut.

Present

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

Read Petty Calendars of the Magistracy of Salem for 1st quarter 1835.

(Here enter F. Co. N° 1432 of 1835)

The Court of Foujdaree Udalut observe that the names of the officers disposing of the Petty Cases should be given, as well as their official designation. The Magistrate will be careful to attend to the instructions of the Sessions Judge relative to the early transmission of the Petty Calendars to the Sessions Court after the close of each quarter:-

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

(Sent in N°)

26th June 1855

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

(Sent in No)

End
J.P.S.

Wednesday
27th June 1855

F. R.

At a Court of the Fouzdaree Adaulut.

Present

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

Read Calendar in Case No. 42 on the file of the Sessions Court of Bellary for 1855.—

(Here Enter F. R. No. 1426 of 1855)

1. The first count in the above case charges the prisoner with having embezzled the sum of Rupees 154-5— forming part of property, consisting of cash and Jewels to the aggregate value of Rupees 331-8—, entrusted to his care by the Prosecutor his master.—

2. The second count accuses the prisoner of having instigated certain persons to waylay and rob him of the remaining part of the property Viz. the Jewels valued at Rupees 177-3— and of having accordingly been an accessory before

before the fact to such robbery. —

3. The Assessors convict the prisoner on the first Count, on the ground of the proof adduced that he confessed before the Police and delivered up the cash, which he had buried in a field.

4. The Session Judge finds the prisoner guilty on the second Count. upon what grounds it is not clear. and sentences him to 14 years imprisonment, recommending however that the period be reduced to seven years. —

5. The Court of Foujdaree Adalut resolve, prior to passing any orders in reference to the above recommendation, to call upon the Session Judge to explain the grounds on which he has convicted the prisoner, and to state what view he has taken of the alleged robbery. —

Ordered that Extract from these proceedings be sent to the Session Judge of Bellary, for his information by precept returnable within 30 days

days from and after its receipt. —

(Sent following precept No.)

Read Report B dated the 1st instant, submitted by the Session Judge of Tinnevelly for the month of May 1855. —

(Here Enter F. H. No. 1471 of 1855)

The Court of Foujdaree Adalut observe that in the abstract appended to the report B 6 cases containing 18 prisoners are reported to be under examination, before the Principal Sudr Ameen, while none of them have been entered in the body of the Report. —

2. The Court of Foujdaree Adalut resolve therefore to direct the Session Judge of Tinnevelly to transmit the reports of the 6 cases above referred to and to instruct the Principal Sudr Ameen in future to include in all such cases in the monthly Criminal Report B. —

Ordered that Extract from these proceedings be sent to the Session Judge of Tinnevelly for his information by

27th June 1855.

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

(Sent following precept No)

Read Calendar of Petty Cases disposed of by the Magistracy for the 1st quarter of 1855 Submitted by the Sessions Judge of Honore with Extract of his proceedings under date the 8th June 1855.—

(Here Enter F. R. No. 1138 of 1855)

Case No. 1. Nos. 3.4.5.6. 1 The Regulation under which the Joint Magistrates sentences have been passed has been misquoted: Regulation VIII of 1828 merely abolishes the use of the rattan as an instrument of punishment. The sentences should have been passed in accordance with Section XXXIII Regulation IX of 1816.—

No. 16. 2. It does not appear from the Charge that the prisoner had refused to remove the abstruction; and he was only liable to fine after such refusal. The Sessions Judge is directed to call upon the Magistrate to furnish explanation on this point, as also to report whether the fine

27th June 1855.

fine was paid.

No. 37. 3. This was a case of trespass, no assault whatever is shown to have taken place. An indictment therefore did not lie in this instance.

Calendar II Case No. 2. 4. Extortion should also have been added to the heading of the Charge.

5. With reference to Para 4 of the proceedings of the Sessions Court the Court of Foujdaree Adalut are of opinion that the cases therein referred to Viz. destroying trees in the Government jungles may be disposed of by the native Heads of Police in the same manner as other Petty cases.

Ordered that Extract from these proceedings be forwarded to the Sessions Judge of Honore for his information and for communication to the Magistrate by precept returnable within V days from and after its receipt.—

(Sent following precept No)

Read Criminal Report B for the Months of May 1855, Zillah Mangalore.—

(Here Enter F. R. No. 1153 of 1855)

The

27th June 1855.

Case No. 43.

The Court of Foujdaree Adalut observe that the 2d Count in the charge against the 1st prisoner and a similar count against the 3d and 4th prisoners need not have been added, as they do not enhance the punishment for robbery by open violence. a note appended to show the previous convictions of the prisoners being all that was required.

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

(Sent in No.)

Read Calendar of case No. 31 of 1855 of the Sessions Court of Calicut.

(Here enter F. H. No. 1435 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Housebreaking and Theft, be reduced to (4) four years with hard labor in irons, and they do authorize

Pjsanagatha. Awoola.

27th June 1855.

authorize the Sessions Judge to issue his warrant accordingly.—

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

(Sent in No.)

Read Calendar of case No. 13 of 1855 of the Sessions Court of Rajahmundry.

(Here enter F. H. No. 1442 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his Conviction of Highway robbery, be reduced to (3) three years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.—

Nadavay Cummodor.

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

(Sent in No.)

Read Calendar of Case No. 45 of 1855 of the Sessions Court of Bellary.—

(Here enter F. H. No. 1446 of 1855)

The

Case No. 43.

The Court of Foujdaree Adalut observe that the 2d Count in the Charge against the 1st prisoner, and a similar Count against the 3d and 4th prisoners need not have been added as they do not enhance the punishment for robbery by open violence. A note appended to show the previous convictions of the prisoners being all that was required.

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

(Sent in No.)

Read Calendar of case No. 31 of 1855 of the Session Court of Calicut.

(Here enter F. R. No. 1435 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this case that the period of Imprisonment which the Prisoner noted in the margin has been adjudged to suffer on his conviction of Housebreaking and Theft, be reduced to (4) four years with hard labor in irons, and they do authorize

Asanagatha. Arvolee.

authorize the Session Judge to issue his warrant accordingly. —

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

(Sent in No.)

Read Calendar of case No. 13 of 1855 of the Session Court of Rajahmundry.

(Here enter F. R. No. 1442 of 1855)

The Court of Foujdaree Adalut approve of the recommendation made by the Session Judge in this case that the period of imprisonment which the prisoner noted in the margin has been adjudged to suffer on his Conviction of Highway Robbery, be reduced to (3) three years with hard labor in irons and they do authorize the Session Judge to issue his warrant accordingly. —

Nadiony Cummondoo.

Ordered that Extract from these proceedings be sent to the Session Judge of Rajahmundry for his information

(Sent in No.)

Read Calendar of case No. 45 of 1855 of the Session Court of Bellary. —

(Here enter F. R. No. 1446 of 1855)

The

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

1st Salary Singa

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

(Sent in No.)

Read again Calendar of Case No. 14 of 1855 on the file of the Session Court of Nellore.

(Here Enter F. H. No. 1377 of 1855)

Read also return dated the 21st Instant from the Acting Session Judge of Nellore to the precept of the Foujdaree Adalut under date the 18th idem directing him to suspend execution of his sentence passed against the 2d 3d 4th 5th 6th 7th and 8th prisoners in

the foregoing Case and to submit the original record of the trial for their consideration and final orders.—

(Here Enter F. H. No. 1500 of 1855)

1. The prisoners in number eight were charged with robbery by open violence with personal injury and on Conviction by the Acting Session Judge were sentenced to imprisonment with hard labor in irons for 14 years. The Acting Session Judge however recommended a mitigation of the sentence to 7 years.—

2. The Court of Foujdaree Adalut having carefully considered the record of this case can only concur with the Acting Session Judge in the Conviction of the 1st prisoner who confessed before the Principal Sudr Ameen and the Police.

3. With respect to the remaining seven prisoners, the Court of Foujdaree Adalut observe that the only evidence against them was their alleged identification which took place under circumstances that render it unworthy of credit, especially

especially when it has been shown that previous to the robbery in question neither the prosecutor nor his witnesses had any knowledge of the prisoners.—

4. The Court of Foujdaree Adalut resolve therefore to direct the immediate and unconditional release of the Prisoners nos 2 to 8.—

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

(Sentence &c.)

Read letter dated 13th June 1855 from the Sessions Judge of Calicut submitting for the final Judgment of the Foujdaree Adalut the record of trial in Case No. 37 of 1855 of the Calendar of the Sessions Court.

(Here enter Ext. No. 1457 of 1855)

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,

"Parakal Sulaichy Kandan"

is

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 thereto be imprisoned and kept to hard labor on the public roads or other public works for and during the period of his natural life.

The prisoner in this case was charged with murder. The Mohamedan Law officer convicted the prisoner. In this conviction the Sessions Judge concurred as to the nature of the act but considered the prisoner entitled to an acquittal on the ground that he labored under unsoundness of mind at the time of the commission of the offence he therefore recommended that the case should be submitted for the orders of Government under the provisions of Act IV of 1849.—

2. The Court of Foujdaree Adalut are unable to concur with the Sessions Judge in the acquittal of the prisoner. They observe there is nothing in evidence

to

to establish the plea of his insanity, nor is it apparent from the records that any cause of anger existed on the part of the prisoner towards the deceased, though some such cause must have operated to drive him to the Commission of the crime. —

3. The Court of Foujdaree Adalut consider that they can do no less than pass the mitigated sentence of transportation for life on the prisoner the absence of any apparent motive or premeditation on his part for inflicting any injury on the deceased with whom he had been on most friendly terms being the only grounds that have deterred them from passing a Capital sentence on the prisoner. —

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

(Sent in ✓)

Read Criminal report B and other statements for the month of May 1855 submitted by the Sessions Judge of Masulipatam. —

(Here enter F. H. ✓ No. 1458 of 1855)

It

Case. No. 33
By the Sessions Judge.

1 It is not mentioned whether the prisoners in this case paid the fine to which they were sentenced. The sentence of imprisonment which they were to undergo in default of payment appears to the Court of Foujdaree Adalut unnecessarily severe. —

Case. No. 36.
By the Subordinate.

2. The 2d prisoner in this case was guilty of barbarous cruelty and the punishment awarded was insufficient. —

Case. No. 39.
Subordinate.

3. This is a case of Assault with wounding, the prisoner was in confinement in the Talook and before the Court from the 25th April until the 19th May the date of the sentence, this confinement appears to the Court of Foujdaree Adalut an inadequate punishment for the offence charged, the nature of the wound whether severe or otherwise should have been stated. —

Case No. 40.
Subordinate.

4 There does not appear to have been any wounding and as the woman was beaten with the fists, it is difficult to suppose that any wounds could have been inflicted. The Charge should have been headed Assault only. —

Ordered

27th June 1855.

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

/Sent in No /

Read letter dated the 21st June 1855 from the Sessions Judge of Trichinopoly forwarding English translation of the record of Case No 20 of 1855 on the Calendar of the Sessions Court for the final Judgment of the Court of Zujdaree Udalut. —

/Here Enter F.H. No 1457 of 1855/

Mr G.S. Hooper. / The Court of Zujdaree 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,

"Govindappa Naiken"

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 on the public roads or other public works for and during the period of his natural life. —

/Sent in No /

Read

27th June 1855.

Read Calendar of Case No 17 of 1855 of the Sessions Court of Salem.

(Here Enter F.H. No 1429 of 1855)

Soobbroyachary. The Court of Zujdaree Udalut approve of the recommendation made by the Sessions Judge in this case that the period of imprisonment which the prisoner is noted in the margin has been adjudged to suffer on his conviction of Housebreaking and Theft be reduced to (4) four years with hard labor in irons and 90 lashes with a Cat o'nine tails 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 Salem for his information.

/Sent in No /

Ex. Thos W

Crawford

Thursday
28th June 1855 At a Court of the Foujdaree Udalut

Present

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

Read Calendar in Case
No 13 of 1855 submitted by the Acting Sessions
Judge of Combaconum together with Copy
of a Letter from the Acting Subordinate
Judge dated 12th June 1855.

(Here enter F. R. No 1425/1855)

The Prisoner was arraigned
on a charge of murder the Sessions Judge
not considering the evidence sufficient
for his conviction in concurrence with the
Law Officer acquitted him; but being
of opinion that strong suspicion attached
to the prisoner required him to find
two Securities in 40 Rupees each
for his future good behaviour and
appearance when required and in
default to be imprisoned for that
time.

The

28th June 1855

2. The Acting Session Judge on the first committal of the case to him remanded it to the Acting Subordinate Judge in order that additional evidence might be obtained. The Court of Foujdaree Adalut are of opinion that the Acting Sessions Judge erred in thus remanding the case, as the defects noticed by him might have been remedied on the trial before himself.

3 The Court of Foujdaree Adalut notice with regret the acquittal of the prisoner as from the report of the case submitted to them they consider that the evidence before the Acting Sessions Judge was such as to warrant his convicting the prisoner of the crime with which he was charged.

4 The Court of Foujdaree Adalut further observe that the letter dated the 26th May addressed by the Acting Subordinate Judge to the Session Judge was a most objectionable one, and they desire the Acting Subordinate Judge to be instructed to abstain from recording observations of a like nature in future.

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

28th June 1855

information.

Sent in No.

Read Calendar of Case No 10 of 1855 of the Session Court of Honore.

(Here enter F.H. No 1439/1855)

The Court of Foujdaree 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 on their conviction of Highway Robbery be reduced in the case of the 1st Prisoner to 10 years and in that of the 2d 3d 4th & 5th Prisoners to 8 years with hard labor in irons and they do authorize the Session Judge to issue his warrant accordingly.

1st Lambany Packia
2d Lambany Lalloo
3d Ricken
4th Kobat
5th Dakia

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

Sent in No.

Read Calendar in Case No 19 of 1855 submitted by the Acting Session Judge of Salem.

(Here enter F.H. No 1431 of 1855)

The Prisoners five in number, were charged with Highway Robbery, and being

28th June 1855

being convicted by the Acting Sessions Judge, were sentenced to 14 Years' imprisonment with hard labor in irons, with a recommendation that the period of imprisonment shall be reduced to 5 years.

2

Before finally disposing of this case, the Court of Foujdaree Adalut desire the Acting Sessions Judge will submit more detailed information as to what led to the apprehension of the Prisoners, as also by whom it was effected, and when it was that the Prosecutors were first confronted with the prisoners; as until these details are supplied the Court are unable to judge of the propriety of the Acting Sessions Judge's sentence.

3

The Court of Foujdaree Adalut observe that the evidence against the prisoners (who with the exception of the 5th are the same in this case also) in Case No 18 was discredited by the Acting Sessions Judge who was of opinion that the case had been got up against the prisoners; they request he will explain by what circumstances he has assured himself that the testimony of the present Prosecutors is more worthy of belief.

Ordered

28th June 1855.

Ordered that Extract from these Proceedings be forwarded to the Acting Sessions Judge of Salem by Precept returnable within 7 days from and after its receipt.

(Sent following Precept &c)

Read Reports B from the Acting Subordinate Judge of Calicut and Principal Sudr Ameen of Cochin and the report A of cases 56, 68, 70, & 74 of 1855 disposed of by the Acting Sudr Ameen (Moofty) for May last submitted by the Sessions Judge of Calicut.

(Here enter F.R. No 1469 of 1855)

Report A
Case 55
by the Moofty
Sudr Ameen

1

With reference to the Proceedings of the Sessions Court of Calicut dated 16th May 1855 in connection with this case, the Court of Foujdaree Adalut direct the attention of the Sessions Judge to the provisions of Clause I Section II Regulation III of 1833, by virtue of which he is empowered to overrule such judgments passed by Sudr Ameens as may appear to him contrary to Regulations or to Justice.

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

Sent in &c

Ed. Thornton

F. U.

Friday
29th June 1855. At a Court of the Foujdaree Udalut

Present

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

Read Report B of Criminal Cases disposed of by the Agent and his Assistants at Kurnool during the month of May 1855.

(Here enter F. U. No 1502/1855)

Case No 28 by the Assistant Judge 1 The prisoner in this case was not charged with having obtained the money under false pretences; the heading, therefore, should have been not "Fraud," but "Embezzlement."

" No 31 by ditto 2 The purpose for which the girl was sold should have been mentioned in the charge in this case.

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

29th June 1855

Read Calendar of Case No 41 of 1855 of the Sessions Court of Calicut.

(Here enter F.R. No 1467 of 1855)

1 The Court of Foujdaree 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 House breaking and theft be reduced to (4) four years with hard labor in irons and they do authorize the Sessions Judge to issue his warrant accordingly.

pt Kaloontte Koorjil alias Karoova poly: all Oonjan 3d Pitookattie Koya: ma.

2 The Court of Foujdaree Adalut observe that in the second Count against the 2d Prisoner, framed upon a former conviction, the nature of the offence, the sentence and the date on which the sentence was passed, should have been specified.

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

(Sent in No)

Read Extract from the Proceedings of the Sessions Court of Chingleput held on the Petty Calendars of the Magistracy for the 1st Quarter of 1855.

(Here enter F.R. No 1409/1855)

Read

29th June 1855

Read Calendar of Case No 8 of 1855 on the file of the Sessions Court of Guntoor.

(Here enter F.R. No 1413 of 1855)

Read Calendar of Case No 34 of 1855 on the file of the Sessions Court of Calicut.

(Here enter F.R. No 1417 of 1855)

Read Calendar of Case No 39 of 1855 on the file of the Sessions Court of Calicut.

(Here enter F.R. No 1418 of 1855)

Read Calendar of Case No 23 of 1855 on the file of the Sessions Court of Cuddapah.

(Here enter F.R. No 1419 of 1855)

Read Calendars of Cases Nos 43-44 & 45 of 1855 on the file of the Sessions Court of Masulipatam.

(Here enter F.R. No 1421 of 1855)

Read Letter dated 8th June 1855 from the Sessions Judge of Chicacole forwarding the Petty Calendars of the Magistracy of Sanjam and Vizagapatam for the 1st Quarter of 1855.

(Here enter F.R. No 1425 of 1855)

Read

29th June 1855

Read Calendar of Case No 43 on the file of the Sessions Court of Bellary for 1855.

(Here enter F. R. No 1427 of 1855)

Read Return dated 11th June 1855 from the Sessions Judge of Mangalore to the precept of the Fouzdaree Adalut under date the 1st Idem calling for explanation regarding the discrepancy in the date of sentence entered in Report B of persons punished by the Magistracy, which is offered accordingly.

(Here enter F. R. No 1433 of 1855)

Read Return dated 12th June 1855 from the Sessions Judge of Cuddapah to the precept of the Fouzdaree Adalut under date the 1st Idem requiring information with respect to the great delay which took place in forwarding No 22 of the Sessions Court Calendar for 1855 to the Subordinate Criminal Court.

(Here enter F. R. No 1434 of 1855)

Read Criminal Report B submitted by the Acting Session Judge of Nellore for the month of May 1855.

(Here enter F. R. No 1441 of 1855)

Read Return dated 14 June 1855 from the Sessions Judge of Cuddapah to the precept of the Fouzdaree Adalut under date the 29th May 1855 giving instructions in certain cases on the file of the Subordinate Criminal Court

and

29th June 1855

and entered in the Report B for April and requesting information with reference to the grounds of the decision passed in Criminal Case No 80 of 1855.

(Here enter F. R. No 1445 of 1855)

Read Calendar of Case No 5 of 1855 on the file of the Sessions Court of Rajahmundry.

(Here enter F. R. No 1447 of 1855)

Read Calendar of Case No XL of 1855 on the file of the Sessions Court of Trichinopoly.

(Here enter F. R. No 1448 of 1855)

Read Report A submitted by the Sessions Judge of Mangalore of Case No 45 of 1855 with Copy of the Sessions Courts' Proceedings annexed thereto on review of the same.

(Here enter F. R. No 1452 of 1855)

Read Criminal Report submitted by the Subordinate Judge of Chittoor for the month of May 1855.

(Here enter F. R. No 1455 of 1855.)

Read Calendar of Case No 16 of 1855 on the file of the Sessions Court of Madura.

(Here enter F. R. No 1455 of 1855)

Read

29th June 1855

Read Calendar of Case No 43 on the file of the Sessions Court of Bellary for 1855.

(Here enter F. R. No 1427 of 1855)

Read Return dated 11th June 1855 from the Sessions Judge of Mangalore to the precepts of the Foujdaree Mahal under date the 1st Idem calling for explanation regarding the discrepancy in the date of sentence entered in Report B of persons punished by the Magistracy, which is offended accordingly.

(Here enter F. R. No 1433 of 1855)

Read Return dated 12th June 1855 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Mahal under date the 1st Idem requiring information with respect to the great delay which took place in forwarding No 22 of the Sessions Court Calendar for 1855 to the Subordinate Criminal Court.

(Here enter F. R. No 1434 of 1855)

Read Criminal Report B submitted by the Acting Sessions Judge of Nellore for the month of May 1855.

(Here enter F. R. No 1441 of 1855)

Read Return dated 14 June 1855 from the Sessions Judge of Cuddapah to the precept of the Foujdaree Mahal under date the 29th May 1855 giving instructions in certain cases on the file of the Subordinate Criminal Court

and

29th June 1855

and entered in the Report B for April and requesting information with reference to the grounds of the decision passed in Criminal Case No 80 of 1855.

(Here enter F. R. No 1445 of 1855)

Read Calendar of Case No 5 of 1855 on the file of the Sessions Court of Rajahmundry.

(Here enter F. R. No 1447 of 1855)

Read Calendar of Case No XV of 1855 on the file of the Sessions Court of Trichinopoly.

(Here enter F. R. No 1448 of 1855)

Read Report A submitted by the Sessions Judge of Mangalore of Case No 45 of 1855 with Copy of the Sessions Courts' Proceedings annexed thereto on review of the same.

(Here enter F. R. No 1452 of 1855)

Read Criminal Report submitted by the Subordinate Judge of Chittoor for the month of May 1855.

(Here enter F. R. No 1455 of 1855.)

Read Calendar of Case No 16 of 1855 on the file of the Sessions Court of Madura.

(Here enter F. R. No 1455 of 1855)

Read

29th Aug

Read Calendar of Case No 7
of 1855 submitted by the Session Judge of
Chicacole -

(Here enter F. R. No 1460 of 1855)

Read Return dated 12th June 1855
from the Agent to the Governor of Fort St George
at Vizagapatam to the precept of the Foujdaree
Adalut under date the 5th June calling for
explanation in Cases Nos 12 & 13 of the Monthly
Report for April last which is furnished -

(Here enter F. R. No 1464 of 1855.)

Read Return dated 19 June 1855
from the Acting Sessions Judge of Combaconum.
to the precept of the Foujdaree Adalut under
date the 16th June 1855, directing the release
of the Prisoner in Sessions Case No 51 of 1854-

(Here enter F. R. No 1499 of 1855) vs

No 1810

Saturday
30th June 1855.

F. A.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar in Case No 22
of 1855 on the file of the Sessions Court
of Combaconum.

(Here enter F. R. No 1461 of 1855)

The Court of Foujdaree Adalut
observe that the sentence in the above
case is recorded at too great length -
The Court have recently had occasion
to make a similar observation with
respect to the sentence passed in
another case, and request that the
Acting Session Judge will condense
his remarks on the evidence as much
as possible in all future trials -

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

for

Saturday
30th June 1855.

F. C.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar in Case No 22 of 1855 on the file of the Sessions Court of Combaconum.

(Here enter F. C. No 1461 of 1855)

The Court of Foujdaree Adalut observe that the sentence in the above case is recorded at too great length.

The Court have recently had occasion to make a similar observation with respect to the sentence passed in another case, and request that the Acting Sessions Judge will condense his remarks on the evidence as much as possible in all future trials.

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

for.

29 Oct

Read Calendar of Case No 7 of 1855 submitted by the Sessions Judge of Chicacole.

(Here enter F. C. No 1460 of 1855)

Read Return dated 12th June 1855 from the Agent to the Governor of Fort St. George at Vizagapatam to the precept of the Foujdaree Adalut under date the 5th June calling for explanation in Cases Nos 12 & 13 of the Monthly Report for April last which is furnished.

(Here enter F. C. No 1464 of 1855)

Read Return dated 19 June 1855 from the Acting Sessions Judge of Combaconum to the precept of the Foujdaree Adalut under date the 16th June 1855 directing the release of the Prisoner in Sessions Case No 51 of 1854.

(Here enter F. C. No 1499 of 1855)

Rd 18/7

Read Calendar of Case No 7
of 1855 submitted by the Sessions Judge of
Chicacole -

(Here enter F. R. No 1460 of 1855)

Read Return dated 12th June 1855
from the Agent to the Governor of Fort St George
at Vizagapatam to the precept of the Foujdaree
Adalut under date the 5th June calling for
explanation in Cases Nos 12 & 13 of the Monthly
Report for April last which is furnished -

(Here enter F. R. No 1464 of 1855.)

Read Return dated 19 June 1855
from the Acting Sessions Judge of Combaconum
to the precept of the Foujdaree Adalut under
date the 16th June 1855, directing the release
of the Prisoner in Sessions Case No 57 of 1854-

(Here enter F. R. No 1499 of 1855) vs

Rs 1810.

Saturday
30th June 1855.

F. A.

At a Court of the Foujdaree Adalut.

Present

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

Read Calendar in Case No 22
of 1855 on the file of the Sessions Court
of Combaconum.

(Here enter F. R. No 1461 of 1855)

The Court of Foujdaree Adalut
observe that the sentence in the above
case is recorded at too great length -
The Court have recently had occasion
to make a similar observation with
respect to the sentence passed in
another case, and request that the
Acting Sessions Judge will condense
his remarks on the evidence as much
as possible in all future trials -

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

for

30th June 1855 for his information.

Sent in Sr.

Read letter dated 15th June 1855
from the Session Judge of Calicut=
(Here enter F. R. Nº 1468/1855)

In the above letter the Session
Judge requests the opinion of the Court
of Foujdaree Adalut as to whether every
indigent prisoner at the time of his release
should be furnished with a sufficient
sum to support him till he can reach
his village, or whether such subsistence
can only be granted to those who have
been in confinement for a longer period
than six months.

2. The Court of Foujdaree Adalut
observe that Section XXXII Regulation X of
1816, to which allusion appears to be
made in the enclosure to the Session Judge's
letter, authorizes the payment to prisoners
released after an imprisonment of six months
or upwards of a sum sufficient to main=
tain them for one month. The Court
do not hesitate to record their opinion
that every released prisoner, without
reference to the period of imprisonment
he

30th June 1855 he may have undergone, should if des=
titute of the means of subsistence be
supplied with Batta sufficient to
maintain him whilst returning to his
Village.

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

Sent in Sr.

Read Miscellaneous Petition
presented on the 30th June 1855 by E.
Salmon Esqr Vakeel on behalf of
Sreenevasa Row suspended Tahsildar
of Cupole, Tillak Nellore.
(Here enter F. R. Nº 173/1855)

1 The Petitioner states he has
by orders of the Acting Session Judge been
delivered into the custody of the
Nazir for one month as a punishment
for abuse of authority, of which offence
the Acting Joint Magistrate found him
guilty, he therefore prays the Court that
he may be released on Bail, pending
the decision of an appeal he intends
preferring to this Court from the
sentence of the Joint Magistrate;
and that the letter from the Acting
Collector to the Board of Revenue

on

30.th June 1855. on the Petitioners' case may be called for, as well as the records of the two cases in which he has been convicted of abuse of authority-

2 The Court of Tonjarore Vealut see no good cause for paseing the order solicited to release the Prisoner on Bail- but they resolve to call for the proceedings held by the Acting Joint Magistrate in the case.

Ordered that Extract from these Proceedings be sent to the Acting Sessions Judge of Nellore by Precept returnable within V days from and after its receipt-

(Sent following Precept &c)

Read Miscellaneous Petition presented on the 23.rd June 1855 by Govin: : dasawmy Naicken of Zillah Coimbato: : ram-

(Reenter F. R. P. No 164 of 1855)

Mr. G. S. Hooper

The Court of Tonjarore Vealut resolve to refer the Petitioner to their order dated respectively the 18.th March and 16.th June 1855 in the matter to which this Petition relates-

Petition dismissed-

Ordered

2.

30.th June 1855

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

Read Miscellaneous Petition presented on the 16.th June 1855 by Soob: : bucka of Zillah Chittoor.

(Reenter F. R. P. No 160 of 1855)

Mr. G. S. Hooper

The Court of Tonjarore Vealut resolve to reject this Petition and refer the Petitioner to the orders formerly passed by them in the matter to which this Petition adverts.

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

Read Miscellaneous Petition presented on the 23.rd instant by Nullan: : dy Naiken of Zillah Chingleput-

(Reenter F. R. P. No 166 of 1855)

Mr. G. S. Hooper

This is an application for the release of Aundy Prisoner in Cases Nos. 9 & 10 of 1852 on the file of the Sessions Court of Chingleput, who was convicted of the crime of House-breaking and theft, and sentenced to 7 Years imprisonment with hard labour in irons-

The

30th June 1853 2

The Court of Foujdaree Adalut decline interfering with the order of the Acting Sessions Judge appealed against, as they are of opinion that the Petitioner is not entitled to the reward offered for the apprehension of "Mootial Naik", altho' it appears that he did accidently apprehend and produce him before the Head Assistant Magistrate upon a general order given to him to seize offenders with any plundered property he might find.

Petition dismissed.

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

Read Miscellaneous Petition presented on the 23rd instant by Sreeram Pantiah of Tillah Vizagapatam.

(Here enter F. R. P. No 168/1853)

Mr. J. S. Hooper

The Court of Foujdaree Adalut see no reason to question the propriety of their order dated the 12th May last to which the Petitioner is referred.

Petition dismissed.

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

Read

30th June 1853

Mr. G. L. Hooper

The Court of Foujdaree Adalut observe that the Prisoner in question was sentenced in 1852, being fully convicted in two cases and under strong suspicion of being concerned in three others. They therefore resolve to reject this Petition.

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

Read Miscellaneous Petition presented on the 23rd Instant by Mustapha Ally Khan Vakeel on behalf of Shaik Booddeen a Deloyet on the Establishment of the Collector of Salem.

(Here enter F. R. P. No 167/1855)

Petitioner appeals from an order of the Acting Sessions Judge of Salem under date the 23rd March 1855 declaring him not entitled to the whole or any portion of the reward of 500 Rupees offered for the apprehension of an escaped convict Moottial Naik, whom the Petitioner states, he under an authority from the Head Assistant Magistrate, captured after much exertion, but who was released by that Officer as "Rameredy" there being nothing found against him.

The

30 30th June 1855.

Read Miscellaneous Petition presented on the 23rd Instant by Munapa Naiken late Jail Peon of Cuddalore.

(Here enter S.F.H.R. C. No 45 1855.)

M. J. S. Hooper

The Court of Sudder and Foujdaree Adalut see no reason to interfere on behalf of the Petitioner, who is therefore referred to the orders formerly passed by them in the matter to which his present application refers.

Petition dismissed

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

Read Miscellaneous Petitions forwarded by the Session Judge of Trichinopoly from Veeroyee and Muttoovee Veroyee of the same Gillah applying for the release of the 6th 7th & 8th Prisoners in Case No 6 of 1855 on the Calendar of the Session Court of Trichinopoly.

(Here enter S.F.H.R. Nos 169 & 170 1855.)

M. J. S. Hooper

The Court of Foujdaree Adalut having again perused the Calendar of the Case in question, see no reason to doubt the correctness of the sentence passed

30th June 1855.

passed upon the Prisoners on whose behalf these Petitions are presented. They therefore resolve to reject these Petitions.

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

Sent in No

Read Miscellaneous Petition forwarded by the Session Judge of Cuddalore from Varadien the Prisoner in case No 4 of 1854 of the Session Court of Cuddalore applying for his release

(Here enter S.F.H.R. of No 1855)

M. J. S. Hooper

The Court of Foujdaree Adalut see no reason to question the correctness of the sentence passed upon the Petitioner whose petition is, therefore, rejected.

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

Sent in No

Read Return dated 16th June 1855 from the Acting Session Judge of Madura to the precept of the Foujdaree Adalut under

30th June 1855. under date the 9th June 1855 reversing the sentence passed on the 2nd Prisoner in Calendar Case No IX of 1855 and directing his immediate release.

(Here enter F. R. No 1463 of 1855)

Read Criminal Report B submitted by the Session Judge of Coimbatore for the month of May 1855 under date the 15th instant.

(Here enter F. R. No 1476 of 1855)

Read Copy of Calendar in Case No XII of 1855 submitted by the Session Judge of Tinnevelly under date the 30th April 1855

(Here enter F. R. No 1477 of 1855)

Read Criminal Reports B submitted by the Session Judge of Tellicherry for the month of May 1855 under date the 13th Instant.

(Here enter F. R. No 1480 of 1855)

Read Letter dated 18th June 1855 from the Session Judge of Calicut forwarding the Warrant issued for the execution of the sentence of death passed by the Court of Fonjdaree Adalut on the Prisoner in Case No 35 of 1855 on the Calendar of the Sessions Court with the endorsement of the Acting Subordinate Judge certifying due execution thereof and copy of his report according to Circular Order Fonjdaree Adalut

30th June 1855. Adalut under date the 3rd May 1830.

(Here enter F. R. No 1483 of 1855)

Read Calendar of Case No 9 of 1855 submitted by the Session Judge of Guntoor under date the 20th Instant.

(Here enter F. R. No 1488 of 1855)

Read Calendar of Case No 7 of 1855 submitted by the Session Judge of Tellicherry under date the 2nd Instant.

(Here enter F. R. No 1489 of 1855)

Read Calendar submitted by the Session Judge of Chittoor of Case No 9 of 1855 under date the 10th April 1855.

(Here enter F. R. No 1491 of 1855)

Read Calendar of Case No 25 of 1855 submitted by the Session Judge of Tinnevelly under date the 19th Instant.

(Here enter F. R. No 1492 of 1855)

Read Calendar submitted by the Acting Session Judge of Salem of Case No 21 of 1855 under date the 11th Instant.

(Here enter F. R. No 1496 of 1855)

Read.

30th June 1855.

Read Calendar submitted by the Acting Session Judge of Combaconum of Case No 23 of 1855 under date the 20th Instant -

(Here enter F.R. No 1497 of 1855)

Read Calendar submitted by the Acting Session Judge of Combaconum of Case No 24 of 1855 under date the 23rd Instant.

(Here enter F.R. No 1570 of 1855)

Read Calendar submitted by the Acting Session Judge of Nellore of Case No 18 of 1855 under date the 26th Instant -

(Here enter F.R. No 1577 of 1855)

Read Letter dated 23rd June 1855 from the Session Judge of Coimbatore acknowledging the receipt of the Extract from the Proceedings of the Court of Foujdaree Adalat under date the 30th April last, and submitting the explanation afforded by the Principal Sudr Ameen in the disposal of Case No 204, together with a copy of his Proceedings held in review of Case No 1 on the file of the Assistant Magistrate of Coimbatore.

(Here enter F.R. No 1578 of 1855)

Read.

30th June 1855

Read Calendar of Case No 49, submitted by the Session Judge of Bellary for 1855, under date the 23rd Instant.

(Here enter F.R. No 1522 of 1855)

Read Copy of the Calendar in Case No 42 of 1855, Sessions Court Zillah Calicut, under date the 23rd Instant

(Here enter F.R. No 1523 of 1855)

Read Calendar of Case No 10 of 1855, submitted by the Session Judge of Guntoor under date the 25th Instant.

(Here enter F.R. No 1524 of 1855)

Read Calendar submitted by the Session Judge of Chittoor of Case No 20 of 1855, under date the 25th Instant.

(Here enter F.R. No 1525 of 1855)

Entered

F. U.

Monday,
22nd January 1855. At a Court of the Foujdaree Udalut.

Present

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

Read letter under date the 13th January 1855 from the Session Judge of Chittoor forwarding English translation of the record of Case No. 60 of 1854 on the Calendar of the Session Court for the final judgement of the Court of Foujdaree Udalut.

(Here enter F. U. No. 109 of 1855.)

W. G. Hooper
W. 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

"Yada Cunnagan"

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

The