

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF CALIFORNIA, FIRST DIVISION.

UNITED STATES OF AMERICA }

VS }

NO. 6133.

FRANZ BOPP et al  
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DEFENDANTS MOTION FOR AN INSTRUCTED VERDICT OF ACQUITTAL.

Comes now Mahadeo Abaji Nandedkar one of the defendants in the above entitled cause, by his counsel at the close of all the evidence produced by the Government in the case and moves the Court to order and direct the Jury to find him "Not Guilty" as charged in said Indictment upon the following grounds:

- (1) The evidence is insufficient to warrant the submission to the Jury of the question whether said Defendant has been proved to be guilty as charged in said Indictment.
- (2) The evidence fails to prove and there is no evidence tending to prove that said defendant conspired with others in said city of San Francisco or in said Northern District of California or within the territory or jurisdiction of the United States to begin, set on foot, or provide or prepare the means for, any military expedition or enterprise to be carried on from thence against the territory or dominion of said King of Great Britain etc. to incite a rebellion in India as alleged and more particularly described and set forth in said Indictment.
- (3) Said Indictment is insufficient to support a Verdict of guilty.

MAHADEO ABAJI NANDEDKAR

By his Attorney,

*Daniel Gost*