

REPORT

1. This Court has been mandated by the Director of Public Prosecutions to hold the present judicial inquiry by virtue of sections 111 and 112 of the District and Intermediate Courts (Criminal Jurisdictions) Act. The inquiry was conducted under two limbs. The first limb was in respect of the cause of the death. The second limb was in respect of the circumstances connected with the death.

3. Brief Outline

On the 18th of October 2020, the body of one Soopramanien Kistnen also known as Kaya was found in a sugarcane field. The body was discovered by one Mrs Pricilla Rosette Marcel who then alerted the police. The Deceased was found by PS Mossafeer to be on his back in a supine position and was partially burnt. The Deceased was barefoot and had his intestines hanging outside his body. The area around the body was also burnt. An autopsy was carried out following which the case was treated as suicide by the police.

5. Report on the Evidence adduced

5.1 The Police Enquiry

It is apposite to note that there are some very disturbing elements which were flagged in court in relation to the incompetent and abysmal manner in which the enquiry was carried out by the police and which ultimately led them to the initial theory of suicide. I have below listed a non-exhaustive account of very obvious facts which would have alerted any reasonable enquiring officer to the possibility of foul play but which have been blatantly overlooked by the police in the present case:

- 5.1.1 The body was found on its back which was unburnt and the front exposed part of the body was burnt. The only way that is possible is when the reason who is on fire is either already dead or not in a state to try to put out the fire. Therefore, it stands to reason that the Deceased was either dead when the fire was put to him or he was unconscious. It has been stated in court that the Deceased had meperidine drug in his blood which when used in excess is capable of sending a person in a comatose state.
- 5.1.2 The Deceased was barefoot and his wife had confirmed that latter had left home with his shoes on.
- 5.1.3 Only a small area of the sugarcane field was burnt when the body was found. However, two days later a larger area was burned down. This should have alerted any reasonable enquiring officer to the possibility of attempts being made to dispose of evidence in relation the case.

- 5.1.4 Although the police were in possession of CCTV footages showing the Deceased leaving Telfair there was no footage of him ever coming back to Telfair. This should have raised the obvious question of who brought the body back. The enquiry fell well below the standards expected in such a case when the police decided not to verify all the CCTV footages in relation to the movement of the Deceased on the 16th of October 2020. Witness No 21 who verified conceded in court that this would have been the next logical step. Since he viewed the footages on 26/10/2020 images would have still been available and would have assisted greatly in solving the present case.
- 5.1.5 Photo B8 clearly shows that the Deceased had burnt paper clutched in his hand which according to witness no 7 was a prescription. However, according to witness no 2 nothing was retrieved from his hand. The police did not look for this document nor did they question its disappearance when enquiring.
- 5.1.6 The Deceased had two phones. However only one phone was recovered on the locus and that too without any sim card or memory card. This element based on the circumstances the body was found should have raised red flags.
- 5.1.7 The scissors found on the spot did not belong to the Deceased according to Witness No 11 and had blood on it.
- 5.1.8 The Deceased's backpack was found some 30 cm from his body as per photo B16 and yet same has not been secured as an exhibit.
- 5.1.9 The initial fire was only around a small area and appeared to have a controlled fire.
- 5.1.10 Although the Forensic Examination report Doc BH was ready since 19 January 2021 and the police was informed about same but the report of the locus was only collected on the 26th of July 2021, that is one day before the person who drew up the report was meant to come to court.
- 5.1.11 The FSL report Doc BH2 which was collected was only collected by the police on the 1st of July 2021 whereas it was ready since the 3rd of May 2021 and the police was aware of same.
- 5.1.12 Although at page 6 of Doc BH2 the report mentioned that Exhibit N.M1/2020 contained a full male DNA profile which did not match the DNA profile of the Deceased, the police did not deem it for to have a DNA comparison done with the potential suspects in the presence case until the issue arose in Court.
- 5.1.13 The partially burnt phone which was secured from underneath the body of the Deceased was sent to be examined by the police IT Unit instead of being sent for examination at the

Forensic Science Laboratory. The phone was only sent for examination after the issue was raised in court. By then any evidence of forensic value had been destroyed.

- 5.1.14 Both Witness No 8 and Witness No 1 have confirmed that there were burnt papers in the right fist of the deceased. However, Witness No 2 stated that he did not retrieve any such papers from the fist of the deceased when the body was sent for autopsy. The police could not explain where the papers disappeared between the scene of crime and the autopsy table. This is even more compelling since the fist was clenched tightly due to rigor mortis.
- 5.1.15 The body was sent for autopsy to Dr. Jeetoo hospital. The police could not explain why the body was taken to Dr. Jeetoo Hospital for autopsy instead of Victoria Hospital as instructed by Witness No 1.

5.2 Cause of Death

I find that the death of Soopramanien Kistnen is homicidal in nature and based on the evidence adduced in Court. I rule out the possibility of suicide in this case. The cause of death according to the MLR is pulmonary oedema which could either have been caused by strangulation or asphyxia due to smothering. There are very strong reasons in this case to suggest foul play for the following reasons:

- 5.2.1 According to Witness No 8, the Forensic Science Officer who conducted the forensic examination, there was no sign of struggle or disturbance in the area surrounding the body. The position in which the body was found was not consistent with a body struggling during fire. The fire debris were all in close proximity and not scattered around. This lead the witness to infer that the deceased was either unconscious or dead at the time of the fire.
- 5.2.2 Witness No 8 also stated that this was a controlled fire and the sugarcane plants around the body were still standing. There were no drag marks which indicated that the body was carried to that particular spot and in this case at least two people would have been involved in the carrying exercise. This lead the witness to infer that this was a secondary scene of crime.
- 5.2.3 The examination of the exhibit N.M1/2020 which is a pair of gloves and which was remitted by the police in relation to the present case to Witness No 8 yielded a full male DNA profile. This DNA profile did not match the DNA profile of the Deceased. The said exhibit was collected by Mr Rama Valayden whose services had been retained by the Deceased family and he thereafter remitted same to the police for the purposes of the enquiry. What is of particular interest to this case is that the exhibit was burnt at the palm and finger regions apart from being used, worn, torn and dirty. The fact that exhibit

N.M1/2020 was burnt at the level of the palm and fingers could directly link them to the death of the Deceased.

- 5.2.4 Witness No 1 was the Police Medical Officer who attended to the scene of crime found the body of the deceased in a state of decomposition lying on its back in a pugilistic attitude with second and third degree burns covering most parts of his body except for the back. The fact that the back was not burnt suggests that the deceased did not move throughout the fire which explains why the scene of crime did not show signs of disturbance. The tongue was protruded with black margins. There were fly eggs at the back of the head and back of the neck. There was a burnt multi-layered fabric at the neck of the Deceased. There were burnt papers in the right hand. There was a burnt strap or belt of multi-layered fabric over the left wrist. Similarly, there was a burnt multi-layered fabric strap or band adhered to both ankles. All of this support the conclusion of Witness No 8 that this was not the primary scene of crime. In fact, according to Witness no 1, the fact that only 5.2% carbon monoxide was found in the blood of the deceased meant that the Deceased was not breathing at the time of the fire; that is, he was already dead. This is also consistent with the fact that the air passages looked clear and no presence of soot particles were noted in photo BE23.
- 5.2.5 The fact that there were papers clenched in the right hand of the Deceased was suggestive of a sudden violent death which would have triggered an instant rigor called cadaveric spasm.
- 5.2.6 Witness No 1 clearly stated that in her opinion this is a case of homicide and not suicide. She attributed the cause of death to be strangulation causing pulmonary oedema.
- 5.2.7 Witness no 1 gave instructions to the police for the body to be conveyed to PMOC Candos for autopsy purposes but the body was instead taken to Dr. Jeetoo Hospital and the autopsy was carried out by Witness No 2.
- 5.2.8 Witness No 2 carried out the autopsy and he produced an interim report which certified the cause of death to be pulmonary oedema. The report was marked as Doc U. The body was in an early to moderate state of decomposition and there were some third degree burns present. He attributed the pugilistic posture of the body to the burns sustained. The intestine of the Deceased which was found outside the body was attributed to the protrusion of bowels which is very common in bodies which have been subjected to fire and which have undergone decomposition. This is due to the build-up of pressure from gases inside the cavities when the body is in contact with fire as well as gases produced during decomposition. This leads to the abdomen bursting usually in a vertical line causing the intestines to come out. The witness stated that he agrees that there may be shortcomings in his report due to the fact that he did not attend the locus. There was no evidence of injuries on the body and the back was not burnt. Since the back was not burnt the Deceased did not move during the fire.

- 5.2.9 Witness No 2 produced his final autopsy report which was marked as Doc BW. He attributed the cause of death to Pulmonary Oedema due to Inhalation of fumes/ Products of combustion. In reaching his conclusions he took into consideration the blood toxicology which he stated as being 5.2% carbon monoxide at page 7 of his report and the report from the Histopathology Department (Doc BD) mentioning the presence of scattered black particles in the lung at page 8 of the report. However, Witness No 37 could not determine the nature of the black particles and she had recommended that a second opinion be obtained.
- 5.2.10 According to Witness No 2 no second opinion was obtained and he relied on his own opinion to conclude that the black particles were from inhalation of fumes.
- 5.2.11 On being asked if he has sought a second opinion as recommended in the Hispathology report, Witness No 2 stated that he did not do so. However, according to Witness No 37, Witness No 2 had in fact asked for a second local opinion and she produced a copy of a document according to which 3 senior pathologists reviewed the sample taken from the Deceased upon the request of Witness No 2. These three experts were also not able to determine the nature of the black particles. They recommended that a second opinion from abroad be obtained. This clearly gave lie to the version of Witness No 2.
- 5.2.12 Witness No 2 did not adhere to the suggestion of the hispathologists for foreign second opinion and he relied on his own expertise to reach his conclusions. To substantiate same, he first stated that he went to examine the slides. Upon being further questioned as to whether he personally examined the slides, he retracted and stated that he only saw the reports and that the samples were kept at the hospital.
- 5.2.13 Witness No 2 stated that the liaison officer informed him that the Chief Police Medical Officer had given instructions for him to carry out the autopsy. However, he could not explain why there were the initials of the Chief Police Medical Officer on his autopsy report which was produced in court by Witness No 3 (Doc BN) and identified in court by him as being correct.
- 5.2.14 Initially Witness No 2 stated that the percentage of carbon monoxide in the lungs of the deceased was 5.2% which was not normal and may suggest breathing activity during the fire. However, he conceded that the percentage of carbon monoxide in the blood of a smoker could reach 8-10% and a passive smoker may have between 2-4% carbon monoxide in his blood. He could not confirm whether the Deceased was a passive smoker. He agreed that only a percentage of carbon monoxide level above 40% can induce death. He conceded that with 5.2% of carbon monoxide in the blood the Deceased may not have been alive at the time of death. He conceded that there were no visible or gross soot deposits along the air passage to suggest breathing activity during the fire.

- 5.2.15 At the end of his deposition witness no 2 stated that he relied on the Histopathology report to conclude that Pulmonary Oedema was caused due to fire fumes and charred particles. However, since the Histopathology report itself was inconclusive the theory which led Witness No 2 to attribute the cause of the pulmonary oedema to inhalation of fumes and charred particles is inherently flawed. Therefore, it is not possible for the cause of death to be pulmonary oedema due to inhalation of fumes and smoke.
- 5.2.16 Witness no 2 conceded that there could not be de-gloving of the hands in this particular case as he had only noted superficial burns on the right hand of the deceased in his autopsy report. Therefore, he accepted that the right fist contained burnt paper but he did not find same when he took the body out for autopsy purposes. He also confirmed that there were no cherry red discolorations inside or outside the body.
- 5.2.17 Furthermore, Witness No 2 stated that he is the cousin of Jonathan Ramasawmy, their mothers being sisters. This link appears to be an unlikely coincidence.
- 5.2.18 Witness No 60 stated that the police medical officer who attends to the scene of crime gives instructions as to where the body is to be taken for post-mortem examination. A senior police officer may advise that the body be conveyed to a different mortuary house only after consultation with the doctor who attended to the case. In practice, it is highly desirable that the doctor who attended to the scene of crime conducts the autopsy. He pointed out that the manner in which carbon monoxide level is described in Doc W is not correct as this method is used to quantify carbon monoxide in the environment and not in blood. In blood, carbon monoxide should be described as carboxyhemoglobin. Assuming that 5.2% actually means carboxyhemoglobin, this would be a normal level for a person walking in a polluted environment.
- 5.2.19 Witness No 60 also stated that 5.2% carboxyhemoglobin cannot lead to death. No cherry red discoloration on the skin or mucus membrane as well as organs meant that the deceased had at no time breathed carbon monoxide fumes. If when a person is alive and burning the air passages are flooded with soot and do not appear clear as in the picture Doc BG. In any event, in cases where a person inhales fumes in fire, microscopic examination is not even required. A macroscopic examination is sufficient. If the red froth coming out of the lungs of the Deceased had washed away the soot particles from the air passages, then the red froth would have been coated with a layer of soot which is not the case here. He estimated the time of death as being 16th of October some 2 hrs after having had a meal. He attributed the cause of death to be asphyxia due to smothering.
- 5.2.20 According to Witness No 60 this is a homicidal death and based on the fact that there was no gross disturbance in the immediate vicinity of the body and no drag marks, he was of the opinion that the body was carried from somewhere else.

- 5.2.21 According to the evidence of Witness No 40 and Witness No 11, the Deceased was upset about Yogida Sawmynaden using his wife's name as his Constituency Clerk. According to Witness No 11 she has never worked as Constituency Clerk nor had she ever been remunerated for same. Deceased had allegedly threatened to denounce Yogida Sawmynaden on this issue. Witness No 33 produced documents AB10 and AB11. Doc AB10 is a declaration filled in and signed by Yogida Sawmynaden to the effect that witness No 11 was employed as his Constituency Clerk since Jan 2020. In addition, Witness No 44 has confirmed that he has never seen Witness No 11 act as the Constituency Clerk of Yogida Sawmynaden. Witness No 11 has stated that this could be a motive for the homicide of her husband.
- 5.2.22 The documents in relation to the 2019 General Elections expenses and which have now been termed "Kistnen Papers" were in the possession of the Deceased prior to him remitting same to Witness No 53. The Deceased was found dead two weeks after these documents were given to Witness No 52. At this stage, that possibility that the death is related to the revelations contained in the "Kistnen Papers" cannot be discarded.
- 5.2.23 There is evidence on record that the Deceased was privy to a lot of inside information in relation to the allocations of contracts during the Covid-19 pandemic. In fact, based on the emails exchanged between the Deceased and Yogida Sawmynaden, a clear pattern is established in the way the Deceased was acting as the nexus between potential suppliers and Yogida Sawmynaden. Given his proximity with the then Minister which is not denied by latter, the Deceased may well have had too much information in relation to alleged malpractices in the allocation of contracts. It is alleged by Witness no 24 that the Deceased had threatened and blackmailed Yogida Sawmynaden, Vinay Appanah and Deepak Bonomally. Although this is hearsay evidence, the possibility that the death in this case could be related to contract allocations cannot be disregarded.

6. Circumstances which may be connected with the death

6.1 Constituency Clerk

It is recommended that an in-depth enquiry be carried out in relation to the alleged fake employment of Deceased's wife as Constituency Clerk of Yogida Sawmynaden. Based on the documents produced in court as well as the testimonies of the witnesses 11 and 33 as well as other witnesses, there may be a case for possible criminal offences against certain people. This may also constitute a motive for the homicide and the allegations of witness no 11 need to be investigated further. The altercation which happened according to the evidence of witness 24 between the Deceased and Yogida Sawmynaden in his office as well as the violent intervention of one of his bodyguards who professed threats against the Deceased also need to be investigated further under this angle.

6.2 The Kistnen Papers

6.2.1 Witness no 51 produced 2 documents consisting of a total of 132 pages which she received from witness no 52. These were marked as Docs AF and AF1. She also produced a Diary inside which there was 25 pages which had writings on them. This was marked as Doc AF2. She produced a letter she had received from witness no 52 which was marked as Doc AF3.

6.2.2 Witness No 52 identified Docs AF, AF1, AF2 and AF3 as being the very documents he had left at the Office of the DPP. He stated that he received these documents on the 1st of October 2020 from Mr Bruneau Laurette. The documents contain details of the electoral expenses incurred by the MSM party in the No 8 constituency. The diary also has details of the money which was allegedly donated to cover the general election expenses.

6.2.3 The Documents AF, AF1 and AF2 has brought to light some shocking information in relation the practices during the general elections. Upon perusal of these documents, it appears that if these documents are genuine, a number of offences may have been committed by the people named in these documents. Two very disturbing elements which emerged from these documents and the testimonies of witnesses are the registration of foreign nationals as voters in Constituency No 8 against financial payment to secure votes and the money which was used as expenses during the campaign which may have exceeded the sum prescribed by law. The Deceased who was in possession of these documents as well as information about possible malpractices during the 2019 general elections had allegedly threatened to expose certain people. I recommend that an in-depth enquiry be carried out to ascertain whether offences may lie against one or more people under the Representation of the People's Act as well as Prevention of Corruption Act and the Financial Intelligence and Anti-Money Laundering Act. The enquiry should also consider whether the fact that these documents were taken by the Deceased and the fact that he had information about malpractices related to the general elections may have been a motive for the present crime.

6.3 The Procurement Angle

6.3.1 This is by far the most important aspect of this case as it may constitute the strongest motive for the crime. It is apposite to note that the ICAC is already carrying out an enquiry into possible corruption offences which is why this court was reluctant to delve too much

into them. However, during the course of the enquiry several disturbing aspects in relation to the manner in which procurement was handled at the level of different Ministries as well as the STC was noted. To understand why this aspect may constitute the strongest motive, it would be apposite to analyse and understand the relationship between the parties and the contracts which were awarded by different institutions.

6.3.2 At the centre of this formation is Yogida Swamynaden who at the material time was handling the portfolio of the Ministry of Commerce and also had the STC under his aegis. The General Manager of the STC at that time was Jonathan Ramasamy who also happened to be the brother in law of Vinay Appanah. Vinay Appanah was the college friend of Yogida Sawmynaden and who by his own admission is a friend of the Yogida Sawmynaden. His companies had been allocated several contracts in millions by the Ministry headed by Yogida Sawmynaden. The link Yogida Sawmynaden – Vinay Appanah is established clearly by virtue of their personal equation as well as the through the numerous contracts which was awarded to Vinay Appanah.

6.3.3 The consultant and Marketing Manager of Vinay Appanah was Mr Deepak Bonomally who had resigned from his job as consultant for Vinay Appanah around February 2020 but was still perceiving salary. His companies were awarded huge contracts by the STC spanning over millions of rupees with advance payment for the purchase of the equipment to be supplied a couple of months later despite having no expertise in the health industry. Deepak Bonomally was still operating from the offices of Vinay Appanah although on paper his companies had a different address.

6.3.4 The same STC which awarded Bonomally contracts also awarded cleaning contracts to the company of Neeta Nuckched, another friend of Yogida Swamynaden. Again, Neeteeselec did not have any expertise and ended up outsourcing the contract. According to evidence on record, the Deceased was very vocal about how he was asked to bid higher for the cleaning contract in order to lose out on the bid to a number of people. The relationship between the above-mentioned parties becomes even more revealing when both Vinay Appanah and Deepak Bonomally pays Rs 2.7 million and Rs 600 000 to the newly formed Neeteeselec of Neeta Nuckched. The nexus between Neeta Nuckched and the duo Appanah-Bonomally is Yogida Sawmynaden. So the picture that emerged from the depositions of witnesses and documentary evidence is that Yogida Sawmynaden caused Vinay Appanah to obtain contracts. Since Vinay Appanah is directly related to Jonathan Ramasawmy, in order not to arouse suspicion, Vinay Appanah caused his employee Deepak Bonomally to obtain contracts from the STC under the latter's companies with the assistance of his friend Yogida Sawmynaden who is the Minister responsible for the STC. In return, kickbacks were given to Yogida Sawmynaden one example of which would be the money which is paid into the account of Neeteeselec. The same company had millions in its account despite the owner Mrs Nuckched not having invested a single rupee in it. She did not pay for the incorporation of the company, she did not she buy the equipment for cleaning and she did not look for the sub-contractor to execute the contract. Everything was handled for her by the Punith couple. In fact, apart from receiving remuneration as a

Director she did nothing in the company. It appears that the company was set up in order to finance her by Yogida Sawmynaden through Vinay Appanah. Yogida Sawmynaden also helped by getting the company contracts from the STC, Courts Mammouth and the Ministry of Commerce. Vinay Appanah stated that he paid Rs 2.7 million for the purchase of wood but delivery of same had never been made and Deepak Bonomally paid for containers which he had in the past himself procured.

6.3.5 The Punith couple had a high level of involvement in the establishment of the Neeteeselec. Mr Punith is the person who handles the companies of Vinay Appanah and Deepak Bonomally as service provider. When Neeteeselec had to be created, he and his wife stepped in. His wife was appointed the General Manager of Neeteeselec at the time the company was formed. Mr Punith despite having no relationship with Neeteeselec paid for incorporation of the company, the purchase of cleaning materials for the company and even kept the products purchased at his place. Mrs Punith handled all the administrative duties in relation to Neeteeselec. And yet, Neeta Nuckched did not have any prior connection with the Punith couple. Once again Yogida Sawmynaden is the nexus between Neeta Nuckched and Vinay Appanah, Vinay Appanah being the person through whom Neeta Nuckched got connected to the Punith couple.

6.3.6 Deepak Bonomally gave the Deceased Rs 225, 000 allegedly for works to be carried out on containers but he conceded that he never chased the Deceased for the works nor for refunds. Also as very accurately stated by Khoumada Sawmynaden, the Deceased did bid excessively high for the STC cleaning contract which went to Neeta Nuckched in the end. This added to the fact that the Deceased had told to a number of people that he was going to denounce to the ICAC about the malpractices in procurement as well as the fact that he told several witnesses the Appanah and Bonomally were going to give him a huge sum of money may be indicative of blackmail.

6.3.7 Most of the above appear to be supported by independent documentary evidence when analysed in light of the procurement exercises, the contracts allocated, the emails of the Deceased, the bank account of the Deceased, the calls on the phone of the people concerned as well as their location at the time the calls were made and last but not the least, and sms exchanged as per Doc C.

6.3.8 As regards the whereabouts of Yogida Sawmynaden and Ravi Chand Leelah on the 16th of October 2020, both of them stated that they could have been around the Amma Shop at La Louise Quatre Bornes. It is apposite to note that the Deceased was last spotted at St Jean in Quatre Bornes between 1 pm and 2 pm by witness No 42. According to the itemised bill of his phone number 58276858, Deceased was in or around Quatre Bornes between 13 26 hrs and 17 50 hrs before the said phone was finally switched off. The Deceased had mentioned to a few witnesses that he was meant to meet one Ravi to receive money on the 16th of October 2020. The proximity of the whereabouts of Yogida Sawmynaden and Ravi Chand Leelah at around the time the Deceased disappeared is an element which I recommend be explored by the police in context with the other evidence available.

6.3.9 All of the above give credence to the theory of blackmail by the Deceased and this may be at the crux of this case. I recommend that this angle be further explored by the police. Without encroaching on the enquiry already being carried out by the ICAC. I also recommend that an enquiry be carried out into other possible criminal offences which may be established on the above facts.

7. Other information bearing on the case

7.1 The Autopsy

7.1.1 Witness No 1 was categorical in Court that she gave instructions for the body of the Deceased to be transported to Victoria Hospital for autopsy. She explained that autopsies are carried out at hospitals nearest to the place of residence of the Deceased in order to facilitate the identification exercise by the relatives of the Deceased. It is also the normal practice for the Police Medical Officer who attended to the locus to perform the autopsy.

7.1.2 She could not explain why the body was sent to Dr. Jeetoo hospital despite her clear instructions. Same could also not be explained by Witness No 2 who stated that he was instructed by the Chief Police Medical Officer. Under normal circumstances, although uncommon, this would not have been such a serious issue save and except that Witness No 2 is the cousin of Jonathan Ramasawmy. His mother and latter's mother are actually sisters. The close family tie of Witness no 2 with Jonathan Ramasawmy and by alliance with Vinay Appanah when considered together with the testimony of Witness No 2 in court is blatantly suspicious and reeks of cover-up. In fact, the testimony of Witness No 2 was so fraught with inconsistencies and illogical that this court had no other option but to disregard certain aspects of his testimony altogether. I recommend that an enquiry be conducted into the obscure manner in which the autopsy was made to be carried out by the Witness No 2. I also recommend that an enquiry be carried out into the professional competence of Witness No 2 to practice as a Police Medical Officer.

7.2 Conduct of the police

I consider the conduct of the police in the present case to be abhorrent. The manner in which the enquiry was conducted fell so below what can be considered reasonable that it marks a new level of incompetence. I consider it my duty to remark upon same so that no other case is dealt with in the same manner as the present one in future.