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USS

Fowdaree

Diary

1821.

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Tay dares Diary 2 January 1821

No 1 To The First Judge of the Court of Circuit
in the Northern Division

Sir

I am directed by the Judges of the Tay dares Adalut to desire that you will hold the 1st Quarterly Sessions of Jail delivery at Masulipatam for the present year, or should the business of the Sessions have been entered upon by the 3rd Judge previously to his deputation to Ganjam that you will proceed to the completion of the Jail Delivery without delay

2nd January 1821 I have the honor to be &c.

(Signed) W Hudleston
Deputy Register

No 2 To The First Judge of the Provincial Court
of Circuit in the
Southern Division

Sir,

Para 1 Under instructions received this day from Government the Judges of the Court of Tay dares Adalut direct that you will with as little delay as possible proceed on the 1st half yearly Circuit for the present year

2 This arrangement has been adopted

inconsequence of the absence of the 3rd Judge will take the circuit for the year en your Stead.

2nd January 1821 (Signed) W. Hudleston
Deputy Regr.

No 3. To The Third Judge of the Provincial Court of Appeal and Circuit in the Southern Division

Sir.

I am directed by the Judges of the Sudr and Foujdaree Udalat to transmit to you the annexed Extract of a letter from the Secretary to Government in the Judicial Department dated this day and to call upon you for the explanation therein required.—

2nd January 1821 (Signed) W. Hudleston Dy Regr

Extract of a letter from the Secretary to Government in the Judicial Department under date the 2nd January 1821

I am also direct to desire that the Foujdaree Udalut will call upon Mr Paske the Third Judge to account for his neither having joined his station within the period prescribed to him for that purpose, nor explained the reason of his having failed to do so.

2nd January 1821 (A true Extract)
(signed) W. Hudleston
Dy Regr

No 4 To the Secretary to the Board of Trade.

Forwarding the Indent of Stationery for the year 1821 from the Magistrate in the Zillah of Guntoor

2d January 1821.

No 5. To the Third Judge of the Court of Circuit in the Northern Division

Sir.

Para 1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 11th Instant and to state that the arrangement adopted by the Government for the delivery of the Said at Berhampore has not been made without reference to the circumstances, to which you allude.—

2. The Judges accordingly direct that you will proceed forthwith on that duty, agreeably to the instructions issued to you under date the 29th Ultimo

10th January 1821. (Signed) W. Hudleston.
Dy Regr

No 24. To the Secretary to the Medical Board

Sir.

Para 1. I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you, for the purpose of being laid before the Medical Board the accompanying Copy of a letter from the Secretary to Government.

Government in the Judicial Department dated 3d Instant and of the letter from the Criminal Judge of the zillah of Chittoor therein referred to.—

2. The Judges request to be favored with the opinion of the Medical Board on the following points.—

First Whether an Establishment of peons be considered desirable for the custody of Lunatic Persons.

Secondly— Whether the arrangement suggested in the letter of the Secretary to Government, which would involve the removal of Lunatic Persons from the extremity of the Southern Division to Chittoor, is considered to be free from objection.—

17th January 1821. (Signed) W. Huddleston
Dy. Regr.

(No. 1.a)

To

The Secretary to Government in the
Judicial Department

Sir.

1. I am directed by the Judges of the Court of Fayidaree Adalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated 2d Instant from the Criminal Judge in the zillah of Madura, submitting a petition from the wife of Chokalinga Naick, described as being the Zemindar of Rachaycotty—praying her husband's release.—

2. The letter of the Criminal Judge dated 29th November 1819 referred to in the above Communication contained Copies of a letter from Mr. Irwen, Magistrate in the zillah of Madura to the Chief Secretary to Government dated 27th May 1809, of a Letter to the Magistrate from Mr. Secretary Gahagan, dated 23d August 1809, and of a letter addressed by the Register in charge of the zillah Court to the Chief Secretary to Government, under date 4th September 1809 from which Correspondence it appears that the individual referred to in the accompanying letter has been twice transported by the orders of Government to Prince of Wales's Island, from whence he has on each occasion effected his escape.

3. As the Records of the Court of Fayidaree Adalut do not certain any information with respect to the Case of the said Chokalinga Naick, the Judges are unable to offer any opinion as to the justice or policy of the recommendation submitted by

by the Criminal Judge in his favor—

17th January 1821 (Signed) W. Oliver Registe

No. 46 To

The Criminal Judge in the Zillah of

Madura.

Sir.

With reference to your letter of the 2d Ultimo, I am directed by the Judges of the Court of Fayidaree Adalut to transmit for your information and guidance the annexed Copy of a letter addressed by the Register of the Court of Fayidaree Adalut to the Secretary to the Government in the Judicial Department dated 17th and of the reply thereto dated 30th Ultimo.—

2d February 1821 (Signed) W Hudleston

Deputy Registe

To the Secretary to Government in the

Judicial Department

Sir.

With reference to your letter of the 2d Ultimo, I am directed by the Judges of the Court of Fayidaree Adalut to transmit to you for the purpose of being laid before the Honorable Governor in Counc the accompanying letter dated the 31st Ultimo, from the

the 3d Judge of the Provincial Court of Appeal and Circuit in the Southern Division.

6th February 1821. (Signed) W. Oliver Register.

No. 47 To

The 1st Judge on Circuit in the

Southern Division

Sir,

Para 1 I am directed by the Judges of the Fayidaree Adalut to inform you that the 3d Judge has been instructed to take up the present Circuit at Salem—

2. The Judges desire therefore that you will return to the Sudr station on the Completion of the Sail delivery at Verdachellum, and that you will immediate report the date on which the establishment of the Court of Circuit may be expected to arrive at Salem—

10th February 1821.— (Signed) W. Hudleston

Deputy Regr.

No. 48 To the 3rd Judge of the Court of Circuit in the

Southern Division

Sir,

Para 1.

Under instructions from the Honorable the Governor in Council the Judges of the Court.

Court of Foujdaree Adalat desire that you will hold yourself in readiness to proceed to Salem for the purpose of taking up the Circuit which has been entered upon in your absence by the 1st Judge.

2. On receiving from the 1st Judge a repo of the date on which the establishment of the Court Circuit may be expected to arrive at Salem, the will convey an intimation of the same for your information and guidance.

10th February 1821 (Signed) W. Hudleston
Deputy Regr

No 49 To the Secretary to Government in the
Judicial Departm

Sir,

Para 1

I am directed by the Judges of Court of Foujdaree Adalat to acknowledge the receipt of your letter No 9 dated 5th Ultimo, referring for the consideration of the Court an application from the Criminal Judge in the zillah of Chittoor for the sanction of an establishment proposed by him for Lunatic Hospital at that Station.

2. Agreeably to the suggestion contained in the above letter the Judges applied to the Medical Board for their opinion with respect to the necessity for

for a guard of peons for the custody of Lunatic persons and the expediency of sending such insane persons in the Southern Division, as may require to be placed in confinement to the Lunatic Hospital at Chittoor.

3d. By the accompanying letter, dated 22d Ultimo, from the Secretary to the Medical Board it appears that the Board consider a guard of peons to be altogether unnecessary and the removal of Lunatics from one part of the Country to another to be free from objection.

4. With reference to the opinion here expressed by the Medical Board, as well as to the circumstance of their not having been found any necessity for a guard of this description in the Lunatic Hospitals at Tellicherry and Masulipatam, it appears to the Judges that this part of the establishment proposed by the Criminal Judge of Chittoor may be dispensed with.

5. In the estimate prepared by the Criminal Judge of Chittoor the Judges of the Foujdaree Adalat remark, that a Charge of Rupees 87-8 per mensem, to be paid to the Surgeon Superintending for Medical Servants, Country and Bazar Medicines &c is included.

This

6 This item of charge is taken from the authorized monthly Charges of the Lunatic Hospitab at Masulipatam quoted by the Criminal Judge in the margin of his letter, with regard to which the Judges direct me to observe, that no allowance of this description has been given to the medical Officer attached to the Provincial Court in the Western Division, and that it was granted to Mr. Surgeon Jones, on his representation, referred to in the 10th paragraph of my letter of 15th December last (No. 33) that the Surgeons attached to the Western and Centre Provincial Courts in consequence of having charge of the zillah Courts at their respective Stations, are enabled to appropriate to the assistance of this Asylum preparation of their establishment.

7 Although the situation of the Surgeon attached to the Provincial Court in the Centre Division may be similar to that of the Surgeon attached to the Courts at Tellicherry in the particular here pointed out, yet as the number of Convicts in the zillah Jail at Chittoor is 318 while by the last returns from the Criminal Judge in the zillah of North Malabar it appears that only 94 prisoners are under confinement in that Jail. The Judges of the Fayidaree Adalut are of opinion, that this Charge is reasonable and proper.

8 The estimated Charge of Rs. 31-8 for victualling will probably be found to be too low, should the measure of transferring Lunatics from the Southern Division to the Hospitab at Chittoor be adopted.

9 With regard to this measure the Judges direct me to state, that has the removal of prisoners from the different zillahs in the Southern Division to Chittoor has not been found injurious to their health, they are not aware of any objection it its adoption, provided there should be found sufficient accommodation in the Lunatic Hospitab at Chittoor for all insane persons in the Centre and Southern Divisions, from whose insanity fatab effects may be apprehended, and whose friends may not be able and willing to answer for their safe custody.

10 The Judges of the Fayidaree Adalut have not deemed it proper to institute any enquiries as to the expediency of transferring all Lunatic Patients

to

to the Presidency, which is suggested in the 4th paragraph of the accompanying letter from the Secretary to the Medical Board, as they are not aware that this measure is in the Contemplation of Government. They consider it proper however, to remark that the Clim of the Carnatic has generally been found fatal to the bodily health of the inhabitants of the remote Zillahs particularly of the provinces of Malabar.

11. In Conclusion I am directed with reference to the 8th paragraph of my letter dated 15th December last to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter from the Criminal Judge in the Zillah of Masulipatam, dated 19th Ultimo, explanatory of the Circumstances, under which the persons now confined in the Lunatic Hospital were admitted into that institution.

12. The Judges will require an explanation of the notice of the Criminal Judge regarding Lutchmumma in the list of Lunatics.

12th February 1821. (Signed) W. Oliver Regr

No 50 To the Criminal Judge in the Zillah of Masulipatam

Sir,

I am directed by the Judges of the

the Foujdaree Adalut to acknowledge the receipt of your letter, dated 19th Ultimo, and to request that you will obtain from Mr. Surgeon Jones an explanation of the Circumstances under which Lutchmunding was admitted into the Lunatic Hospital.

12th February 1821. (Signed) W. Huddleston

Dy Register

No 51 To the Third Judge of the Court of Circuit in the Centre Division

Sir.

I am directed by the Judges of the Court of Foujdaree Adalut to desire, that you will proceed with the least possible delay to Cuddapah for the purpose of completing the delivery of the Jail at that Station, the termination of which has not been reported by the late 3d Judge.

12th February 1821. (Signed) W. Huddleston

Dy Register

No 52 To Mr. G. Paske.

Sent Copy of a letter from the Secretary to Government in the Judicial Department Stating that the Governor in Council grants leave of absence from 1st January to the date of the appointment to be 3d Judge Provincial Court Centre Division and

authorizes

authorizes to draw the Salary subject to the pre-
scribed deductions.-

14th February 1821

№ 53 To

The Secretary to Government in the

Judicial Department

Sir.

I am directed by the Judges of
the Foydaree Udalut to transmit to you the ac-
companying General abstract Statement of the
Criminal Trials on which Sentences were passed
during the last year, with the request of the Judges
that it may be laid before the Honorable the
Governor in Council.

14th February 1821 (Signed) W. Oliver Regr.

№ 54 To C. H. Higginson Esqre

3rd Judge of the Court of Circuit in the

Southern Division

Sir,

I am directed by the Judges of the
Court of Foydaree Udalut, to inform you, that the
1st Judge of the Court of Circuit in the Southern
Division has been instructed to retain from

Verdachellum

Verdachellum to the Sudr Station and to desire,
that you will repair to Salem by the 3rd Proximo,
for the purpose of taking up the Circuit.-

(Signed) W. Hudleston

19th February 1821. Dy Register

№ 60 To the Criminal Judge in the Zillah of Bellary

Sir.

Para 1 I am directed by the Judges of the
Court of Foydaree Udalut to acknowledge the receipt
of your letter dated 12th Instant.-

2. The Judges collect from your letter
which is expressed with such little attention to the
Rules of Grammar as to be scarcely intelligible, that
you suggest the remission of the Sentence of Death
passed under date 11th Ultimo, on Paupee, a prisoner
in Case № 60 of the Bellary Calendar 2d Session A.D.
1820.

3. As the ground for remitting the
penalty of the Law adjudged against the prisoner
you urge the peculiar circumstances of her situation,
to which you must have perceived by the words of the
Sentence, that the attention of the Court of Foydaree
Udalut had been particularly directed.-

4. The Judges, therefore, cannot but

Consider

Consider the application which you have thought proper to make to be wholly gratuitous as well as extremely improper.

20th February 1821. (Signed) W. Hudleston
Deputy Regr.

(No. 6.)

No. 69 To the Secretary to Government in the Judicial Department

Sir.

Para 1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated 20th Instant.

2. In Calendar of prisoners, tried by the Court of Circuit at the Second Sessions of Jail Delivery in the Zillah of Vizagapatam, for the year 1820 Sergam Yerkanderah, the Pleader referred to in your letter, stands charged as follows.

3. "For being a leader of the plunderers "who are in rebellion in the Srungavarapoo Cotah "District, for having been present at the plunder of the "Village of Sungaraya, and for having assisted in oppos "the Company's troops at Dubbagunta Tank on the 18th "April 1816."

4. In the abstract of this prisoners examination

examination entered in the Calendar, it is stated that he pleads guilty to the whole of the accusation with the exception of that part which charges him with having opposed the Company's troops - that he states in his defence that Ukkoomookee Pavvaroyo and others being deprived of their allowances, they raised disturbances for the purpose of procuring the restoration of them, and compelled him to accompany them, that he was only present at the plunder of one Village (Singaraya), and that in Consequence of Gundy Venkataramoodoo, the head Sirdar of the Rajah of Vizianagaram, having requested him to come in, he immediately left the Freebooters, and came in."

5. The prisoner was convicted, and Sentenced by the 2d Judge of the Court of Circuit to "6 years imprisonment in Irons and hard labor, and then to be "released on giving his own moochelkah for his future "good behaviour and appearance when required".

6. From the Sentence passed in this Case, it would appear that the plunder of the Village at which this prisoner acknowledged himself to have been present was not attended with any acts of Violence or cruelty towards the inhabitants in the event of which it would under the provisions of the Regulation in force have been necessary, that the Case should have been

been referred to the Court of Fouzdaree Adalut.

7. The Judges of the Fouzdaree Adalut do not consider that any legislative enactment is required for the punishment of the Offence of Gang robbery in addition to the provisions on this subject contained in Regulation XV of 1803

8 In clause first Section IV of this Regulation it is prescribed that all persons convicted of being concerned, either as principals or accessaries in a murder committed in the prosecution of a robbery or the intent to rob, shall be adjudged to suffer death.—

9. In clause second of the same Section the penalty of imprisonment and transportation for life, and in aggravated cases of the capital punishment is denounced against all persons convicted of being concerned with a Gang of Robbers, guilty of wounding, maiming or other personal injury or cruelty not occasioning homicide or of arson, or other criminal and aggravating acts committed in the prosecution of a Robbery or intent to rob.

10. Under clause third of the Section imprisonment with hard labor for fourteen years

to be extended to transportation for life in cases of aggravation, is prescribed in cases of robbery or an attempt to rob by a Gang of robbers without any personal injury.—

11. And the fourth Clause of the Section prescribes the punishment of seven years imprisonment for persons going fourthwith a gang of robbers for the purpose of committing robbery, best apprehended before they have committed robbery or made any attempt to rob.—

12. The fifth clause of the section of the Regulation above cited contains a general provision for a mitigation of the punishment denounced in each of the preceding Clauses, at the discretion of the Court of Fouzdaree Adalut, or of the Court of Circuit, if the trial be not referable under the Regulations to the Fouzdaree Adalut; and as the penalties denounced in clauses first, second, and third render necessary the reference of all cases of the nature therein described to the Fouzdaree Adalut, the mitigation of the prescribed penalty can only be adjudged by a Court of Circuit in cases of Gang robbery without homicide, or personal injury.—

13. It appears to the Judges that the

the provisions above recited meet the several cases described in the first paragraph of your letter, and in the application of these provisions to particular cases it is their anxious endeavour to exercise the discretion vested in them in the mode best adapted for the security of the lives and property of the community and the maintenance of the public tranquillity.

27th February 1821

(Signed) W. Oliver. Regr.

№ 70 To The Magistrate in the Zillah of Bellary

Sir,

With reference to my letter under date the 25th June 1819, forwarded to you through the Judges of the Circuit Court for the Centre Division, I am directed by the Judges of the Foujdaree Adawlut to request that you will immediately transmit the Statement called for in that communication.

27th February 1821

(Signed) W. Oliver

Regr.

The same to the Magistrate of Salem

Southern Division

№ 72. To

The Secretary to Government in the

Judicial Department

Sir.

Para 1. I am directed by the Judges of the Court of Foujdaree Adawlut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter dated at Chittoor the 26th Ultimo, from the 3rd Judge of the Provincial Court of Circuit for the Centre Division stating his inability to proceed on the Circuit and enclosing a Medical Certificate.

2. In the Course of last year the Provincial Court for the Centre Division was inefficient for upwards of six months, and although it appears that the number of Original Suits and Appeals depending before them at the begining of this year amounted only to 22, yet it cannot be doubted that there are considerable arrears of business in the other departments wherein protracted delay operates very materially to the inconvenience and prejudice of the parties concerned.

3. Under these circumstances the Judges beg leave to suggest the propriety of deputing Mr. Newnham

Judge.

Judge in the zillah of Cuddapah to detain the Sa
of Bellary and Chingleput the last Cuddapah
having been delivered by Mr. Higginson the late 3rd
4
In the event of this suggestion
being approved Mr. Ibbetson the zillah Judge of Bel
might be commissioned to administer the oaths of off
to Mr. Newnham and Mr. Lascelles the Register of the
Zillah Court of Cuddapah might be deputed to tak
charge of the Offices of Judge and Criminal Judge
during Mr. Newnhams absence
3rd March 1821

No 74 To

The Criminal Judge in the zillah of
Chittoor

Sir

Para 1

It is stated in your last quar
-ly Report of persons apprehended in the zillah
Chittoor that the prisoner No 169 was apprehend
on 1st August, and arrived at the zillah Ma
on 30th November 1820

2

The Judges of the Trayjdaree Ada
desire that a communication may be made to the
magistrate of the zillah in order that an explan
-tion may be afforded of this extraordinary de
in forwarding a prisoner to the zillah Station
6th March 1821

(Signed) W. Rudleston Dy

No 75. To the Criminal Judge in the zillah of Nellore

Sir

Para 1. In your last Quarterly Report
of persons apprehended in the zillah of Nellore
the Judges of the Court of Trayjdaree Adalut observe
several cases, in which persons charged with having
in their possession Stolen property and with the
"purchase of Stolen property" have been sentenced to
Corporal punishment

2. The Judges having premised that
the charges in question should contain an averment
that the party possessing or receiving Stolen
property knew at the time of so receiving it that
it was Stolen direct me to inform you that the
sentences passed by you in these cases are not
authorized by law, it being incompetent only to a
Criminal Judge, under the provisions of Section
VII Regulation X of 1816 to sentence to Corporal
punishment persons guilty of theft

(Signed) W. Rudleston
6th March 1821 Dy Register

To

F. U. № 26 Foujdara Udalut

№ 76. To

The Criminal Judge in the zillah of
Rajahmundry

Sir.

1. Referring to case № 3 in your last quarterly report of persons apprehended in the zillah of Rajahmundry in which the 1st prisoner was adjudged to "receive 2 Dozen of Rattans for concealing his knowledge of a robbery" and the 2nd to receive 28 lashes with a rattan for purchasing stolen property knowing it to be stolen. the Judges of the Foujdaree Udalut direct me to observe, that the sentences passed by you in these cases are not authorized by law, it being competent only to a Criminal Judge, under the provisions of Section VII Regulation X of 1816 to sentence to corporal punishment persons guilty of theft.

2. In cases №s 4. 5 6. 7 8. 9. 10. 11. 12. 33. and 34 it appears that intervals of nearly four months elapsed between the apprehension of the prisoners and their arrival at the zillah Station.—

3. The Judges desire, that a Communication

Communication may be made to the Magistrate in order that an explanation may be given of the extraordinary delay in forwarding the prisoners in the above Cases to the Criminal Judge.—

6th March 1821. (Signed) W. Hudleston
Dy. Register

№ 77. To

The Acting Criminal Judge in the zillah
of Salem

Sir.

1. Referring to Certain Cases in your last quarterly report of persons apprehended in the zillah of Salem, wherein it is remarked that the Police Officer Stated, in explanation of the delay in sending the prisoners to the zillah Station that he waited till he had apprehended some other Offenders connected with the prisoners— the Judges of the Foujdaree Udalut desire that a Communication may be made to the Magistrate, in order that he may explain to the Police Officers in question that the Circumstance here referred to was not sufficient to authorize the detention of the persons already apprehended. In all similar instances proceedings should be

held

held against the persons actually apprehended and their cases be brought to an issue without delay, and should any other persons suspected to be implicated in the Offence, be subsequently apprehended, it will be the duty of the magistrate or Police Officer, as the case may be, to proceed with respect to them in the mode prescribed in the Regulations.

2. Referring to other numbers in the last quarterly report, in which it is stated that the prisoners were released for want of evidence; the Judges of the Court of Foujdaree Adalut desire that you will explain to them whether the charges in these several cases appear to you to have been preferred on insufficient grounds or whether the best evidence had not been procured of which the cases appeared to be susceptible.

6th March 1821 (Signed) W. Rodstone

Dy Regr

No. 78 To the Criminal Judge in the Zillah of Madura

Sir,

In your last Quarterly Report

Report of persons apprehended in the Zillah of Madura the Judges of the Court of Foujdaree Adalut observe a case, in which two persons charged with having in their possession stolen property have been sentenced to corporal punishment.

The Judges, having premised that the charge in question should contain an averment, that the party possessing or receiving stolen property knew at the time of so receiving it that it was stolen direct me to inform you that the sentences passed by you in this case are not authorized by law it being competent only to a Criminal Judge, under the provisions of Section VII Regulation X of 1816 to sentence to corporal punishment persons guilty of theft.

With reference to case No 1 in your last report of persons under charge of the Judge to be tried by the Court of Circuit, in which Mangandy was brought before you on a charge of "theft" and is stated to be at large on Bail. The Judges of the Foujdaree Adalut direct me to observe to you, that as Robbery is declared not to be a bailable offence it was your duty to have committed the persons here referred to to jail, instead of holding him to bail

to.

to take his trial before the Court of Circuit unless he was only implicated in the degree mentioned in Clause second Section X Regulation IX of 1816, in which case a memorandum should have been entered in your report explanatory of the apparent irregularity.—

6th march 1821. (Signed) W. Rudleston

Dy Regr

№ 79 To

The Cremenal Judge in the Zillah of Chingleput

Sir

Referring to two Cases in your last quarterly report of persons apprehended in the Zillah of Chingleput with respect to which it is stated that the prisoners were returned by you to the Tasildar of Caranger with directions to make over the prisoners to the Police in "the Zillah of Chittoor" the Judge of the Foujdaree Udalut direct me to observe that a communication should have been made by you to the Magistrate regarding the Cases in question as you are prohibited by the provisions of Section IV Regulation XI of 1816 to issue orders to the Police

6th March 1821. (Signed) W Rudleston

Dy Regr

№ 80

№ 93

To

The Judges of the Provincial Court of Circuit in the Centre Division

Sent Copy of a letter from the Secretary to Government in the Judicial Department stating that Mr. Newnham has been appointed acting 3rd Judge Court of Circuit Centre Division, and Mr. Lascelles Acting Judge and Criminal Judge of Cuddapah.—

6th March 1821

To The Magistrate in the Zillah of Guntoor.

Sir.

1. I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated 27th Ultimo.—

2. The Judges are of opinion,— that under the provisions of Section II Regulation IX of 1818 it is competent to a Magistrate to delegate to the Assistant Magistrate such part of the authority vested in the Magistrate by the Regulations as may to him appear expedient that the Magistrate has undoubtedly full

powers

power to reserve to himself the right of reversing the proceedings or setting aside the decisions of his Assistant while it is at the same time competent to him, should he deem it proper to delegate to his Assistant the whole of his duty as Magistrate; in which case the acts of the Assistant will not be subject to the revision of the Magistrate, during the continuance of such full and unqualified delegation of authority

17th March 1821 (Signed) W. Huddleston

Dy Regr

No 94 To

The Magistrate in the Zillah of

Salem.

Ser.

The report prescribed by Section XXX Regulation IX of 1816 not having yet been received from your Office, I am directed by the Judges of the Foujdaree Adalut to request that you will transmit the same without delay.

17th March 1821 (Signed) W. Huddleston

Dy Regr

No 97 To

The Secretary to the Government in the

Judicial Department

Ser,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter, dated the 5th Instant from the Provincial Court of Circuit for the Northern Division, submitting application of the Criminal Judge in the Zillah of Rajahmundry for an increase of 15 Peons to his Nadir Establishment.

22d March 1821 (Signed) W. Oliver

Register

No 98 To

The Criminal Judge in the Zillah of

Madura

Ser.

Para 1 By a letter, dated 20th Instant from the Criminal Judge in the Zillah of Trichinopoly the Judges of the Foujdaree Adalut have learnt the circumstance attending an attempt at escape made by four convicts, dispatched by you for Chunglepat, in pursuance of their sentence to transportation.

The

2 The Judges direct me to convey to you their opinion that an escort of four peons was obviously inadequate to the safe custody of four convicts of the above description and to enjoin you to be careful in future, under the like circumstances to employ such a guard as shall preclude all risk of the recurrence of a similar outrage.—

28th March 1821 (Signed) W. Rudleston
Deputy Regr

To

The Criminal Judge in the Zillah of Madura.

Sir,

1 I am directed by the Judges of the Court of Fouydaree Adalut to acknowledge the receipt of your letter, dated 12th Instant.—

2 With reference to the 2d paragraph of your letter the Judges direct me to state, that the Regulations do not authorize your adjudication of Corporal punishments in Cases of knowingly receiving or purchasing stolen property and that whenever a prisoner brought before you may appear to be deserving of greater punishment than you are empowered to inflict it is your duty to commit him for trial before the Court of Circuit.—

28th March 1821. (Signed) W. Rudleston Dy Regr

No 105 To

The Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fouydaree Adalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated 22d Ultimo from the Criminal Judge in the Zillah of Tinnevelly, enclosing for sanction a Statement of expences incurred in sending 40 Convicts from the Jail of that Zillah to Chittoor by order of the Court of Fouydaree Adalut under the provisions of Clause 5th Section VIII Regulation XV of 1803.—

4th April 1821. (Signed) W. Oliver Regr

No 106 To

The Criminal Judge in the Zillah of Chingleput

Sir,

I am directed by the Judges of the Fouydaree Adalut to transmit to you the accompanying letter, dated 12th Ultimo from the 2d Judge late on Circuit in the Southern Division together with the returned warrant therein referred to.

The Judges direct that you will

Cause

cause the process of Godna, as directed by Section XXXV Regulation VII of 1802, to be performed on the prisoners named in the warrant excepting the 1st prisoner, immediately on their arrival unless you should see any cause to postpone the operation, and that you will return the accompanying papers after taking a Copy of the same.

The Judges have received advice of the death of Vattacurpeyen, the 1st prisoner abovementioned.—

4th April 1821 (Signed) W. Huddleston.

Dy Regr.

No 107 (Circular) The same to the North Southern & Western Divisions

To

The Judges of the Provincial Court of Circuit in the Centre Division.

Gentlemen,

Para 1.

The Judges of the Soydaira Adawlut desire that the reports transmitted by you on the half yearly and quarterly Sessions of Gaol Delivery may in future comprise abstracts of the Calendars laid before the Courts of Circuit by the Magistrates under the provisions of Section XL. Regulation IX of 1816, and by the Criminal Judges under the Provisions of Section XXIII Regulation X of 1816 together with a Calendar, in the annexed form, of trials held before

before the Court of Circuit.—

2. To the last mentioned Calendar

the Judges desire that you will invariably subjoin detailed notices of any cases exhibiting striking traits of national character or the effects of national opinions and usages.—

3. The Judges further desire, that in addition to the particulars specified in Section XXXVII Regulation VII of 1802 your reports may describe the state of the Police in each Zillah as far as it may fall under your observations.—

4 From some of the Judges of Circuit Reports, comprising information on the several heads here referred, to have been hitherto regularly furnished, but the Judges have nevertheless considered it proper, for the sake of uniformity, to make these instructions general.—

Stations	Calendar of trials: Number of trials	Number of Prisoners	Sessions of: Prisoners: Punished	Ordered to be released on security	Acquitted	Trials postponed: Number	Prisoners	Referred to the Sujdaur Adawlut: Number	Prisoners

1th April 1821 (Signed) W. Huddleston

Deputy Regr.

To

No 110 To the Criminal Judge in the zillah of Tinnevelly

Sent Copy of a letter from the Secretary to Government in the Judicial Department stating that the Governor in Council Sanctions the escpence incurred in removing 40 Convicts from Tinnevelly to Chittoor.

7th April 1821

No 111 To the Second Judge of the Court of Circuit in the Centre Division

Sir

In reply to your letter dated 7th Instant the Judges of the Foujdaree Udalut direct me to convey to you their permission to postpone the trials of the cases in the Chittoor Calendar for the 2d Quarterly Sessions until the ensuing Sessions of Gail delivery.

9th April 1821 (Signed) W. Hudleston.

Deputy Registr

No 117 To the Criminal Judge in the zillah of Tinnevelly

Sir.

Para 1

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 29th Ultimo.

2.

In ordinary cases of the nature

you describe the Judges are of opinion that you would be authorized to proceed under the provisions of Regulation III of 1817 but as your suspicions have fallen on certain persons employed in the Magistrates Service, it will be necessary that you should apply to that Officer to cause their apprehension, supposing that you should be able to procure sufficient evidence in support of your suspicions

3. With regard to this latter point the Judges collect from your letter that you entertain doubts and it cannot be necessary to point out to you the objections to any proceedings against parties so situated, unless a strong prima facie case be made out against them.

11th April 1821 (Signed) W. Hudleston

Dy Registr

No 118 To the 2nd Judge on Circuit in the Northern Division

Sir.

I am directed by the Judges of the Court of Foujdaree Udalut to transmit for your information guidance the accompanying Copy of a letter addressed to the Secretary to Government in

in the Judicial Department under date the 22d Ultimo, together with its enclosure and Copy of a letter from the Secretary to Government in the Judicial Department dated the 10th Instant.—

11th April 1821. (Signed) W. Rudderton
Deputy Regr

No 120 To the Secretary to Government in the Judicial Department.

Sir

Para 1. I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of your letter dated 10th Instant, and to state that in their opinion the transportation of Convicts to such of the British Settlements in Asia, besides Prince of Wales's Island as the Governor in Council may appoint as well as to the Island Mauritius or its immediate dependencies, will be a measure highly expedient.—

2. The Judges observe, that by Clause third Section II Regulation IX of 1813 and by Section XV Regulation XIV of 1816 of the Bengal Code, it has been declared, that Convicts sentenced to transportation should be sent

sent to any of the places above referred to at the pleasure of the Governor General in Council,— that they shall be liable to be employed at any place within the limits of the settlement, to which they shall be sent which shall from time to time be fixed on by the local administration, and that a power is vested in the Governor General in Council of transferring Convicts from one place to another, as often as may be found requisite.—

3. It does not appear to the Judges that it is necessary to declare by an enactment of the legislature, that the above powers are vested in the Governor in Council the exercise of a discretion as to the disposal of Convicts sentenced to transportation being left open by section VIII Regulation XV of 1803, but with reference to the concluding observation in your letter the Judges have resolved to substitute in their sentences to transportation for "Prince of Wales's Island" the words such place or places beyond Sea as the Governor in Council shall appoint.

4. The Judges beg leave to suggest that in addition to the adoption of proper measures for

for preventing the escape of Convicts, the attention of the local administration at the places to which they shall be transported may be called to the propriety of enforcing the Sentences by which such Convicts are adjudged to hard labor in irons for life in all cases where their health and strength may admit of it.—

16th April 1821. (Signed) W. Oliver
Register

No. 129 To the Secretary to Government in the Judicial Department

Sir,

Para 1. I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated the 23rd. Instant from the 3rd. Judge of the Court of Circuit in the Northern Division submitting an application for reimbursement of the expense incurred by him in proceeding under the orders of Government to the 2d. Sessions of 1820, amounting to Rupees 500.—

2nd. Under the Particular circumstances of this case the Judges beg leave to recommend Mr.

Mr. Lord's application to the favorable Consideration of the Honorable the Governor in Council

30th April 1821. (Signed) W. Oliver.
Register.

No. 131 To the Secretary to the Government in the Judicial Department

Sir.

1. I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for the purpose of being laid before the Honorable Governor in Council the accompanying letter dated the 27th Ultimo from the Criminal Judge in the Zillah of Bellaree transmitting for the sanction of Government Copy of a Bill for Rupees 173-2-6 on account of transportation made for the Court of Circuit.

2. The Judges beg leave to recommend that the above charge may be sanctioned as it is calculated according to the rate prescribed in Section XXXIII Regulation IV of 1802.

3rd may 1821. (Signed) W. Oliver Regr

No. 132. To the Criminal Judge in the Zillah of Chengleput

Sir.

I am directed by the Judges of the Foujdaree Udalut to desire that you will furnish them with a list in the usual form of the Convicts now at Chengleput under Sentence

Sentence of transportation to Prince of Wales Island.

3rd may 1821. (Signed) W. Hudleston Deputy Regr

No. 133 To the Judges of the Provincial Court of Circuit in the Centre Division

(Circular) The same to the Northern Division Southern Do and Western Do

Gentlemen.

Para. 1. The Judges of the Foujdaree Udalut observing that the provisions of the Mahammedan Law, with respect to the proof required for conviction on a charge of perjury appear to be misunderstood by several of the Mahomedan Law Officer attached to the Provincial and Zillah Courts direct me to transmit to you the accompanying Copy and translation of the remarks of the Cazee al Cozzat and Mooftee of the Foujdaree Udalut on a fertwa delivered by the Mooftee of the Zillah Court of Canara in Case No. 1 of the Supplemental Calendar 1st Sessions A.D. 1820 in which that Officer had declared that Confession was indispensible to proof of this charge.

2. From the accompanying exposition of

of the year will perceive that proof of the fact opposed to the testimony of a witness as sufficient to establish false swearing under the Mahomedan law as under the English law.

3.) The Judges desire that you will cause a Copy of the oreginal Persian paper to be delivered to the Mahomedan Law Officers of your Court and transmit Copies of the oreginal and translation to the several Criminal Judges within the Centre Division in order that they may furnish the moofties of their respective Courts with the same for their information and guidance on all occasions when they may be called upon to official at trials before the Court of Circuit.

3rd may 1821. (Signed) W. Hudleston

Dy Register

No. 134 To the Judges of the Provincial Courts of Circuit in the Centre Division

(Circular)

The same to the N. Dn. S. Dn. & Western Dn.

Gentlemen,

The Judges of the Court of Fouj:daree Udalut deeming it to be expedient that

that their instructions under date 27th January 1820 which were circulated to the several Criminal Judges prohibiting the practice of taking on oath the declaration of an approver should be communicated to the several magistrates direct me to request that you will forthwith circulate the same to the several magistrates within your jurisdiction for their information and future guidance.

3rd may 1821 (Signed) W. Hudleston

Deputy Register

No. 138 To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fouj:daree Udalut to acknowledge the receipt of your letter dated the 1st Instant, and to transmit to you the enclosed list of twenty Convicts at Chingleput under sentence of transportation to Prince of Wales's Island.

7th may 1821. (Signed) W. Oliver

Register

List

List of Convicts under Sentence of Transportation to Prince of Wales's Island.

No.	Name	Period of arrival at Calingapatam	From	Crime	Sentence	Date of Sentence	Remarks
1	Moosalagaadoo	7th August 1820	Bellary	Robbery and wounding	To be transported to Prince of Wales's Island 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	17th April 1820	
2	Caurim veerasa	10th Octr Royal 1820	Emundry	Gang Robbery and murder	To be transported to Prince of wales's Island there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of their natural lives respectively	5th Jun 1820	
3	Gaundas Gungadoo						
4	Dasappa	18th Octo 1820	Caddapah	Highway robbery	To be transported to Prince of wales's Island there to be imprisoned and kept to hard labor in irons on the public roads or other public works for and during the period of their natural lives respectively	21st Feby 1820	
5	Gungoolee						
6	Guntagatta Velluba Dorah	9th January 1821	Vizaga patam	Arson and robbery	To be transported to Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of their natural lives respectively	10th August 1820	
7	Guntagatta Vencana Dorah						
8	Sadree	27th Jany 1821	Canara	Escaping from the Prince of Wales Island	To be transported to the Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life	20th Novr 1820	
9	Vadakaun	15th Feby 1821	Coimbatore		To be transported to the Prince of wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life	27th Novr 1820	

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of the year will perceive that proof of the fact opposed to the testimony of a witness as sufficient to establish false swearing under the Mahomedan law as under the English law.

3.) The Judges desire that you will cause a Copy of the oreginal Persian paper to be delivered to the Mahomedan Law Officers of your Court and transmit Copies of the oreginal and translation to the several Criminal Judges within the Centre Division in order that they may furnish the moofties of their respective Courts with the same for their information and guidance on all occasions when they may be called upon to official at trials before the Court of Circuit.

3rd may 1821. (Signed) W. Hudleston

Dy Register

No. 134 To the Judges of the Provincial Courts of Circuit in the Centre Division

(Circular)

The same to the N. Dn. S. Dn. & Western Dn.

Gentlemen,

The Judges of the Court of Fouj:daree Udalut deeming it to be expedient that

that their instructions under date 27th January 1820 which were circulated to the several Criminal Judges prohibiting the practice of taking on oath the declaration of an approver should be communicated to the several magistrates direct me to request that you will forthwith circulate the same to the several magistrates within your jurisdiction for their information and future guidance.

3rd may 1821 (Signed) W. Hudleston

Deputy Register

No. 138 To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fouj:daree Udalut to acknowledge the receipt of your letter dated the 1st Instant, and to transmit to you the enclosed list of twenty Convicts at Chingleput under sentence of transportation to Prince of Wales's Island.

7th may 1821. (Signed) W. Oliver

Register

List

receipt of your letter dated the 30th Ultimo and to return you the Notices which have been duly served by the Nazer of this Court.

7th May 1821 (Signed) W Hudleston
Deputy Register

№ 143 To The Criminal Judge in the zillah of Chunglepat

Sir,

I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 30th Ultimo and to return the Notices with the reports which have been endorsed thereon by the Nazir of this Court.

7th May 1821 (Signed) W Hudleston
Deputy Register

№ 148 To The Criminal Judge in the zillah of Chittoor

Sir,

I am directed by the Judges of the Soujdaree Udalut to transmit to you the accompanying Copy of a letter from the Criminal Judge in the zillah of Chunglepat dated the 4th Instant and to call your attention to their orders of 16th June 1814 which were circulated to the late Magistrates now Criminal Judges of

of the Several zillahs on the 22nd of July 1814.

10th May 1821 (Signed) W Hudleston
Deputy Register

№ 158 To The Criminal Judge in the zillah of Nellore

Sir,

I am directed by the Judges of the Soujdaree Udalut to transmit to you the accompanying Copy of a letter from the Criminal Judge in the zillah of Chunglepat dated the 4th Instant and to call your attention to their orders of the 16th June 1814 which were circulated to the late Magistrates now criminal Judges of the several zillahs on the 22nd of July 1814.

17th May 1821 (Signed) W Hudleston.
Deputy Register

№ 161 To The Criminal Judge in the zillah of Chunglepat

Sir

I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 14th Instant and to return you the Notice which has been duly served on the person thereon mentioned by the Nazir of this Court.

19th May 1821 (Signed) W Hudleston
Dy Register

No 162 To

The Criminal Judge in the Zillah
of
Chingleput

Sir.

I am directed by the Judges of the Court of Tayidaree Adalut to acknowledge the receipt of your letter of the 14th. Instant and to return you the notice which has been duly served on the person therein mentioned by the Nazir of this Court.

19th may 1821 (Signed) W Hudleston
Deputy Register

No 163. To.

The Criminal Judge in the Zillah
of
Rajahmundry

Sir.

1 It is stated in the last Quarterly report of persons apprehended in the Zillah of Rajahmundry that the prisoner in case No. 18 of the Report was apprehended on 20th November 1820 and arrived at the Zillah Station on 13th February 1821

2. If this entry report be correct, the Judges of the Tayidaree Adalut desire that a communication may be made to the magistrate of the Zillah in order that he may have an opportunity

opportunity of explaining either immediately or by reference to the Police officers as the case may be the cause of this extraordinary delay in forwarding the prisoner to the Zillah Station -

3. In case No 22 the date of apprehension of the prisoners is stated to be the 5th January and that of their arrival at the Zillah Station the 7th of the same month, and an order is recorded for the release of the prisoners their declarations before the Police being visited by the circumstance of their having been previously confined in the Stocks for a period of 14 or 15 days

4th This requires explanation - If it should appear that an error has been made in noting the date of the apprehension of the prisoners in this case and that a possibility exists of the truth of the above remark regarding their confinement in the Stocks the Judges desire that you will bring the circumstance to the particular notice of the magistrate with a request that he will institute strict investigation into the conduct of the Police Officer who apprehended the prisoners with a view to his eventual punishment under the provisions of Section

XXX Regulation XI of 1816.—

19th may 1821. (Signed) W. Rudleston

Deputy Register

No 164 To the Criminal Judge in the Zillah of

Bellaree

Sir.

Referring to several cases in your last Quarterly report of persons apprehended in the Zillah of Bellaree wherein considerable delay had taken place in forwarding the prisoners to the Zillah Station the Judges of the Fouzdaree Udalut direct me to observe that in all similar instances of delay a communication should be made to the magistrate of the Zillah, in order that the necessary measures may be adopted to ensure a more strict observance, in this respect of the provisions of the Regulations.—

19th may 1821. (Signed) W. Rudleston

Dy Register

No 165. To the Criminal Judge in the Zillah of

Chittoor

Sir,

1. It appears from your last quarterly report of persons apprehended in the Zillah of Chittoor that a prisoner in case No 19 charged with theft was sentenced to suffer ten months imprisonment.—

2. Referring to the sentence passed in the case above mentioned the charges of the court of Fouzdaree Udalut direct me to observe to you that Criminal Judge is empowered by Section VII Regulation X of 1816 to pass sentence of imprisonment "not exceeding six months with corporal punishment to a certain extent in cases of theft or in other cases with a fine to a certain amount commutable, if not paid" to a further period of imprisonment not exceeding six months, but that an absolute sentence of imprisonment for any term exceeding six months can only be passed by the Judge of a Court of Circuit.—

19th may 1821 (Signed) W. Rudleston

Deputy Register

No 166 To The Criminal Judge in the Zillah of Coimbatore

Sir

In your last Quarterly report of persons apprehended in the Zillah of Coimbatore the

the Judges of the Foujdaree Udalut observe several cases wherein considerable delay had taken place inforwarding the prisoners to the zillah Station

2. In all similar instances of delay a communication should be made to the Magistrate of the zillah in order that the necessary measures may be adopted to ensure a more strict observance, in this respect of the provisions of the regulations.

19th May 1821. (Signed) W. Hudleston
Deputy Register

No. 167 To The Acting Criminal Judge in the zillah of Salem

Sir,

With reference to cases Nos 1, 2, 85, 86 and 103 in your last quarterly report of persons apprehended in the zillah of Salem the Judges of the Foujdaree Udalut desire that however the date of a prisoners apprehension may not be specified in the Report of a Police Officer, you will make a communication to the magistrate of the zillah in order that the omission may be supplied.

19th May 1821. (Signed) W. Hudleston
Deputy Register

To

No. 168 To the Criminal Judge in the zillah of Madura

Sir,

With reference to case No. 22 in your last Quarterly Report of persons apprehended in the zillah of Madura wherein the 3rd and 4th prisoners have been sentenced on a charge of knowingly receiving stolen property to receive 12 Stripes of a rattan, the Judges of the Foujdaree Udalut direct me to state that the authority of a Criminal Judge to inflict corporal punishment is strictly limited to cases of theft and that whenever a prisoner may appear to be deserving of more severe punishment than the Criminal Judge is authorized to adjudge it is the duty of that Officer to commit him for trial before the Court of Circuit

19th May 1821 (Signed) W. Hudleston
Deputy Register

No. 173 To The Criminal Judge in the zillah of Nellore

Sir,

1. In cases Nos 24 and 25 of your last quarterly Report of persons apprehended in the zillah of Nellore certain persons are stated to have been sentenced to fine and imprisonment on a charge of threatening and abusing the complainant on the subject of the discharge of his

duty

duty in bringing to light an atrocious case of highway Robbery attended with murder.

2. The Judges desire to be informed whether the entry in the Report on the above cases be correct and to be furnished with my explanation which of an may have to offer of the sentences which you have considered yourself competent to pass therein.

3 The Judges desire also that you will state whether the two first prisoners in cases Nos 24/25 are the same individuals.

4 The two last prisoners in No 26 are stated to be sentenced to six months imprisonment with hard labour on a charge of endeavouring to persuade certain witnesses in the above case to give their evidence so as to severe the accused.

5 The Judges desire in explanation of the sentence passed in this case also and direct me to observe, that unless the witnesses refferred to Committed perjury and that if they were liable to a charge of subordination of perjury the cognizance of their alleged offence no Ganger appertained to the functions of the Criminal Judge under the provisions of Regulation VII of 1811.

6. Chokala Sobadee prisoner in cas No 26 is

is stated to have been sentenced to receive 12 stripes on a charge of concealing stolen property.

7. With reference to this case the Judges direct me to state, that the authority of a Criminal Judge to inflict corporal punishment is strictly limited to cases of theft and that whenever a prisoner may appear to be deserving of more severe punishment than the Criminal Judge is authorized to adjudge, it is the duty of that Officer to commit him for trial before the Court of Circuit.

23rd may 1821 (Signed) W. Rudleston
Deputy Regr.

No 174 To

The Secretary to Government in the Judicial Department.

Sir.

1. I am directed by the Judges of the Court of Fouzdaree Udalut to submit for the purpose of being laid before the Honorable the Governor in Council the accompanying Statement shewing the numbers of persons apprehended released and punished, together with the nature of all punishments inflicted by the several Magistrates Criminal Judge and Courts of Circuit, and by the Fouzdaree Udalut from the 1st January to the 31st December 1820.

In

2 In this statement is introduced a new column for the purpose of shewing the number of persons received by the several Criminal Judges taken from the Quarterly Reports transmitted to this office under the provisions of Section XXXV Regulation X of 1816. This additional column appeared requisite to explain the difference between the total number of persons reported by the magistrates as having been sent to the Criminal Judge and the total number where cases were disposed of by the Criminal Judges during the period which the Statement embraces The Judges indeed have some reason to suspect that the Reports of the Magistrates are not all drawn up on the same principle for if they are it does not seem easy to account for the difference which in some cases is exhibited between the number of persons stated to be sent to the Criminal Judges and the number received by them For instance the Magistrate in the zillah of Salem reports that only 130 persons were sent to the Criminal Judge during the year whereas the reports of the Criminal Judge shew that he received 1117 a difference too great to be accounted for on the supposition that the Criminal Judges reports include persons entered in the Magistrates Statement for the preceding year but not received by the Criminal Judge till after the

Fouzdaree Diary 23d May 1821

the expiration of that year The Judges have circulated to the Magistrates such instructions as appeared requisite to ensure the correct and uniform preparation of their returns in future

3 The only part of the accompanying Statement which appears to deserve particular notice is the vast disproportion between the number of persons apprehended on Criminal charges and the number against whom those charges have been established It appears that of 34870 persons apprehended by the Magistrates 18237 were acquitted and released by them and of 10162 brought before the Criminal Judges 5072 were in like manner acquitted On reference to the Statement it will be seen that in the zillahs of Chinglepet Chittoor Cuddapah Nuzidapatam Guntoor Nellore Rajahmundry Vizagapatam Combaconum Madura Tirchinopoly and Verdachellum more than one half of the persons apprehended were acquitted and released on the primary investigation of their Cases In the zillahs of Nellore Combaconum and Verdachellum indeed the acquittals amount from seven to nearly eight tenths of the persons apprehended It appears to the Judges reasonable to infer that against a great proportion of the parties thus acquitted there could not have existed sufficient grounds of suspicion to warrant their apprehension

4 The Judges are not aware that any other part of the Statement calls for observations from them

(Signed) W. Alison Register

23rd May 1821

Tanjadore Diary 25th may 1821.

Statement Shewing the number of persons apprehended released and punished by the Criminal Judges and Courts of Circuit and by the Tanjadore Adalut from 1st January to 31st December 1820.

	Magistrate											Criminal Judge											Court of Circuit											Tanjadore Adalut										
	Number of Cases	Number of persons	Number of persons released	Number of persons punished	Number of persons committed	Number of persons released	Punishment inflicted by the Magistrate: Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons committed	Number of persons released	Number of persons committed	Punishment inflicted by the Criminal Judge: Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons committed	Number of persons released	Punishment inflicted by the Court of Circuit: Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons committed	Number of persons released	Sentence: Death	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons	Number of persons committed	Number of persons released
Centre Division																																														
Bellary	916	870	162	315	46	144	125	393	375	128	112	2	108	2	124	61	83	..	80	3	..	23	2	10	3	1	6																		
Chingleput	1474	3915	2250	1345	577	639	129	320	349	221	72	46	25	1	53	18	19	..	80	10	..	8	2	4	..	..	4																		
Chittoor	1232	2409	1405	484	157	185	142	520	668	301	195	35	159	1	103	32	60	..	80	..	..	35	12	11	6	..	2																		
Cuddapah	1355	2443	1486	383	189	142	52	574	580	272	99	5	72	22	159	64	87	7	229	13	..	68	17	29	..	4	14																		
Total	4975	9637	5303	2527	969	110	448	1807	1912	922	478	88	364	26	439	195	249	7																												
Northern Division																																														
Masulipatam	380	1238	758	156	91	40	25	324	406	211	36	..	35	1	142	80	64	1	61	2	..	8	4	4	3	..	1																		
Guntoor	111	438	244	90	80	5	5	104				..	162	1	82	47	36	..	35	1	..	30	19	11	4	..	7																		
Nellore	136	327	240	86	35	25	6	256	297	48	163	..	66	29	194	32	116	..	109	7	..	25	9	15	6	..	3																		
Rajahmundry	491	838	458	128	24	46	58	302	481	159	107	12	33	1	48	26	18	..	18	..	..	3	..	1	1	..	..																		
Vizagapatam	394	508	316	113	87	22	4	79	195	92	48	15	33	1	130	48	71	..	71	..	..																								
Ganjam	81	303	39	68	12	66	1	166	211	62	19	9	9																																
Total	2218	6650	4218	871	635	437	99	1261	1570	579	373	36	305	32	596	253	305	1	294	10	..	94	36	39	15	8	16																		
Southern Division																																														
Combaconum	453	1732	1210	412	449	193	70	110	366	198	62	..	50	12	83	13	29	..	54	24	..	1	..	1	1	..	..																		
Darapooram	534	887	92	243	25	97	121	552	627	322	228	6	148	20	71	18	40	..	34	6	..	2	1	1	..	1	..																		
Madura	377	743	476	453	221	104	68	144	258	95	41	1	40	..	122	45	49	..	49	..	..	5	..	1	..	..	1																		
Salem	1107	2415	892	1301	529	221	551	310	1117	473	421	148	256	17	221	51	139	..	42	113	..	3	..	2	2	..	..																		
Tinnevelly	372	1454	689	339	149	141	49	436	641	184	100	50	23	27	170	84	64	..	61	..	..	4	..	3	2	..	1																		
Trichinopoly	321	1190	781	176	92	63	21	283	344	162	110	58	51	1	42	31	15	..	15	..	..	10	4	6	3	..	3																		
Verdachellum	1378	3329	2149	621	382	45	214	119	216	120	57	10	37	10	38	26	20	..	17	3	..	..	..	..	..	..	..																		
Total	4542	12818	7319	3545	1527	924	1094	1954	3599	1554	1019	327	605	87	777	248	356	..	293	153	..	25	5	14	8	1	5																		
Western Division																																														
Canara	538	1386	438	263	29	153	79	685	772	335	222	25	152	45	202	41	80	..	83	..	6	18	8	6	5	1	..																		
Malabar North	677	1592	222	185	165	49	491	1185	1983	740	199	109	44	46	122	53	93	..	113	2	..	61	15	8	7	..	1																		
Malabar South	689	2370	537	201	42	88	71	1632	1321	925	213	26	177	10	116	46	115	..	14	20	..	1	..	..	..	..	..																		
Seringapatam	281	417	206	114	19	89	6	103	105	17	74	29	45	..	14	..	34	..																												
Total	2105	5765	1397	763	195	381	787	3605	3281	2017	708	189	418	101	454	140	291	..	247	38	6	96	23	16	13	1	2																		
Grand Total	14140	34870	18237	8006	3326	2852	1828	862	11462	5072	2578	640	1692	246	2266	836	1201	8	973	214	6	283	81	98	47	14	37																		

By the Magistrates

Acquitted and released ——— 18237
Committed and punished ——— 8006
Sent to the Crim.l Judges ——— 8627

Received from the Magists &c. ——— 10162

By the Crim.l Judges

Acquitted & released ——— 5072
Convicted & punished ——— 2578
Committed for trial ——— 2266
Under Consideration ——— 246
10162

Committed for trial 2266

Apprehended 34870
23d May 1821

By the Court of Circuit

Acquitted and released ——— 836
Convicted and punished ——— 1201
Referred to the Tanjadore Adalut ——— 283
2320

Referred 283

By the Tanjadore Adalut

Acquitted and released ——— 81
Convicted and punished ——— 98
179

E. Oyr. (Signed) W. Oliver
Register

Foujdaree Deary 25th May 1821

№175 To

The Judges of the Court of Circuit in the
Northern Division

(circular)
Transmits the Circuit Dec
N. D. 25-5-21

Gentlemen,

The Judges of the Court of Foujdaree Adalat observe that the half yearly Statement required by their instructions under date 25th June 1819 is prepared by the several Magistrates on different principles and that the annual abstract Statement prescribed by Section XXX Regulation II of 1816 is not drawn up by all the Magistrates in the form contained in №9 of the appendix to that Regn

2

The Judges, therefore desire that you will instruct the Magistrates in your division that the half yearly Statements of Crimes and punishments is intended to include the whole number of persons apprehended by the Police and of persons sent to the Criminal Judge under charge of every description and that the Statements submitted under the provisions of Section XXX Regulation IX of 1816 should be in the precise form given in the appendix specifying only the twelve descriptions of Offences therein mentioned and that all remarks are to be subscribed, and not inserted in the body of the Statement, or in an additional column

23rd May 1821

(Signed) W. Hudleston
Deputy Register

To

Foujdaree Deary 24th May 1821

№176 To

The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adalat to acknowledge the receipt of your letter dated 8th Instant, and to state that they have issued orders for the removal of 25 Convicts from the Jail in the Zillah of Nellore to be placed under the charge of the Magistrate of Guntoor, until the completion of the work for which their services are required.

24 May 1821

(Signed) W. Hudleston
Register

No 189 To

The Secretary to Government in the
Judicial Department

Sir

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter (№ 212) dated 8th Instant and to transmit the accompanying Statement of circuit Report which do not appear to have been forwarded to the Honorable the Court of Directors

2. In the concluding paragraphs of the orders of the Governor in Council dated 10th April 1819 it was directed that copies of such of the documents as were on the records of Government should be prepared for transmission to the Honorable Court — and it is from the observation contained in the 65th paragraph of the proceedings of the Foujdaree Udalut dated 18th December last that the non transmission of transcripts of these reports after receipt of the above orders, arose from the Courts impression that they were included among the papers described as "on the records of Government"

3. It will be observed that the list contains Reports of dates prior to those which were forwarded by the Foujdaree Udalut on the 8th February 1811 and with which commanded Series of Circuit reports furnished to

to Government and specifically called for in the 4th paragraph of the general letter dated the 29th of October 1813

4 The original order of Government to be furnished with the Circuit reports was dated 14th February 1810 and on sending up the remainder of the Series under date 27th October 1817 the Judges do not appear to have thought that any reports furnished to the Foujdaree Udalut before that order were required by Government or by the Honorable Court —

5. With reference to the 2nd paragraph of your letter the Judges direct me to state that the general reports forwarded under the orders of Government dated 30th August 1819 contain transcripts of the Circuit reports —

6 As the court are now instructed to submit annually a complete set of their correspondence with Government including papers transmitted for perusal only as well as others the omissions which have drawn forth the Honorable Courts censure cannot again occur —

7 All the writers on the establishment of the Court whose services may not be absolutely required for the dispatch of the current business will be employed in the transcription of these Circuit Reports —

23rd June 1821 (Signed) W. Oliver
Register

No. 190 To the Secretary to Government in the

Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated 11th Instant from the 1st Judge on Circuit in the Western Division stating that there is no probability of his being able to hold a Session of Jail Delivery at Seringapatam before the end of the Court.—

2. The Judges have no information of the number of persons under charge of the Criminal Judge to be tried at the ensuing Sessions of Jail Delivery for Seringapatam, but by the last Quarterly Report from the Criminal Judge dated 31st March it appeared that only one individual stood committed.—

23rd June 1821 (Signed) W. Oliver

Register

No. 198 To the Criminal Judge in the Zillah of

Bellary

Sir.

1 I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 31st Ultimo.—

2 The Judges are of opinion that property

of the nature described in your letter ought not to be seized and sent to the Criminal Court with prisoners except in cases where there may be evidence of its having been stolen.—

3 In some instances it may be unavoidable and in the particular case referred to in your letter the Judges are of opinion that the Phansegars if discharged should be called upon to pay the expence incurred in supplying the cattle, and that in the event of their refusal to do so their conviction before the Court of Circuit, or their detention by order of that Court on a requisition of Security, the amount expended should be realized by the Sale of a portion, or of the whole of the cattle.—

4. The Judges desire that you will communicate to the Magistrate this letter, in order that the requisite instructions may be issued by him to the Police Officers under his authority.—

30th June 1821 (Signed) W. Hudleston

Deputy Regr.

No. 199 To the Criminal Judge in the Zillah of

Nellore.—

Six

1 I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 1st Instant.—

2. The Judges consider the Explanation offered

offered in your letter on the points to which your attention was called in my letter under date 23rd Ultimo, to the extreme unsatisfactory, and they direct me to convey to you their strong censure of the unbecoming tone in which that letter is written.

3. In the adjudication of a punishment to the full extent of the powers vested in you by the Regulation on the same individuals, in two separate numbers, you were guilty of an alleged assumption of authority and the Judges deem it proper to direct that the two prisoners in No. 24 of your last Quarterly report be set at liberty, on expiration of the term of imprisonment, to which they were sentenced in that number.

4. The Judges are of opinion that the offence alleged against the two last prisoners in No. 25 of the report, did not warrant the infliction of the punishment to which they were sentenced.

30th June 1821. (Signed) W. Huddleston
Deputy Registrar

No. 200 To
The Criminal Judge in the Zillah of
Bellary

Sir,

I am directed by the Judges of the Sayidaree Adalut to acknowledge the receipt of your letter dated 21st Instant enclosing copy of a letter addressed by you to

Sayidaree Diary 30th June 1821

to the Magistrate before the receipt of the Court's order of 4th Ultimo, and recommending the tender of a conditional pardon to cause an accomplice in a gang robbery

2. The Chief Objects for which a tender of pardon to accomplices in certain cases is authorized by Section XX Regulation VIII of 1802 are the discovery and apprehension of the principal offender or offenders on the discovery of facts and circumstances which may assist in their conviction and it is prescribed by Section XXI of the same Regulation that the Officers recommending the tender of an Offer of pardon shall communicate to the Sayidaree Adalut all the information which he may possess respecting the circumstances of these, as well as the measures taken apprehend or convict the offenders, for whose apprehension or conviction the proposed pardon may be recommended.

3. It is obvious to remark that your letter does not certain the information here described — nor is it accompanied by a transcript of Canisrams declaration from which the Court might Judge how far his evidence, if received, might lead to the conviction of the other offenders.

4. It would appear, however, that

that in the case to which you refer the apprehension of the parties suspected has already been effected and as Canneram, an accomplice, would seem to have voluntarily delivered a confession containing a full disclosure of every circumstance within his knowledge relative to the commission of the Crime no additional information is likely to be obtained by a tender of pardon to him.

5. In the 3rd paragraph of your letter it is stated that this mans confession is the only evidence against the prisoners provided he obtains a pardon.

6 The testimony of an accomplice uncorroborated by collateral evidence could not convict the prisoners, which presents the further objection to your recommendation that its adoption would not accomplish the end in view, but you do not state whether any measures have been taken by you to obtain additional evidence which if corroborative of this prisoners statement and yet not conclusive of the guilt of the prisoners might afford a ground for admitting him to be an evidence against the other parties supposing him to be strictly speaking an accomplice i.e present at aiding and abetting in

in the commission of the robbery and not one of the chief actors, or actual perpetrators of the crime.

30th June 1821 (Signed) W. Hudleston
Deputy Regr.

No. 201 To.

The Criminal Judge in the Zillah of Bellary.

Sir,

1. I am directed by the Judges of the Foujdaree Adalat to acknowledge the receipt of your letter dated 21st Instant applying with reference to the proceedings of the Foujdaree Adalat under date 4th Ultimo, for the instructions of the Court relative to a case of Chandram

2. Your appear to have mistaken the meaning of the 10th paragraph of the Courts proceedings abovequoted which had application to the opinion expressed by the magistrate of the admissibility of a confession of one party as evidence against others: and the Judges do not understand on what grounds you have adopted the conclusion the evidence Jaramah supposing a pardon to be tendered to her would be inadmissible.

3. With respect to the murder of a Braminee alleged by this female to have been committed in the Zillah of Bellary by the persons in your custody, you observe that "there is only her word for it:" whereas the magistrate in his letter dated

dated 8th April States that the spots where various bodies were shown to have been entered were visited and examined and that the result of such Examination left no doubt of the guilt of the Gang—

4. It does not appear from your letter whether or not the declaration of Jaramah has received the important confirmation of the discovery of human remains in the place described as the scene of the murder of the Brahmin.—

3 In the 4th paragraph of your letter you refer to the murder of a Subidar perpetrated 12 Miles from Bellary by this Gang of Phansegars of which the said Jaramah was not one, but informed the Court the Gang of Phansegars told her so—and in the 6th paragraph you observe that this person knows nothing of the case of the Subidar.—

6 Supposing the witness to be worthy of credit her testimony that the accused told her of their having committed the murder would be most material. The Judges are of opinion that it is your duty to address the Officer Commanding the 12th Regiment of native Infantry respecting the attendance of the Sepoy of that corps who is stated to be able to give evidence in the case of the murder of the Subidar.—

7. Your observations in the 4th paragraph respecting

respecting the case of murder stated to have been committed in Mysore territory appears to have been made without reference to the provisions of Regulation XI of 1809 and the Judges observe by the Magistrates letter of 8th April that he has addressed the Government on the subject of this case.—

30th June 1821 (Signed) W. Hudleston—
Deputy Register

No. 202 To the Magistrate in the Zillah of Tinnevelly

Sir.

1 I am directed by the Judges of the Fayzdaree Adalat to acknowledge the receipt of your letter dated 23d Instant applying under the provisions of section XXI Regulation IX of 1816 for permission to offer a reward of one hundred Rupees for the discovery of the principals concerned in a late murder.—

2. The Judges direct me to observe that by the foregoing provision of the Regulations you are vested with authority to offer rewards to the extent specified in your letter for the discovery and apprehension of the principals concerned in cases of Gang Robbery murder or other heinous crime when you may be of opinion that the ordinary process prescribed for the apprehension of offenders would be ineffectual or when the offenders may not be known,

recommend

and that it is only in any case which may appear to the Magistrate to require a larger reward that it becomes necessary to apply to the Court of Fouzdaree Udalut.

30th June 1821. (Signed) W. Huddleston.
Deputy Regr.

№ 203 To,

The Secretary to the Government in the
Judicial Department

Sir,

I am directed by the Judges of the Fouzdaree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated the 29th ultimo from the Provincial Court of Circuit in the Southern Division stating that the 1st Judge is not considered sufficiently well to proceed on circuit and that the 2d Judge has signified his willingness to open the sessions in his stead.

(Signed) W Oliver
Register

3d July 1821

№ 204 To,

The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Fouzdaree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter from the 1st Judge Presiding at the 2d Quarterly Sessions of Gail Delivery for 1821 at Masulipatam.—

In consideration of the deceased state of the Prisoner Khasa Vencitaramoodoo as described in the certificate of the medical officer the Judges beg leave to recommend to the favorable consideration of the—

Honorable the Governor in Council the suggestion of the 1st for a remission of the unexpire term of the imprisonment to which he has been sentenced.

(Signed) W. Oliver
Register

3d July 1821.

No 205. To,

The Secretary to Government in the
Judicial Department.

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter dated 29th Ultimo referring for their consideration & report copy of a letter from the Magistrate of Bellaire respecting the payment of Batta to witnesses in attendance upon the Criminal Judge.—

2 By Section XXXIII Regulation X of 1816 taken from section XXVI Regulation VI of 1802 the Criminal Judges are directed to pay to all prosecutors and witnesses who may appear to be actually in need of such assists allowance of two annas of a Rupee— during their on the court of circuit, but there is no provision contained in the existing Regulations authorizing the Magistrates or the criminal Judges to grant such allowance to witnesses attending in cases before them.—

3 The Judges however observe that it has

been the practice of these officers to allow Batta to such persons as might appear to require it, while in attendance on their Courts and to include the amount in their contingent charges periodically submitted for the sanction of Government.—

4 It appears to the Judges to be expedient and necessary for the administration of Public justice that this allowance should be granted to such prosecutors and witnesses as may be actually in need of it during the entire period of their absence from their homes in attendance on the Criminal Courts but as authority is not given for it in the Regulations an order of Government is of course requisite to sanction the disbursement.

(Signed) W. Oliver
Register.

7th July 1821.

No 206. To,

The Magistrate in the Zillah of
Guntoor

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter dated 10th Ultimo enclosing certain Original papers in Teloogoo and desiring instructions

as to your competency to demand "security for the good conduct of suspected persons."

2 It is competent only to the Courts of circuits and Foujdaree Adalut in cases brought regularly before them and under the circumstances specified in Clause 5 sixth Section II Regulation XV of 1803 to direct persons to be detained in custody until they should give security for future good behaviour and appearance when required, and the Judges are therefore of opinion that unless sufficient evidence can be obtained for putting the several persons referred to in these papers on their trial they must be set at liberty.—

3 In conclusion the Judges direct me to convey to you their desire that you will not in future send any document whatever in any of the native language without a full and accurate translation in English duly certified.

(Signed) W. Hudleston
Deputy Register

7th July 1821

207.

No. 207 To,
The Magistrate of
Malabar

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated 29th Ultimo and to state that under the circumstances reported in your letter they sanction the distribution of the sum of Rs. 250 among the individuals concerned in the last attempt to apprehend Tolayan Kernadatil Rayaroo Koorichil and that they authorize and direct you to offer a reward of Rs. 250 for the apprehension of the said Rayaroo Koorichil and that they authorize and direct you to pay the same under the provisions of Section VI Regulation I of 1818 on his being delivered into your custody by the Magistrate in whose jurisdiction he may be apprehended.—

(Signed) W. Hudleston
Dy. Register

No. 213 To,
The 1st Judge of the Court of Circuit in the
Northern Division

Sir,

With reference to your letter of the 26th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit for your information and guidance the accompanying of a letter addressed by the Register of the Court of Foujdaree Adalut to the Secretary to Government in the Judicial Department dated the 3rd inst. of the

Reply

reply thereto dated the 10th Instant.

13th July 1821 (Signed) W. Hudleston
Dy Register

No. 217 To,

The Magistrate in the Zillah of
Tinnavelly

Sir,

I am directed by the Judges of the Court of Fouj.daree Adalut to acknowledge the receipt of your letter dated 9th Instant and to state that with reference to the circumstances therein reported they authorize and direct you to offer a reward of 500 Rupees for the apprehension of the Principal concerned in the murder of Moottoocomara sawmy pillay, payable under the provisions of Section XXII Regulation IX of 1816 on the conviction of the offender before the Court of Circuit.

16th July 1821 (Signed) W. Hudleston
Dy Register

No. 224 To, the Criminal Judge in the Zillah of
Bellary

Sir,

I am directed by the Judges of the Fouj.daree Adalut to acknowledge the receipt of your letter dated 9th Instant stating the grounds on which you do not consider yourself warranted in recommending a pardon to

Joramah in case of Phanigaree under investigation before you.—

Appearing from your letter that you have applied to the Officer Commanding the 12th Regiment Native Infantry for evidence in the case of the Murder of the Sorbadar the Judges are of opinion that you should have awaited the issue of that application before you decided on the expediency or propriety of admitting Joramah to give evidence as an approver in the case.—

The Judges direct me to transmit to you the accompanying copy of the letter from the Magistrate referred to in the 3d Paragraph of my letter dated 30th Ult. time by which you may be guided in applying to that Officer for any further evidence that may be procurable and not now before you.—

If the description given by the Magistrate of these Prisoners be correct the Judges are of opinion that it will be your duty to commit them for trial in order that the Judges of Circuit may in the event of the charges not being proved use his discretion as to the requisition of security from them as persons of notorious bad under the provisions of clause Sixth Section II Regulation XI of 1803

Under all the circumstances of this case the Judges deem it proper to direct you to lay before the

Judges

Judge of Circuit on his arrival all the correspondence which has passed relative to the case, in order that he may determine as to the grounds existing for the tender of a conditional pardon to Doramah under the provisions of Section XX. Regulation VIII of 1802 to which measure the act of the Assistant Magistrate in swearing her to her first declaration although in itself improper is not considered to be a bar.

18th July 1821.

/Signed/ W. Hudleston
Dy. Register

No. 225 To the Secretary to Government in the Judicial Department

Sir,

Para 1st. I am directed by the Judges of the Foujdaree Adaulut to transmit to you for the Orders of the Honorable the Governor in Council the accompanying letters dated respectively 21st Ultimo and 9th Instant from the Criminal Judge in the Zillah of Bellaree together with copy of a letter addressed to that Officer under date 30th Ultimo

The Judges being of opinion with reference to the information contained in the letter of the foregoing letters that the evidence of the accomplice could be received if admitted to be an approver may lead to the conviction of the Principal offenders concerned in the robbery here reported beg leave to recommend that the Honorable the Governor in Council has been pleased to authorize an

an offer of pardon to the said Doneram on the terms specified in Section XX Regulation VIII of 1802

18th July 1821

/Signed/ W. Oliver
Register

No. 230 To the Secretary to Government in the Judicial Department

Sir,

I do transmit to you the reference to your letter No. 264 dated 10th Instant I am directed by the Judges of the Foujdaree Adaulut to transmit to you the accompanying letter from the 1st Judge on Circuit in the Southern Division for the information of the Honorable the Governor in Council.

/Signed/ W. Oliver
Register

21st July 1821

No. 231 To the Criminal Judge in the Zillah of Chingleput

Sir,

I am directed by the Judges of the Foujdaree Adaulut to transmit for your information and guidance the accompanying copy of a letter from the Secretary to Government in the Judicial Department dated 20th Instant.—

The Judges desire that you will immediately furnish a list in the usual form of Convicts now at Chingleput under Sentence of Transportation to Prince of Wales Island.—

The Judges further desire that a seperate

List

List may be sent of any convicts that may have reached Chinglepute under sentence of transportation to such place or places as the Governor in Council shall appoint.

21st July 1821. (Signed) W Hudleston
Dy Register

No 232. To,

The Secretary to Government in the
Judicial Department

Sir,

With reference to your letter No 252 dated 6th Instant I am directed by the Judges of the Foujdaree Adawlut to transmit to you for the purpose of being forwarded to the Honorable the Court of Directors the accompanying copy of several Circuit reports specified in the List enclosed in my letter No 22 dated 23rd Instant.

For the more complete information of the Honorable Court transcripts of the observations recorded on certain of these reports by the Court of Foujdaree Adawlut have been appended.

21st July 1821. (Signed) W. Oliver
Register

No 238 To the Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter dated 20th Instant and to transmit to you the accompanying list of 23 convicts now at Chinglepute under sentence of transportation to Prince of Wales Island.

The Judges direct me also to transmit the accompanying list of Convicts arrived at Chinglepute under sentence of transportation to such a place or places as the Governor in Council shall appoint.

26 July 1821. Signed W. Oliver Register.

List of Convicts under Sentence of Transportation to Prince of Wales Island

No.	Name	Date of Sentence	Crime	Place of Trial	From whom received	Date of Arrival
1	Lowrun Deroga	10th October 1820	Committing Gang Robbery and Murder	Rajemundry	Rajemundry Gaol	18th October 1820
2	Gomboo Gungoo		To be transported for Life	Sylhet	Sylhet Gaol	
3	Dassiya		To be transported for Life	Sylhet	Sylhet Gaol	
4	Gungoo		To be transported for Life	Sylhet	Sylhet Gaol	

5	Gunlagottee Vellaba Dorah	9th January		Arson & robbery	To be transported to Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of their natural lives respectively	
6	Gunlagottee Vencona Dorah	1821.	Vizagapatam			
7.	Sudred.	27th January 1821.			To be transported to Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life.	
8	Vudakawn	15th Feby 1821	Coimbettoor	Being an accomplice in the murder of 10 Persons	To be transported to Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of his natural life.	27th Nov. 1820
9	Doojee	4th April 1821.	Bellary	Gang robbery and wounding	To be transported to Prince of Wales's Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of their natural lives respectively.	11th January 1821
10	Bunah					
11	Teejah					
12	Veysiah					
13	Somah					
14	Muthrau					
15	Dogla Vencata	19th Apl 1821.	Cuddapah		To be transported to Prince of Wales's Island there to be impri	
16	Durmaser Nagadoo.					

17	Narendroo Gungadoo				imprisoned and Kept to hard	11th Jany.
18	Sungum Gonovadoo				labour in irons on the publie	1821.
					roads or other publie works for	
					and during the period of their	
					natural lives respectively.	
19	Yessum	2d May 1821.	Chittoor	High way Robbery	To be transported to Prince of Wales's Island there to be impri soned and kept to hard labour in irons on the publie roads or other publie works for and du ring the period of his natural life.	
20.	Chenchoo gaudoo	10th May 1821.	Nellore	Highway Robbery	To be transported to Prince of Wales's Island there to be im prisoned and kept to hard la bour in irons on the publie roads or other publie works for and during the period of his natural life.	
21	Peroocannum	25th May 1821.	Madura	Arson	To be transported to Prince of Wales's Island there to be impri= soned & kept to hard labour in irons on the publie roads or other publie works for & during the period of his natural life-	
22	Veerabadrun					
23	Tryan Cootty ally	16th July 1821	North Malabar	Repealed Breach of Prison	To be transported to Prince of Wales Island there to be imprisoned and kept to hard labour in irons on the publie roads or other publie works for & during the period of his natural life-	

26th July 1821.

/ Signed / W. Oliver
Register

List of Convicts arrived at Chinglepute under Sentence of Transportation to such place or places beyond Sea as the Governor in Council shall appoint

No.	Name	Period of arrival at Chinglepute	From	Crime	Sentence	Date of Sentence	Remarks
1	A K Key	26th June 1821.	Salem	murder	To be imprisoned and transported to such place or places beyond Sea as the Governor in Council shall appoint there to be imprisoned & kept to hard labour in irons on the public roads or other public works for & during the period of her natural life.	23d April 1821	
2.	Mr Cherry	2d dotel Komarum	16th July	North Malabar	Murder To be imprisoned & transported to such place or places beyond Sea as the Governor in Council shall appoint there to be imprisoned & kept to hard labour in irons on the public roads or other public works for and during the period of his natural life.	26th July 1821	

26th July 1821

/ Signed J. W. Oliver
Register

Prisoners Diary 26th July 1821

№ 239. To the Secretary to Government in the
Judicial Department

Sir,

With reference to my letter № 32 dated 21st Instant, I am directed by the Judges of the Fouj dauee Adawlut to transmit to you for the information of the Honorable the Governor in Council the accompanying letter dated 23d Instant from the 1st Judge of the Court of Circuit in the Southern Division

2. Copy of your letter № 264 dated 10th Instant was transmitted to the Provincial Court in the Southern Division under date 15th Instant and it would appear that its contents were not communicated to Mr. Andrews till he had proceeded to the Zillah of Combaconum the Jail delivery of which had been completed by him.

26th July 1821.

(Signed) W. Oliver
Register

№ 240 To the Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Fouj dauee Adawlut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter from the 3d Judge on Circuit in the northern Division dated 23d Instant.

(Signed) W. Oliver
Register

26th July 1821.

№ 242 To The Criminal Judge in the Zillah of
Chicacole

Sir,

In case № 28 of your last Quarterly Report of persons apprehended in the Zillah of Chicacole it is stated that "the Police Officer did not mention the date of apprehension in his report."

2 On all such occasions an immediate communication should be made to the magistrate, in order that the omission may be supplied

3 Case № 29 in which 22 persons are charged with coming to the Prosecutors house beat him & robbing the property to the value of 183 Rupees is stated to be not exammined, summons having been issued to the rest of the Prisoners witnesses.—

4 This case not being punishable by you under the provisions of Section VII Regulation X of 1816 it was your duty to adhere strictly to the provisions of Sections IX of the above Regulations under which your proceedings in such cases are limited to the examination of the Prisoner and the complainant and also such other persons as are stated to have any knowledge of the crime,"—and on the result of such examination to release or commit the accused for trial the examination of evidence on behalf of the prisoner in all cases is the exclusive province of the Court having Jurisdiction therein.—

(Signed) W. Hudleston
Deputy Register

30th July 1821.

№ 243 To the Criminal Judge in the Zillah of
South Malabar

Sir,

By your last Quarterly report of persons apprehended in the Zillah of South malabar it appears, that certain prisoners who are stated to have arrived at the Zillah station on 30th June.—

2 The Judges of the Fouj daree Udalut desire that you will explain to them to what circumstances this delay is attributable, and that on all such occasions in future will insert in the Report an explanation of the cause of delay.

30th July 1821. (Signed) W. Hudleston Dy. Regr.

№ 244 To the Criminal Judge in the Zillah of Bellaree

Sir

Referring to case № 16 in your last Quarterly report of persons apprehended in the Zillah of Bellaree, in which it appears that the prisoner was apprehended on 10th January and reached the Zillah station on 14th april last. The Judges of the Fouj daree Udalut desire that a communication may be made to the magistrate in order that he may explain either immediately or by reference to the Police Officer the cause of this delay in forwarding the Prisoner to the Zillah station.—

2 In case № 46 the Prisoner who was charged with forgery is stated to have been sentenced to pay a fine of 10 Rupees as per Section XXI Regulation I of 1802 or 20 days imprisonment

This requires explanation

30th July 1821. (Signed) W. Hudleston Deputy Regr.

№ 245. To the Criminal Judge in the Zillah of North Malabar

Sir,

Appended to the last report of Prisoners under your charge to be tried at the ensuing Sessions a memorandum of two

two prisoners stated to have been committed on 24th February last to have been tried and sentence not received.—

The Judges of Fouj daree Udalut desire that an Explanation may be given of the Situation of the two prisoners in question.—

30th July 1821. (Signed) W. Hudleston Deputy Register

№ 246. To the Criminal Judge in the Zillah of Chingleput

Sir,

It is stated in the last Quarterly report of persons apprehended in the Zillah of Chingleput that the prisoners in Cases № 1.2.3.4.5. & 6 of the report were apprehended on the 17th December 1820. and arrived at the Zillah station on the 13th april 1821.—

If this entry in the report be correct the Judges desire, that a communication may be made to the magistrate of the Zillah in order that he may have an opportunity of explaining either immediately or by reference to the Police officer as the case may be the cause of this extraordinary delay in forwarding the Prisoners to the Zillah station.

30th July 1821. (Signed) W. Hudleston

Deputy Regr.

№ 247 To the Criminal Judge in the Zillah of Bellaree

Sir,

With reference to your letter of the 9th Ultimo, I am directed by the Judges of the Fouj daree Udalut to transmit for your information and guidance the accompanying copy of a letter addressed by the Register of the Fouj daree Udalut to the Secretary to Government in the Judicial Department

dated

dated the 18th and of the reply thereto dated the 31st Ultimo.
2d August 1821. /Signed/ W. Hudleston Dy. Regr

№257. To the Criminal Judge in the Zillah of
Bellasse

Sir,

I am directed by the Judges of the Fouj.dary Adalut to acknowledge the receipt of your letter dated 26th ultimo reporting the death of a Prisoner named Sungah of a modification in his back consequent to the infliction of punishment with a rattan for theft.—

2d The Judges considering it to be necessary that they should be furnished with every particular relative to this deplorable occurrence desire that you will transmit an Extract of your Calender, shewing the age of the said prisoner, his offence and the number of stripes to which he was adjudged and that you will state whether he was attended by the Surgeon of the station and if so obtain that Gentlemans opinion as to the cause of the fatal operation of the punishment in this instance.—

2d August 1821. /Signed/ W Hudleston
Depty Regr

№261 To the Secretary to Government in the
Judicial Department

Sir,

With reference to paragraphs 12 & 16 of the proceedings of the Court of Fouj.dary Adalut under date 9th

Ultimo I am directed by the Judges of the Court of Fouj.dary Adalut to transmit to you for the information of the Honorable the Governor in Council the accompanying copy of the explanation furnished by the magistrate in the Zillah of Chingleput regarding the practice stated by the 2d Judge Latron Circuit in the Division to appear to exist in that Zillah of fixing the magistrate's office at

7th August 1821 /Signed/ W Oliver
Register

№263. To the Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Court of Fouj.dary Adalut to acknowledge the receipt of your letter dated 31st Ultimo communicating the sentiments of the Honorable the Governor in Council regarding certain parts of the proceedings of the Court upon the reports of the late Acting third Judge the 2d Judge of Circuit in the Centre Division.—

It is observed in the 2d Paragraph of your letter that the two provisions proposed in the proceedings of the Fouj.dary Adalut to be enacted for the purpose of bringing to punishment persons guilty of Perjury before Collector Register, Sudder ameen, District Moonsiff, District Punchayet, village Moonsiff or village Punchayet are such as if deemed convenient may take effect under the Authority of a Circular order.—

The

3 The effect of the provisions in question being to bring under the cognizance of the Criminal Judge charges of Perjury directly referred to him by the several officers here mentioned it appears to the Judges of the Foujdaree Udalut that a legislative enactment would be requisite for their introduction with reference to Section VIII Regulation X of 1816 which declares that the Criminal Judge shall not or take cognizance of any criminal charge or information except such as may be brought before him by a Magistrate or some Police officer under his authority.

4 In the 5th Paragraph of your letter is conveyed to the Judges the Opinion of the Governor in Council that the Foujdaree Udalut have fallen into an error in the observation that in the adjudication of imprisonment on the same individual in different numbers of the Calendar for a period exceeding one month the Assistant Magistrate was guilty of an illegal assumption of authority.—

5 The Judges respectively beg leave to submit to the consideration of the Honorable the Governor in Council the following explanation of the Grounds upon which the construction given in the passage above cited from their proceedings of the 9th Instant to Section ~~XXXIII~~ Regulation IX of 1816 has been maintained by the Court from the period of the enactment of the corresponding provision which is contained in Section IX Regulation ~~VI~~ of 1802 and the Judges trust that they shall be able to show to the satisfaction of the Honorable the Governor in Council that this construction is in principle correct and supported

by

by analogy of Law.—

6 The Regulations establish a gradation of Criminal Courts each of which is invested with powers of punishment expressly defined and with the cognizance of offences for the punishment of which those powers are considered to be adequate.—

7 With reference to the orders of things thus established it has always been held by the Foujdaree Udalut that when an offender brought before an inferior Court appeared to be deserving either from the commission of one act deeply criminal or from the repetition of slighter offences to be deserving of greater punishment than what such Court was expressly declared competent to inflict by the Regulations his case should be referred to the Court of higher Jurisdiction.—

8 The Judges consider that the provisions which define the degree of punishment adjudicable by each tribunal are to be construed strictly in order to secure the object intended by the establishment of a gradation of Courts.—

9. Having premised these remarks the Judges will proceed to a particular consideration of those enactments of the Regulations which appear to bear upon the present question.—

10. It is stated on your letter to be the opinion of the Honorable the Governor in Council that the limit to the punishment which the Magistrate is authorized to inflict is fixed with reference to the crime not to the Criminal If it were otherwise the same objection would with equal force apply to successive punishments on

inflicted on the same individual as to cumulative punishments so inflicted—

11. Admitting the principle here laid down it appears to the Judges that the case prisoner against whom several crimes may be established each of them deserving punishment to the full extent of that declared to be adjudicable by the magistrate is not under the Regulations cognizable by this officer.—

12 By Section XXX III Regulation IX of 1816 the magistrates are authorized to hear & determine complaints for petty theft, when they shall not have been attended with any aggravating circumstances or committed by persons of notorious bad character—

13 The Judges beg leave here to observe that the magistrates authority to take cognizance of a case is declared to depend on the character of the offender as well as the nature of the offence; that proof of repeated acts of crime constitutes a circumstance of aggravation and attaches a character to the offender both of which under the provisions of the above Section require that he should be referred to a higher tribunal for thenishment.—

14 The Judges are also of opinion that on the same principle it will be inconsistant with the spirit and intent of the Regulations for a magistrate to dispose of the case of an individual who might be convicted of repeating an offence for which he had already been punished to the

full extent of the magistrates authority it being an acknowledged principle in the administration of Criminal Law, and one which is distinctly insisted upon in the Regulations that the repetition should be visited with greater punishment than the first act of crime and magistrate under such circumstances not having power to adjudge a greater punishment than that before inflicted on the same offender—

15 But the necessity of adhering to the rule which has been laid down by the Fouzdaree Adalut for the guidance of the lower Courts on this subject, will appear more clearly on a consideration of some other provisions of the existing Regulations.—

16 By section VII Regulation X of 1816 taken from Section XII Regulation IV of 1811 the Jurisdiction of criminal Judges is limited to offences for which a more severe punishment than six months imprisonment with thirty rattans or a fine of two hundred Rupees may not have been especially prescribed, and in the concluding part of the Section it is declared that the entire period of imprisonment under the sentence of a Criminal Judge shall in no instance exceed one year.—

17. The construction given by the Court of Fouzdaree Adalut to this Section has always been, that when ever a Prisoner before the Criminal Judge might appear with reference to one or more acts of criminality to deserve a

a greater punishment than Sise months imprisonment with thirty rattans or with a fine of two hundred Rupees it is his duty to commit him for trial before the Court of Circuit, that the Criminal Judge has not authority to sentence an individual against whom four distinct thefts may be established to receive in succession 120 rattans and be imprisoned for two years.—

18. It appears to the Judges that as the exercise of such an authority on the part of the Criminal Judge in sentencing to two years imprisonment would be an intrusion on the province of the Court of Circuit so for the magistrate to sentence the same individual two or three months would be to intrude on the province of the Criminal Judge.—

19. In support of this construction of the Regulations the Judges would refer to the provision made by Regulation XV of 1803 for cases, where an offender may be convicted of a repetation of certain crimes for which a stated punishment not adjudicable by a Court of Circuit is positively prescribed as also to the rule contained in Clause Seventh Section 11 of this Regulation for the guidance of the Courts of Circuit in cases where a prisoner may under the Mohummadan Law and the Regulations be liable to discretionary punishment and the punishment of thirty nine stripes and imprisonment with hard labour for the term of Seven years may appear to the Judges of Circuit to be insufficient under either of which

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circumstances the case must be referred for the decision of the Fouzdaree Udalut.—

20. In further Illustration of the Principle which has guided the Court of Fouzdaree Udalut in determining the present question it may not be irrelevant to notice a reference made by the 1st Judge of Circuit in the Centre Division under date 23d November 1811 as to the Judgment to be passed against a person charged with three Burglaries by three Prosecutors when it was ruled by the Court of Fouzdaree Udalut "that when a Prisoner may be brought to trial in two or more cases on the same calendar all of which are described to be similarly circumstanced the Mohummadan Law officer should not be subject until the trial of all the seperate cases shall have been completed and that then his future should be demanded not on any one but on the whole of the proceedings held against the Prisoner and that the sentence of the Judges would then be guided by the Provisions of the existing regulations.—

21. It is obvious remarkt that three or more sentences passed under the positive provisions of section XXI Regulation VII of 1802 awarding against the same individual in different numbers of the Calendar imprisonment for 14 years tantamount in many instances to an

an interference with the authority vested exclusively in the Court of Fouj.darr Udalut of sentencing to imprisonment for life which the existing Regulations provide as before noticed for the infliction of such punishment by the Court of Fouj.darr Udalut in cases where the repetition of the same Crime may be considered to call for it.—

22 The general principle maintained through the Code of Regulations appears to be that of the same is to be visited upon an individual convicted of repeated crime and the provisions of the Law, which vest the Courts of Criminal Judicature with different and specific powers of punishment point out the Court to which the offender is amenable.—

23 The Judges refrain on the present occasion from pursuing this subject further and would hope that the explanation here given of the grounds of their opinion on the construction of Section XXXIII Regulation IX of 1816. will be considered satisfactory by the Honorable the Governor in Council. This construction having however already been ruled by the Court of Fouj.darr Udalut on references from the Subordinate Courts can only be set aside with reference to the Provisions of Regulation XXII of 1802 by a new Regulation."

(Signed) W. Oliver
Register

10th August 1821.

No 264

No 264. To the First Judge on Circuit in the Centre Division

Sir

With reference to an Extract of the Proceedings of the Fouj.darr Udalut dated 9th Ultimo I am directed by the Judges of the Fouj.darr Udalut to transmit for your information and guidance the accompanying extract of a letter from the Secretary to Government in the Judicial Department under date the 31st Ultimo

10th August 1821. (Signed) W. Hudleston Deputy Regr

No 265 To The Magistrate in the Zillah of Bellary

Sir

With reference to an Extract of the proceedings of the Fouj.darr Udalut dated 9th Ultimo, communicated to you by the 1st Judge on Circuit in the Centre Division, I am directed by the Judges of the Fouj.darr Udalut to transmit for your information and guidance the accompanying Extract of a letter from the Secretary to Government in the Judicial Department under date the 31st Ultimo

(Signed) W. Hudleston Dy Regr

10th August 1821.

No 266 To the 2d Judge of the Court of Circuit in the Western Division

Sir,

I am directed by the Judges of the Fouj.darr Udalut to transmit for your information the accom

accompanying Eschracts of their proceedings under date 17th May last, and of a letter from the Secretary to Government in the Judicial Department dated 31st Ultimo

(Signed) W Hudleston
Depty Registar

10th August 1821.

No 267 To the 3d Judge on Circuit in the
Western Division

Sir,

With reference to an Eschract of the Proceedings of the Court of Foujdarree Udalut dated 27th November last I am directed by the Judges of the Foujdarree Udalut to transmit to you the accompanying Eschract of a letter from the Secretary to Government in the Judicial Department dated 31st Ultimo.

10th August 1821. (Signed) W. Hudleston Dy Regr

No 278 To the Judges of the Provincial Court of Circuit
in the Northern Division

Gentlemen

I am directed by the Judges of the Court of Foujdarree Udalut to acknowledge the receipt of your letter dated 10th Instant

2. The Judges being of opinion that it will be expedient that the Mooftee of the Zillah Court

Court of Masulipatam should officiate for the Law Officer of the Court of Circuit at the ensuing Sessions of Jail Delivery for the Zillah of Rajahmundry desire that you will issue the necessary instructions for that purpose to the Acting Judge of the Zillah and communicate the purport of this letter to the 3d Judge on Circuit

16th August 1821 (Signed) W. Hudleston Dy Regr

No 279 To the Magistrate in the Zillah of
Bellaree

The Same to the Magte Tinnevelly Southern Division

Sir,

With reference to my letter under date the 25th June 1819 forwarded to you through the Judges of the Circuit Court for the Centre Division I am directed by the Judges of the Foujdarree Udalut to request that you will immediately transmit the statement called for in that communication.

16th August 1821 (Signed) W. Hudleston Dy Regr

No 282. To the Judges of the Provincial Court of Circuit
for the Centre Division

(Circular)
The Same to the Western Division Northern Dn and Southern Dn

Gentlemen

The Judges of the Court of Foujdarree Udalut, observing that certain of the Zillah Magistrates construe the provisions contained in Regulation IX of 1818.

1818, as sanctioning the entire delegation of the Police functions to the Assistant Magistrates, direct me to desire that you will inform the several Magistrates within your jurisdiction, that in answer to a late reference to Government the Honorable the Governor in Council has declared that proceedings to be directly at variance with the object of uniting the offices of Collector and Magistrate in the same person

20 August 1821. (Signed) W Hudleston Dy Regr.

No 287. To the Criminal Judge in the Zillah of Tinnavelly

Sir,

Para 1 I am directed by the Judges of the Court of Foujdarree Adalut to acknowledge the receipt of your letter dated 14th Instant in which you request to be furnished with their opinion as to whether it is not incumbent upon a magistrate and every Police officer to furnish Copies of all communications they may have made or received relatives to cases transmitted by them to the Criminal office"

2d The Judges direct me to convey to your their opinion, that the only documents obligatory upon a Magistrate or Police officer to furnish on the reference of cases to a Criminal Judge are those specified in Section XXV Regulation IX and XXVII Regulation XI of 1816

(Signed) W Hudleston

23d August 1821. Dy Register

No 288. To the Magistrate in the Zillah of Madura

Sir,

1 In your last half yearly Statement of Crimes of Punishments submitted under the orders of the Court of Foujdarree Adalut dated 25 June 1819. the Number of Prisoners sent to the Criminal Judge is reported to have been 43 whereas it appears by the reports of the Criminal Judge submitted under the provisions of Section XXXI Regulation X of 1816 for the same period that 276 prisoners were sent to the Zillah Criminal Court

2 As the half yearly statement is intended to specify the total Number of Prisoners sent to the Criminal Judge by the Magistrate and officers of Police, the Judges direct me to return the above statement

statement for correction and desire that an amended report may be furnished from your office with as little delay as possible

23d August 1821.

(Signed) W. H. Hudleston
Dy Register

№ 289. To the Magistrate in the Zillah of
Salem

Sir

1. In your last half yearly statement of crimes and punishment, submitted under the orders of the Court of Fouj darree Udalut dated 25th June 1819 the number of Prisoners sent to the Criminal Judge is reported to have been 19 - whereas it appears by the provisions of Section XXXV Regulation X of 1816 for the same period - that 257 prisoners were sent to the Zillah Criminal Court

2. As the half yearly statement is intended to specify the total number of prisoners sent to the Criminal Judge by the Magistrate and the offices of Police the Judges direct me to return the above statement for correction, and desire that an amended report may be furnished from your office with as little delay as possible

23d August 1821.

(Signed) W. H. Hudleston Dy Regr

№ 293 To the Second Judge in Circuit in the Centre Division

Para 1. Sir The Judges of the Court of Fouj darree Udalut observe by the Quarterly report of persons under charge of the Criminal Judge in the Zillah of Chittoor to be tried dated 30th June last that the Calendar contained twenty cases

2. Nearly two months having elapsed since the opening of the 3d Quarterly Sessions of Jail Delivery at Chittoor the Judges consider it proper that they should be informed of the causes which may have operated to protract the Sessions and of the probable period of its completion.

(Signed) W. H. Hudleston Dy Regr

27th August 1821.

№ 294. To the Magistrate in the Zillah of
Combaconeum

Sir,

1. In your last half yearly statement of crimes and punishments submitted under the orders of the Court of Fouj darry Udalut dated the 25 June 1819 the number of prisoners sent to the Criminal Judge is reported to have been 78 whereas it appears by the reports of the Criminal Judge submitted under the provisions of Section XXXV Regulation X of 1816 for the same period that 211 prisoners were sent to the Zillah Criminal Court

2 As the half yearly statement is intended to

to specify the total number of prisoners sent to the Criminal Judge by the Magistrate and the offices of Police the Judges direct me to return the above statement for correction, and desire that an amended report may be furnished from your office with as little delay as possible.

27th August 1821. (Signed) W. Hudleston Dy. Regr.

№ 297. To the third Judge on Circuit in the Western Division

Sir

I am directed by the Judges of the Fouj.darr Adalut to acknowledge the receipt of your letter dated 22d Ultimo transmitting impressions of a Seal made up by your directions for the use of the Court of Circuit

2. The Judges direct me to convey to you their approbation of the Seal proposed by you and they desire that it may be adopted by the Court of Circuit, should the Judges of the Provincial Court not have already provided a Seal under the Courts instructions dated 10th August last

3. The Judges desire that you will communicate the contents of this letter to the Provincial Court of Circuit for their information.—

1st September 1821. (Signed) W. Hudleston Dy. Regr.

To

№ 306 To the Magistrate in the Zillah of Tinnevelly

Sir

I am directed by the Judges of the Court of Fouj.darr Adalut to acknowledge the receipt of your letter from the Criminal Judge having been already disposed of by the Court, the Judges consider it necessary only to inform you that your explanation of your proceedings in the case in question is perfectly satisfactory

5th September 1821. (Signed) W. Hudleston Dy. Regr.

№ 320 To the Criminal Judge in the Zillah of Bellary

Sir

Para 1 I am directed by the Judges of the Court of Fouj.darr Adalut to acknowledge the receipt of your letter dated 4th Instant, requesting instructions as to the disposal of a person charged with arson who appears to be insane

2. Supposing evidence to be adduced in support of the above charge the Judges consider the regular course of proceeding to be that you should commit the person above mentioned to take his trial before the Judge of Circuit, with whom it will remain to act in conformity with the rules which have been laid down in all cases of insanity, for the general guidance of the Court of Circuit.

3 The Judges are of opinion, that your reference for instructions should have been made before the 5th May last on which date it appears that you deemed it your duty "to release the

the prisoner and transfer him to the Hospital.

10th September 1821. (Signed) W. Hudleston Dy Regr.

№ 321 To the Secretary to Government in the

Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adawlut to transmit with reference to the proceedings of the Court of Foujdaree Adawlut under date 4th December last draft of Rules for the management of the public Jails which the Judges would propose to circulate for the guidance of the several Criminal Judges with the sanction of the Honorable the Governor in Council.—

10th September 1821. (Signed) W. Oliver. Register.

№ 331 To the Secretary to Government in the

Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adawlut to transmit for the orders of the Honorable the Governor in Council the accompanying letter from the 3d Judge on Circuit for the Western Division submitting a recommendation from the Criminal Judge in the Zillah of Seringapatam in favor of a convict named Marcan Condul Pany Cooty.

2 In consideration of the circumstances of the case the Judges beg leave to recommend that the unexpired period of this persons sentence of imprisonment may be remitted, but the Judges are of opinion that the concealment of Files which the Convicts

commits the Jail of Seringapatam appear to have accomplished points out the necessity of the precautions prescribed in the Rules for the managment of the public Jails submitted by them under date 10th Instant for the sanction of Government

17 September 1821. (Signed) W. Oliver

Register

№ 339 To the Criminal Judge in the Zillah of

Nellore

Sir,

Para 1. Case № 13 of your first Quarterly report for this year of persons apprehended in the Zillah of Nellore contained the names of 37 prisoners charged with murder and 9 any robbery to the amount of R° 2829. who were stated to be under recommitment."

2 As your subsequent Quarterly report does not contain the names of any of the persons here referred to, and as they do not appear in the Calendar of persons committed for trial before the Court of Circuit at the late Sessions of Jail Delivery the Judges of the Court of Foujdaree Adawlut desire that you will inform them in what manner the Case in question has been disposed of specifying by name such persons as may have been released such as may be still in Custody & the grounds of their or detention respectively.

27th Sept 1821. (Signed) W. Hudleston Dy Regr.

№340. Circular to the 4 Provincial Courts of Circuit

Gentlemen

1 The attention of the Judges of the Court of Fouj-dar.r Uddalut has lately been attracted to the insufficiency of the information conveyed by the Quarterly reports furnished by the Criminal Judges under the provisions of section XXXIV Regulation X. of 1816 with respect to the cases on which no final order may have passed at the date of the transmission of the report

2 The names of prisoners stated to be under examination in our report do not appear in that which succeeds it the form requiring the insertion of the names of those persons only whose apprehensions or arrival at the Zillah station may have taken place within the period embraced by the report

3 With a view to remedy the defect here referred to the Judges of the Court of Fouj-dar.r Uddalut desire that the several Criminal Judges subject to your Jurisdiction may be instructed to transmit together with the Quarterly reports prescribed by Section XXXIV Regulation X of 1816 a separate report in a similar form exhibiting the mode in which the cases of all persons apprehended in the previous quarter and with respect to whom no final order was then passed may have been disposed of.

27 September 1821.

(Signed) W.m Hudleston

Dy. Regr.

№341. To the Magistrate in the Zillah of

Combaconum

Sir,

I am directed by the Judges of the Court of Fouj-dar.r Uddalut to call your attention to my letter of the 27th ultimo and to desire that the amended statement required therein may be transmitted without further delay.

27th September 1821. (Signed) W. Hudleston Dy Regr

№344. To the Criminal Judge in the Zillah of

Verdachellum

Sir

I am directed by the Judges of the Fouj-dar.r Uddalut to acknowledge the receipt of your letter dated 8th Ultimo

The Judges direct me to convey to you their opinion that a criminal Judge is authorized to proceed in the mode prescribed in section XVII Regulation VII of 1802 under the circumstance described in the reference for the purpose of obtaining the evidence of a Mohammadan or Hindoo women of a rank and situation in life which according to the customs and prejudices of the Country would render it improper to compel them to appear in a Court of Justice.

29th September 1821. (Signed) W. Hudleston

Dy Register

N° 346 To the Third Judge on Circuit in the
Western Division

Sir,

I am directed by the Judges of the Court of Fouj.dar.r Udalut to acknowledge the receipt of your letter dated the 10th Ultimo, submitting a recommendation from the Criminal Judge in the Zillah of Seringa, in favor of a convict named Marcar Condul Pany Coolty

The Judges direct me to inform you that on the recommendation of the Fouj.dar.r Udalut the Honorable the Governor in Council has been pleased to sanction the remission of the remainder of imprisonment adjudged against the said Marcar Condul Pany Co and they desire that in issuing to the Criminal Judge the orders for his liberation you will call the attention of that officer to the necessity evinced by the circumstances of this case for his exercising greater vigilance over the proceedings of the Convicts under his charge.

4th October 1821. (Signed) W. Hudleston Dy Regr

N° 347 To the Magistrate of Malabar.

Sir

I am directed by the Judges of the Court of Fouj.dar.r Udalut to acknowledge the receipt of your letter dated 8th Ultimo, and to inform you that the Honorable the Governor in Council sanctions the tender of a conditional pardon to Kurripully Parangodin under the provisions of Section XX Regn VIII of 1802 of all guilt incurred by him in the case of Murder Robbery & Arson referred to in your letter.

4th October 1821.

(Signed) W. Hudleston Dy Regr

N° 346 To The Third Judge on Circuit in the
Western Division

Sir.

1. I am directed by the Judges of the Court of Fouj.dar.r Udalut to acknowledge the receipt of your letter dated the 10th Ultimo submitting a recommendation from the Criminal Judge in the Zillah of Seringapatam in favor of a Convict named Marcar Condul Pany Coolty.—

2. The Judges direct me to inform you that on the recommendation of the Fouj.dar.r Udalut The Honorable the Governor in Council has been pleased to sanction the remission of the remaining term of imprisonment adjudged against the said Marcar Condul Pany Coolty and they desire that in issuing to the Criminal Judge the orders for his liberation You will call the attention of that Officer to the necessity evinced by the circumstances of this Case for his exercising greater Vigilance over the proceedings of the Convicts under his Charge.—

4th October 1821. (Signed) W. Hudleston
Dy Register.

N° 347. To, The Magistrate of Malabar—

Sir. I am directed by the Judges of the Court of Fouj.dar.r Udalut to acknowledge the receipt of your letter dated 8th Ultimo, and to inform you that the Honorable the Governor in Council sanctions the tender of a conditional pardon to Kurripully Parangoden under the provisions of Section XX Regulation

Regulation XII of 1802 of all guilt incurred by him in the Cases of Murder robbery and Arson referred to in your letter 4th October 1821.

(Signed) W. Hudleston
Dy. Regr.

№ 348. To The Criminal Judge in the zillah of Chingleput

Sir,

1. I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the accompanying Copy of a letter dated 24th Ultimo from the Criminal Judge in the zillah of South Malabar together with Copy of its enclosure.

2. As the warrants issued for transportation of the Convicts referred to in the letter of the Criminal Judge in the zillah of South Malabar contain the several particulars required to be inscribed on their foreheads by section XXXV Regulation VII of 1802 the Judges direct that you will on their arrival cause the inscription to be made in the mode therein prescribed.—

4th October 1821. (Signed) W. Hudleston
Dy. Register

№ 349 To The Criminal Judge in the zillah of South Malabar

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter, dated 24th Ultimo

Foujdary Diary 4th October 1821.

Ultimo and to transmit to you the accompanying Copy of a letter which has been addressed to the Criminal Judge in the zillah of Chingleput on the subject.—

4th October 1821. (Signed) W. Hudleston Dy. Regr.

№ 350 To The Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for the orders of the Honrable the Governor in Council the accompanying letter received this day from the acting Criminal Judge in the zillah of Masulipatam dated 29th Ultimo.—

2. As the Judges perceive from your letter (№ 406) dated 2d Instant, that the removal of the prisoners from the Jail at Rajahmundry to that of Masulipatam is intended by Government they would not hesitate to issue on this occasion the necessary orders for that purpose, did they not deem it their duty in the first instance to bring again to the notice of Government the circumstances under which, as reported in an Extract of the proceedings of the Foujdaree Adalut under date 16th December 1818 the Court deemed it imperative upon them to direct, that all the prisoners who had been sent from Rajahmundry to Masulipatam agreeably to the instructions contained in your letter, dated 9th August 1817, should be sent back without delay to the zillah of Rajahmundry.

Rajahmundry."—

3. The late 2d Judge of the Court of Circuit in the Western Division, reporting on the 4th Quarterly Sessions for 1818 at Masulipatam, represented the sickly state of the Convicts, who had been transferred from Rajahmundry, and the heavy mortality which had taken place among them, and transmitted a communication from the Criminal Judge in the Zillah of Masulipatam, who his opinion, "that the Mortality among the Rajahmundry prisoners proceeded chiefly from the change of climate, which had operated upon them in the same manner as it does upon the inhabitants of the coast, who venture into the hilly District of Rajahmundry" and the accordingly proposed that the remaining Rajahmundry prisoners should be returned without delay to that Zillah."

4. With reference to the strong objection on the score of humanity, which would thus appear to appose to the removal of the prisoners at Rajahmundry to the Jail at Masulipatam, the Judges beg leave to propose, that an arrangement should be made for their remaining in the Jail at the former station, and adverting to the absolute necessity for the superintendence of some European officer over every Jail establishment, as well for the prevention of internal abuses, as for ensuring the safe-

custody

custody of the convicts the Judges would further recommend that the Magistrate of Rajahmundry should be entrusted with the charge of the convicts at that station.—

5. As under the resolution of Government for the incorporation of the Zillah of Rajahmundry with that of Masulipatam, the Jail of the Zillah must be considered to be the Jail at the latter place the Judges consider that the arrangement here suggested would not involve an infraction of the provisions of Section XXVII Regulation X of 1816.

6. The Judges of the Fouzdaree Adalut deem it to be incumbent upon them to take the present opportunity of submitting to the consideration of Government the serious objections, with which they consider that the continuance of the convicts in the Jails of Vizagapatam and Ganjam under the sole charge of the native establishment, would be attended.—

7. Not only those prisoners debarred from the preveleges guaranteed to them by the provisions of the Regulations which prescribe the visits of the Criminal Judge and of the Judge of Circuit to the Jails, the redress of all well founded Complaints of ill treatment, and that attention to their health, and cleanliness, so essential to their comfort, but it appears to the Judges that there is at present no security for the due execution of their sentences to hard labour

and

and that the public safety is placed at hazard by the removal of that vigilant superintendence over the native establishment which they considers necessary to ensure the safe custody of convicts in Jail particularly when, as is the case in the Jails at Vizagapatam and Ganjam there were persons of notoriously desperate character among them.—

8. Under the circumstances the Judges would propose the removal of the Convicts from the two last mentioned Jails to the Jail at Masulipatam there to remain until the construction of a Jail at Chicacole

9. As these convicts have always been stationed on the sea coast, no objection on the ground of health occurs to the measure here suggested.—

10 By the last returns from the Criminal Judge in the Zillah of Chicacole the number of Convicts at Vizagapatam and Ganjam was 156, for whom the Jail at Masulipatam offers ample accommodation.—

11. It may be mentioned, that the transfer would be attended with a considerable saving of expence to Government and that the labour of the convicts would be advantageously employed upon the works at Masulipatam referred to in your letter of 9th August 1817.

5th October 1821. (Signed) W. Oliver
Register

To

No 351. To,

The Secretary to Government in the
Judicial Department

Sir

In obedience to the orders conveyed in the 7th Paragraph of your letter, dated the 8th May 1819, I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you, for the purpose of being laid before the Honorable the Governor in Council, the accompanying Statement, shewing the number of persons apprehended, released and punished, together with the nature of all punishments inflicted by the several Magistrates, Criminal Judges and Court of Circuit and by the Foujdaree Udalut from the 1st January to 30th June 1821.

2. The only part of the Statement, which appears to the Judges to call for observation from them, is the difference between the number of persons reported by the Magistrates to have been sent, and the number reported by the Criminal Judges to have been received in the Zillahs of Canara and Chicacole, which is probably to be attributed to some error in the returns of the Heads of Police, and to which the attention of the Magistrates in those Zillahs will be called.—

5th October 1821. (Signed) W. Oliver
Register

Statement

Fouzdaree Diary 5th October 1821

Statement Shewing the number of Persons apprehended released and

Magistrates Criminal Judges and Courts of Circuit and by the

	Magistrate								Criminal		
	Number of Persons committed	Number of Persons released	Number of Persons referred to the Criminal Judge	Number of Persons committed	Punishments inflicted by the Magistrate: Number of Persons	Number of Persons	Number of Persons	Number of Persons referred to the Criminal Judge	Number of persons received	Number of persons acquitted	Number of persons committed
Centre Division											
Bellary	376	502	47	93	12	53	28	362	334	94	75
Chingleput	869	797	1060	574	348	196	30	173	207	108	124
Chittoor	979	1492	639	481	303	139	39	322	345	210	70
Cuddapah	712	1080	607	280	122	112	16	223	246	120	127
Totals	2736	4871	2393	1398	785	500	113	1080	1102	532	196
Northern Division											
Masulipatam	184	526	369	80	36	23	21	77	163	88	9
Guntoor	42	190	69	22	16	5	1	99			
Nellore	742	1783	1304	293	139	127	27	186	202	31	39
Rajahmundry	327	552	394	63	26	21	17	95	144	73	28
Vizagapatam (Chimsals)	165	80	47	14	9	4	1	19	232	91	33
Ganjam (Chimsals)	30	99	10	45	7	14	24	44			
Totals	1430	3230	2193	517	233	190	91	520	741	283	109
Southern Division											
Combaconum	707	2374	1151	1046	795	204	47	177	222	144	35
Dorapooram	249	567	100	199	78	78	105	188	271	122	85
Madura	1458	1852	2934	442	997	404	41	236	322	167	60
Salem	746	1344	523	564	88	320	176	257	309	143	123
Tinnevelly	259	1051	534	201	164	23	14	316	323	107	22
Trichinopoly	133	624	457	85	55	21	9	82	112	46	42
Verdachellum	669	1506	1017	359	183	47	129	130	163	80	46
Totals	4261	12058	6716	3896	2280	1095	521	1446	1722	809	479
Western Division											
Canara	272	644	209	126	22	40	64	309	434	119	104
Malabar North	544	1504	370	188	46	85	37	966	318	217	44
Malabar South									631	289	80
Seringapatam	93	183	93	20	12	8	"	50	48	11	30
Totals	909	2311	672	314	80	133	101	1325	1431	636	258
Grand Total	9336	22490	11976	6125	3378	1921	826	4371	4996	2260	1042

By the Magistrates

Acquitted & released 11974
Convicted & punished 6125
Sent to the Criminal Judge 4371
Apprehended 22470

Received from the Magistrates 4996

By the Criminal Judges

Acquitted & released 2260
Convicted & punished 1042
Committed for trial 1036
4338

Fouzdaree Diary 5th October 1821

punished together with the Nature of all punishments inflicted by the several Fouzdaree Adalut from 1st January to 30th June 1821.

	Judge							Court of Circuit							Fouzdaree Adalut						
	Punishment inflicted by the Criminal Judge: Number of persons				Number of persons committed before the Court	Number of persons acquitted	Number of persons Convicted	Punishment inflicted by the Court of Circuit: Number of persons				Number of persons referred to the Sudr	Number of persons acquitted	Number of persons committed	Sentence: Death		Transportation		Imprisonment		Remarks
Centre Division																					
Bellary	9	66	"		64	12	10	"		10	"	"	2	6	11		4		6		1	
Chingleput	18	2		4	12	5	6	"		6	"	"	18	"	2		2		"		"	
Chittoor	12	57	"	1	49	1	15	"		15	"	"	2	3	5		"		2		3	
Cuddapah	3	19		5	86	82	57	"		57	"	"	10	5	11		5		4		2	
Totals	42	144		10	211	100	88	"		88	"	"	32	14	29		11		12		6	
Northern Division																					
Masulipatam	2	7	"		46	7	39	"		39	"	"	1	"	"		"		"		"	
Guntoor	"	39	"		79	20	45	"		40	"	5	2	"	1		"		1		"	
Nellore	"	21		7	52	10	22		3	19	"	"	4	"	4		2		"		2	
Rajahmundry	4	29	"		68	39	22	"		22	"	"	1	9	1		2		2		"	
Vizagapatam (Chimsals)	6	96		7	248	91	128		3	120	"	5	8	10	13		4		7		2	
Ganjam (Chimsals)	"	35	"		50	24	24	"		24	"	"	"	"	"		"		"		"	
Totals	12	67		6	40	13	26	"	1	26	"	"	1	"	4		"		4		"	
Southern Division																					
Combaconum	2	57		1	95	76	28	"		27	"	"	1	"	4		"		4		"	
Dorapooram	25	95		3	37	12	24	"		24	"	"	4	"	4		3		1		"	
Madura	34	54	"		83	87	34	"		28	"	6	"	1	1		1		"		"	
Salem	28	14	"			28	9	"		9	"	"	2	"	"		"		"		"	
Tinnevelly	3	36		7		9	26	"		26	"	"	"	"	"		"		"		"	
Trichinopoly																					
Verdachellum	104	338		17		249	171		1	164	"	6	7	1	9		4		5		"	
Totals																					
Western Division																					
Canara	2	96		6	87	54	37	"		37	"	"	11	6	12		5		2		5	
Malabar North	22	22	"		63	19	46	"		9	4	3	1	"	13		3		2		8	
Malabar South	1	77		2	100	41	37	"		37	"	"	21	11	14		10		"		4	
Seringapatam	12	48	"		7	"	"			"	"	"	"	"	1		1		"		"	
Totals	37	213		8	217	114	90	"		83	4	3	33	17	40		19		4		17	
Grand Total	189	811		42	1036	554	477		4	455	4	4	80	42	91		38		28		25	

Abstract

By the Court of Circuit

Acquitted & released 554
Convicted & punished 477
Committed for trial 1036 — Referred 80
Referred to the Fouzdaree Adalut 80
1111

By the Fouzdaree Adalut

Acquitted & released 42
Convicted & punished 91
133.

E.E. 7/5 (Signed) W. Oliver Register

№354 To the Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Court of Fouj:daree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated the 27th Ultimo, from the Criminal Judge in the Zillah of Tinnevelly enclosing for sanction a statement of expences incurred in sending six Convicts from the Said Zillah to Chittoor, by order of the Court of Fouj:daree Udalut, under the provisions of Clause fifth Section VIII Regulation XV of 1803.

8th October 1821. (Signed) W. Oliver Register

№355 To The Judges of the Provincial Court of Circuit in the
(Circular) The same to Northern Western & Southern Divisions

Centre Division

Gentlemen,

I am directed by the Judges of the Court of Fouj:daree Udalut to transmit to you the accompanying Copy of certain rules, which have been framed for the management of the Public Jails.

The Judges desire, that in circulating these rules to the several Criminal Judges under your jurisdiction for their future guidance, those Officers may be instructed to point out for the information of the Fouj:daree Udalut any provisions therein contained, the observance of which form

form particular circumstances may appear to them likely to be attended with inconvenience.

8th October 1821. (Signed) W. Hadleston
Deputy Register

№366 To The 3rd Judge on Circuit in the Western Division

Sir

I am directed by the Judges of the Fouj:daree Udalut to acknowledge the receipt of your letter dated 28th Ultimo, reporting your having been under the necessity of employing an additional writer in English and Persian to assist in translating the proceedings of the Court of the Circuit, and enclosing copy of your correspondence with the Register of the Provincial Court of Circuit.

2. The Judges do not consider that the correspondence submitted by you demands any comment from them and they direct me to observe that under the provisions of Section XXXVI Regulation VII of 1802 it was competent to you to employ the additional writers in question without any reference to the Fouj:daree Udalut.

11th October 1821. (Signed) W. Hadleston
Deputy Register

№367 To The 3rd Judge on Circuit in the Western Division

Sir

I am directed by the Judges of the Fouj:daree Udalut to acknowledge the receipt of your letter dated 29th Ultimo, referring for their orders copy of your Correspondence with

with the Provincial Court of Circuit relative to the recommendation to be granted to an acting Malyalam Joomadr.

2. The Judges direct me to convey to you their opinion, that under the circumstances of the case it will be most regular and proper that the allowance of the individual in question should be made on extra charg

11th October 1821. (Signed) W. Hudleston
Deputy Regr.

№369 To
The Criminal Judge in the Zillah of
Bellaree

Sir.

I am directed by the Judges of the Fayidaree Udalut to acknowledge the receipt of your letter dated 10th Instant

2. It appears to the Judges to be improbable, that the difficulty supposed in your letter will ever occur as much as it would be manifestly improper to sentence to corporal punishment a person whose state of health would render the infliction of that punishment dangerous but supposing such a case to occur the punishment should of course be remitted as the regulations contain no provision for its commutation.—

16th October 1821. (Signed) W. Hudleston Deputy Regr.

№376 To the Acting Criminal Judge in the Zillah of Masulipatam

Sir.

1. I am directed by the Judges of the Court of Fayidaree Udalut to acknowledge the receipt of your letter dated

dated 29th Ultimo.

2. A reference having been made to the Criminal Judges in the Zillah of Chittoor Cuddapah and Nellore with a view to the removal of the prisoners in confinement at Rajahmundry to those Jails, it will be necessary that the present Jail Establishment at Rajahmundry should be continued until you shall receive further instructions regarding the disposal of those prisoners.—

3 The Judges desire that you will report the number of prisoners at present in the Jail at Rajahmundry and that you will with reference to the proceedings of the Court of Fayidaree Udalut under date 16th December 1818 obtain the opinion of the Surgeon at that Station, as to whether or not their removal to the Jails of Chittoor, Cuddapah and Nellore would be likely to be attended with injury to their health.—

4. The Judges consider it proper, that the prisoners under your charge who belong to the Zillah of Guntoor should for the present remain in the Zillah Jail of Masulipatam.—

5. The Judges of the Fayidaree Udalut direct me to inform you, that it has also been determined to remove to the Jail at Masulipatam the convicts at present confined at Ganjam and Vizagapatam, and that the Criminal Judge in the Zillah of Chicacole has been instructed to take the necessary measures for

for carrying this arrangement into effect.—

24th October 1821. (Signed) W. Rudleston.—
Deputy Register.

No. 377 To The Criminal Judge in the Zillah of Chittoor

The same to Cuddapah and Nellore.—

Sir,

As it is proposed to remove the prisoners now in the Jail at Rajahmundry to other stations I am directed by the Judges of the Tayjdaree Adalut to desire, that you will immediately report what number of prisoners can be accommodated in the Jail under your charge in addition to those already confined there.—

24th October 1821. (Signed) W. Rudleston
Deputy Register

No. 378 To The Criminal Judge in the Zillah of Chicacole

Sir,

I The Judges of the Court of Tayjdaree Adalut having received an intimation of the desire of the Honorable the Governor in Council that the prisoners at present confined in the Jails of Vizagapatam and Ganjam should be removed to Masulipatam and that the Jail establishments at the two former stations should be discontinued with as little delay as may be practicable" direct that you will take the necessary measures

measures for carrying this arrangement into effect

2. The Judges desire that you will report what progress may have been made in the construction of the Jail at Chicacole, which should contain accommodations proportioned to the extent of the Zillah with due reference to the provisions of section XXII Regulation X. of 1816.

24th October 1821. (Signed) W. Rudleston.
Deputy Register.

No. 388. To the Secretary to Government in the
Judicial Department

Sir

1 I am directed by the Judges of the Fouj.daree Adalut to acknowledge the receipt of your letter, dated 2d. Instant referring for their consideration and Report a letter from the Criminal Judge in the zillah of Bellary with its enclosures relative to a conditional offer of pardon to a person in his custody under charge of being concerned in a robbery—

2. It appears that the individual in question has delivered a confession implicating himself in a robbery for which certain sepoys are under trial by Court Martial, and that it is proposed to make to him a conditional offer of pardon in order to obtain his evidence before that Court—

3. It appears to the Judges of the Fouj.daree Adalut, that the provisions of section XX Regulation XII of 1802. cannot regularly be applied to this case in as much as the Court would be deprived of the ordinary means of ascertaining the fulfilment of the condition which the pardon has been tendered and consequently of granting the prescribed Certificate for the security of the party—

4. As however the pardon of offenders is an inherent prerogative of Government the Judges are of opinion that authority may be given directly to the Criminal

Judge

Judge to tender an Offer of pardon, and that Should the Honorable the Governor in Council be Satisfied that the Condition has been fulfilled, a certificate of pardon under the signature of the Secretary to Government would be Sufficient Security to the party as far as regards the act or acts referred to.—

5. I am directed to transmit the original letters and enclosures which accompanied your letter.—

3rd November 1821 (signed) W Oliver Register

№ 393. To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fauj:daree Udalut to transmit to you, for the orders of the Honorable the Governor in Council, the accompanying letter dated the 31st Ultimo, from the 1st Judge late on Circuit in the Western Division requesting Sanction for payment of a Bill for Rupees 15 being expence incurred in Copying the Persian Translations of the proceedings in two referrible Cases to this Court.—

IIX

12th November 1821 (Signed) W Oliver Register

№ 394. To the Criminal Judge in the zillah of Nellore

Sir,

I am directed by the Judges of the Fauj:daree Udalut to call your attention to my letter of

of the 24th Ultimo, and to desire that the information therein required may be furnished without further delay.—

12th November 1821. (Signed) W Hudleston Register

№ 395. To The Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Fauj:daree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter, dated 2d Instant, from the Judge in the zillah of Chicacole.—

2. It appearing from the latter part of the above letter that the construction of a Jail at the zillah Station has not yet been commenced upon the Judges beg leave to suggest, that orders should be issued to the proper department for entering upon work without further delay, as the want of a Jail must be attended with great and daily increasing inconvenience.—

13th November 1821. (Signed) W Oliver Register

№ 396 To The Secretary to Government in the Judicial Department

Sir.

I am directed by the Judges of the Court of Fauj:daree Udalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the

the accompanying letters dated respectively the 6th and 7th Instant from the acting Criminal Judge in the Zillah of Masulipatam with their enclosures.—

2. With reference to the application from Mr. Assistant Surgeon Haines which accompanyed the former letter the Judges direct me to state that orders were issued by them under date 24th Ultimo pursuant to the instructions contained in your letter (No 423) dated 19th Ultimo for detaining at Rajahmundry the prisoners confined in the Jail at that Station pending a reference to the Criminal Judges of Chittoor Cuddapah and Nellore.

3. The Judges having ascertained that there is sufficient accommodation in the Zillah Jails of Chittoor and Cuddapah for the prisoners now at Rajahmundry would without delay issue orders for their removal but that they deem it incumbent upon them with reference to the opinion given by Mr. Assistant Surgeon Haines in the paper which accompanies the letter of the acting Criminal Judge dated 7th Instant and to the circumstance adverted to in the 3rd and 4th paragraphs of my letter dated 5th Ultimo to address the Government again on the subject.—

4 On an examination of the last Quarterly report of prisoners furnished by the Criminal Judge of the late Zillah of Rajahmundry it appears that of the prisoners now

Fouzdaree Diary 13th November 1821

now in the Jail at that Station there are a considerable number whose term of imprisonment will escape in two four five six and seven months and whose removal to Cuddapah would therefore be a severe hardship to them and unnecessary expence to Government. It appears also that there are seventeen prisoners detained on a requisition of Security which they will have little chance of procuring at a place so distant from their homes and there are five Civil Debtors.—

5. As to the disposal of the several persons abovementioned the Judges beg leave to solicit the instructions of the Honorable the Governor in Council They cannot propose their removal to the Jail at Masulipatam with the Statement before them from Mr. Assistant Surgeon Haines that "it is "an incontrovertible fact that persons of whatever description "being suddenly removed from the vicinity of the Hills to a "Coast situation would be very generally attacked with Fever, "Flux or Dropsy either of which complaints must be consi- "dered as threatening to life."

6 This medical opinion corroborated as it is by the experience of the Court of Fouzdaree Adalut on the occasion referred to in my letter of the 5th Ultimo induces the Judges respectfully to bring under the notice of the Honorable the Governor in Council the situation of those persons who are now sent by the Police Officers from the hilly parts of Rajahmundry to

to the Criminal Judge at Masulipatam.—

7. When the Cases of Such persons may be disposed of by the Criminal Judge, their imprisonment at Masulipatam may frequently be tantamount to a Sentence of death, while the shortness of the term would render their removal to the nearest inland Zillah Station a severe aggravation of their punishment; and in Cases of Commitment for trial before the Court of Quarterly Sessions, the lives of many may be forfeited before they are convicted of any Crime.—

13th November 1821. (Signed) W Oliver Register

No. 397. To the Secretary to the Medical Board.—

Sir.

Para 1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter, dated 20th September last and received on the 4th Ultimo, communicating the Statements of the Medical Board relative to the expediency of "abolishing Provincial Lunatic Hospitals by "transferring all native Lunatics ordered into Confinement "by the local authorities, to the Hospital at the Presidency".

2. In order to a clear exposition of the sentiments of the Judges upon this subject it will be proper to recite the rules which were passed by the Foujdaree Udalut under date 29th October 1807 and which are still in force, in the respect to the Cases of prisoners committed for trial but supposed to be deprived

deprived of reason, and to state the objects for which it was proposed by the Court in March 1817, that Lunatic Hospitals should be established at the Stations of the Several Courts of Circuit.

3. The following is a transcript of the rules above referred to.—

4. "In all cases wherein it shall appear to the "Judge on Circuit, either from the Magistrates proceedings or "otherwise that there are grounds for supposing a prisoner com- "mitted for trial to be deprived of reason he shall in the first "instance enter upon an investigation of this fact, with the "crime charged against him, were perpetrated, under such a "deprivation of the senses."

5. "If the affirmative of both of these" "subjects of inquiry result from the investigation, in as much "as the deficiency in will excuses from the guilt and of course "from the punishment of such act it will remain with "the Court in attention to the public safety to direct the Magis- "trate to confine the Prisonier in such place and manner as "it shall think fit, subject to the further orders of the "Foujdaree Udalut, to whom the Judge will immediately "report all the circumstances of the case.—

6. "If the other hand, it appear that the prisoners "insanity be only partial, and that he has lucid intervals of "understanding, it being also not proven that he was insane

at-

"at the commission of the Crime, the Judge shall proceed to
"enquire into the actual state of his mind and if at the
"time of arraignement he be found insane, shall postpone
"the trial until a further session, or until such time as he
"shall be capable of pleading to the arraignment, and of
"answering for the offence with which is charged."

7. It is obvious here to observe that the material points of a prisoners insanity at the time of his committing an act of violence or of his having been antecedently subject to that malady must in most cases be proved by evidence altogether distinct from medical opinion— Whenever therefore it may appear from the circumstances of the case itself or from the conduct of the prisoner upon or after his apprehension that his sanity is doubtful, it is usual to examine his neighbours and persons not immediately connected with him who may be acquainted with his mode of life and conduct, as to the soundness of his understanding generally as well as to take evidence regarding his department at the time of the commission of the act.

8. With reference to the observations contained in the 7th paragraph of your letter the Judges direct me to point the attention of the Medical Board to the latter part of the foregoing orders and to state that where a prisoner may be considered to be of unsound mind but may not be

proved

proved to have been so at the commission of the act charged against him the opinion of the Medical Officer is taken as to his subsequent ability to plead to the arraignment, it may be proper however to remark that only one case so circumstanced appears on the roads of the Court and in that the prisoner after having been for six months under Medical treatment was put upon his trial.—

9. Many instances have come under the cognizance of the Court of Fayjdaree Udalut in which prisoners have been proved to be subject to periodical fits of insanity and at such times to be disposed to mischief and outrage, the confinement of such persons for a considerable period has been thought necessary before a correct Judgement as to their recovery could be furnished, and the orders of the Court have directed that they shall not be set at large without their express permission obtained through the Court of Circuit and grounded on the opinion of the Medical Officer and the Magistrates' report of the prisoners demeanor.—

10. The Court of Fayjdaree Udalut under date 16th June 1814 submitted to Government a representation from the Magistrate in the Zillah of Bellaree that in consequence of the number of prisoners confined in that Jail it was impossible to allot separate apartment to an insane recommended that authority should be given to the several

Magistrates

Magistrates to send to the Lunatic Hospital at this Presidency any confirmed Lunatics in their custody if the Jails and other places of confinement at their Stations should not admit of a separate apartment being assigned to such patients.—

11. The sanction of Government having been obtained the above arrangement was partially carried into effect; but in December 1816 the Court were induced in consideration of the number of cases of confirmed Lunacy which had occurred and the remoteness of many of the zillah Stations to call up the Courts of Circuit for their opinions regarding the expediency of erecting or appropriating a separate building at each zillah station for the confinement of such prisoners as might be feared to be suffering under mental derangement.—

12. In modification of this plan the Court submitted to Government their recommendation that Lunatic Hospitals should be established "at the Stations of the several Courts of Circuit, for the reception and care "not only of the Lunatic Prisoners within each division, "but of all insane persons whose friends might be unable to "take such care of them as to prevent the possibility of their "doing mischief."

13. Buildings having been allotted to the above purpose at Tellicherry and Masulipatam, the Court under date 12th December 1817 directed that the nature and object of those institutions should be promulgated within the Western and Southern Divisions and that the Magistrates should "send to the Sudr Station of the division all insane persons within the Courts of their respective zillahs from whose insanity they might have reason to apprehend any fatal effects, and whose friends might not be able and willing to answer for their safe custody.—

14. Having thus communicated to the Medical Board the object which the Court had in view in the establishment of the Provincial Lunatic Hospitals and the rules in force with respect to Lunatic prisoners, I am directed to offer the following observations upon other points discussed in your letter in the order in which they occur.—

15. With reference to the observations contained in the 3rd paragraph of your letter the Judges have to remark that it has not been proposed by them to place in the Lunatic Hospitals persons in a state of more mental Imbecibility or debility but to restrict the admission to those from whose violence fatal effects might be apprehended.—

16 In the 4th paragraph of your letter it is stated that in the more strongly marked cases of mania the period during which there is the greatest probability of success

Success from medical treatment is considered to be comprised within the first 90 or 100 days from the invasion of the Malady" and in the 6th paragraph is conveyed the opinion of the Board that no person should be sent from any Zillah under the imputation of insanity until he has been treated at least three Months by the Zillah Surgeon in his Hospital."

17 Under these circumstances the Judges of the Court of Foujdaree Udalut have no hesitation in giving their opinion that the adoption of the arrangement for transferring all confirmed Lunatics to the Hospital at the Presidency should not involve the abolition of the Provincil Hospals.

18. From the representations which have on former occasions been made to the Court it has appeared that the Hospitals at the Zillah Stations do not contain proper accommodation for the custody and treatment of Lunatics, and as it would seem that proper treatment in the first appearance of the Malady is of the at most importance, and that the opinion of the most skilfull professional persons should be required before the decision of a case as real Insanity the Judges are of opinion that ever if there were adequate accommodation at the Zillah Stations the Establishment of Provincial Hospitals would

would be advisable, but that as institutions of this description have already been provided at three of the four Sudder Stations, and as the ordinary Zillah Hospitals are not suited to the purpose there can be no question that the Provincial Hospitals should be kept up on such a scale as may be found necessary for the reception and treatment of Lunatics in the first instance.

19 With reference to the 8th and three following paragraphs of your letter the Judges are of opinion that the transfer to the Hospital at the Presidency of Lunatics, whose recovery might appear to the Medical Officer in charge of the Provincial Hospitals to be hopeless, would be a desirable arrangement.

20. It is stated in the 12th paragraph of your letter that "the number of Criminal Lunatics in confinement in the several Jails about the beginning of the present year appeared to be twelve."

2. Under the orders of this Court all Lunatics in confinement in the Northern and Western Divisions have been removed to the Hospitals. Those in the Jails of the Southern and Centre Divisions are persons charged with Crimes who are ordered to be detained until the Foujdaree Udalut shall be satisfied of their recovery. The Magistrates in the two last mentioned divisions have not

not yet been instructed to secure all insane persons from whose insanity fatal effects may apprehended.—

22. In the 15th paragraph of your letter it is observed that "when the number of Lunatics in confinement in the several Jails of the Centre Southern and Western Circuits is contrasted with those at Masulipatam "it may at least be inferred that if an Establishment "be formed, it will speedily be filled, unless counteracted "by such wholesome restrictive measures as the Board "have adverted to."—

23. The circumstance stated in the latter part of the twenty first paragraph of this letter will shew that no comparision can fairly be made between the number of Lunatics in confinement at Masulipatam and the aggregate number of those in the Jails of the zillas belonging to the Centre and Southern Divisions. Comparing however the numbers at Tellicherry and Masulipatam where alone the experiment has been tried, the Judges do not observe any remarkable disproportion. By reports furnished to the Court from the Provincial Court of Circuit for the Western Division dated 1st November 1820 and from the Criminal Judge in the zillah of Masulipatam dated 19th January 1821 it appears that within the same period there had been admitted into the Lunatic Hospital at

at Tellicherry sixteen patients of which number eight remained in the Hospal and that eighteen patients had been admitted into the Hospital at Masulipatam of whom eleven remained therein.—

24. Upon the observations cited in the latter part of the 15th paragraph of your letter from a letter from the Judge in the zillah of Chittoor the Judges have to observe that under the standing orders of the Fouzdaree Udalut above referred to a prisoner feigning insanity can only have the effect of postponing his trial, and that the removal of such persons to the Presidency would be attended with extreme inconvenience and no apparent advantage.—

25. In reply to the observations contained in the 10th and 17th paragraphs of your letter I am directed to state that the opinion of the Court respecting the effects of the climate of the Carnatic on the health of the inhabitants of the removed zillahs has been adopted from their experience in cases of the removal and banishment of convicts. With regard to the inhabitants of the Provinces of Malabar the Court have found that the only place away from that Coast where the convicts can be placed without injury to their health, is Seringapatam.—

26. In conclusion the Judges direct me to state their opinion that the only advisable alteration of

of the arrangement which has been sanctioned by Government for the Provencial Lunatic Hospitals, will be that all confirmed Lunatics of dangerous habits should be transferred to the Presidency, and that the Medical Officers in charge of the Lunatic Hospitals should be required to furnish periodical reports to the Medical Board of the Cases of all Lunatics admitted into those institutions and to receive the orders of the Board with respect to their removal to Madras. It appears to the Judges that great care should be taken to avoid the removal to a distance from their homes of persons whose recovery may be expected or the nature of whose disorder might not ultimately be considered to require their detention in the Hospital at the Presidency.

13th November 1821 (Signed) W. Oliver Register

No. 406 To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Toujdaree Udalut to transmit to you for the information of the Honorable the Governor in Council the accompanying letter dated the 21st Instant from the Provincial Court for the Centre Division stating that the 2d Judge Mr. Parke, whose proper duty it would be to proceed on the 1st Circuit for 1822. has intimated his determination to solicit the permission

permission of Government to resign his office on 1st January next.

26th November 1821. (Signed) W. Oliver Register

No. 407 To The Assistant Criminal Judge in Charge of the Zillah of Chingleput

Sir,

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 15th Instant and to return you the 6 notices which were therewith transmitted with the reports which have been endorsed thereon by the Nazir of this Court.

26th November 1821. (Signed) W. Huddleston Deputy Register

No. 413. To The Judge and Criminal Judge in the Zillah of Chingleput

Sir

I am directed by the Judges of the Sudrand Toujdaree Udalut to transmit to you the annexed extract of a letter to the late Judge and Criminal Judge in the Zillah of Verdachellum and to desire that you will immediately report what number of prisoners can be accommodated in the Jail under your charge in addition to those already confined there.

29th November 1821 (Signed) W. Huddleston Deputy Register

No. 414 To the Magistrate in the Zillah of Verdachellum

Sir.

The Honorable the Governor in Council having under

having under date 25th Instant resolved to consolidate the zillah of Verdachellum with that of Chengleput the Judges of the Court of Fouzdaree Udalut desire that you will adopt the necessary measures for giving publicity to that arrangement and for placing the Heads of Distinct Police in communication with the Criminal Judge in the zillah of Chengleput.—

29th November 1821. (Signed) W. Hudleston

Deputy Regr.

No. 422. To the Criminal Judge in the zillah of Salem.

Sir,

1. With reference to Nos. 42. 43. 44. and 45. of the last Quarterly report of persons apprehended in the zillah of Salem transmitted by the late Acting Criminal Judge the Judges of the Court of Fouzdaree Udalut desire to be informed whether the name Kolundaun designates in each the same individual.—

2. Should such be the fact, it will be apparent to you, on reference to a letter addressed to you under date 10th December 1818 that the sentences passed in those cases, amounting collectively to eighteen months imprisonment and thirty stripes, are illegal it being incompetent to a Criminal Judge to pass an absolute sentence of imprisonment for any term exceeding six months.—

3. The same observation applies to Nos 143. 144. 145. 146. 147. 148. 149. 150 and 151 should the name of the same individual be therein repeated.—

4. It appears on reference to Nos from 52 to 83. inclusive, that the names of the same individuals are repeated in different numbers of the report of which circumstance no notice is taken in the abstract of the number of prisoners punished released and committed so that the cases of a considerably greater number of persons than were actually brought

brought before the Criminal Court appear by the Abstract of the Report in Form No 5 of the Appendix to Regulation X of 1816 to have been disposed of.—

5. It becomes necessary therefore that the Report should be returned to you, in order that it may be made to exhibit correctly the number of persons apprehended and delivered to the Criminal Judge in the last Quarter.—

6. The Circular orders of the Fouzdaree Adalut dated 27th September last directed that together with the Quarterly Reports prescribed by Section XXXV Regulation X of 1816 there should be transmitted "a separate report in a similar form exhibiting the mode in which the cases of all persons apprehended in the previous quarter and with respect to whom no final order was then passed might have been disposed of."

7. Instead of such a Separate report the names of the persons referred to in those orders are entered in the last Quarterly report transmitted by the late acting Judge which is at variance with the Courts' Orders and with the provisions of the Regulations.—

5th December 1821. (Signed) W Hueleston

Deputy Register.

No 423 To The Criminal Judge in the Zillah of Tennevelly.—

Sir

1. Maurthandun 2d prisoner in Cas No 13 in

in your last Quarterly Report of persons apprehended in the Zillah of Tinnevelly is stated to have been apprehended on 5th July to have reached the Criminal Office on the 24th July and to have been sentenced to a fine of 50 rupees commutable to 4 Months imprisonment.—

2. In case No 22 the same individual is stated to have been apprehended on 1st July to have arrived at the Criminal Office on 10th August and to have been sentenced to "4 Months imprisonment in addition to his former sentence and to commence from the date of the expiration thereof, and 50 Rupees fine, in failure of the payment of the fine to be imprisoned for the further period of two months.—

3. The Entries with respect to this prisoner appearing irreconcilable, the Judges of the Fouzdaree Adalut desire that you will explain them.—

4. The prisoners in Case No 34 are stated to have been apprehended on 3rd May and to have reached the Zillah Station on 30th August.—

5. The Judges desire that a communication may be made to the Magistrate of the Zillah in order that he may explain for their information, either immediately or by reference to his Police Officers the cause of the unusual delay which occurred in forwarding these prisoners to the Criminal Judge, and the Judges deem it necessary also to desire that in all similar instances

instances of delay a communication may be made to the Magistrate in order that measures may be adopted to insure a more strict observance in this respect of the provisions of the Regulations.

6. The Judges have not failed to remark the number of Cases wherein the Officers of Police in the Zillah of Tinnevelly have been brought before you on charges of Bribery, extortion, and fraudulent appropriation of property

7. In case No. 20 it appears that a charge of Bribery and false imprisonment was proved, and in No. 32 a district Police Officer and three inferior officers appear to have been convicted of dividing and appropriating to their own use property to the Value of 200 Pagodas and upwards, "stolen from the house of the prosecutor and discovered by the "prisoners in the possession of Poreanayan and Shungookne"

8. The above Cases, particularly the latter, are considered by the Judges to involve delinquency of the most aggravated description, such as is deserving of exemplary punishment for the ends of the public justice, and adverting to the apparent prevalence of Malversation on the part of the Police Officers of the Zillah of Tinnevelly the Judges are of opinion, that you would exercise a wholesome discretion in bringing cases of this description before the Court of Circuit.—

9. In the report submitted by you under

under the orders of the Foujdaree Udalut dated 27th September last, shewing the mode in which the cases of persons apprehended in former quarters has been disposed of the attention of the Judges has been arrested by case No. 1 in which it appears that the prisoners were apprehended on 30th March and 11th and 15th April last, and arrived at the Zillah Station on 5th May and which is stated to be "not fully examined" at the date of the report, namely 30th September.—

10. The reason assigned for this most extraordinary delay in disposing of the case namely that it is "doubtful and complicated" is by no means satisfactory.

11. The Judges require to be fully informed of the grounds of a delay so detrimental to the ends of justice, as well as injurious to the to the parties, and desire, therefore a report of all proceedings which may have been held in this case.—

(Signed) W. Hudleston
Deputy Register

5th December 1821.

No. 424. To The Criminal Judge in the Zillah of Chicacole

Sir.

Referring to case No. 2 in your report of cases not finally disposed of in the former Quarter, furnished with your last Quarterly Report of prisoners, under the orders of the Foujdaree Udalut of 27th September last, wherein it is stated

stated that three prisoners were apprehended on 7th February and arrived at the zillah station on 23d March last but their examination was not completed on 30th September because "all the known prosecutors and Witnesses had not appeared" the Judges of the Fouydaree Adalut desire, that you will report what steps have been taken to obtain the attendance of the prosecutors and witnesses in question and to what causes a delay so detrimental to the ends of Justice is attributable.—

5th December 1821. (Signed) W. Hudleston.

Deputy Regr.

No. 425. To

The Criminal Judge in the zillah of South Malabar.

Sir,

1. With reference to certain cases in your last report of persons under charge of the Judge to be tried by the Court of Circuit in which the prisoners who were charged respectively with Murder and Robbery are stated to be at large on Bail. The Judges of the Fouydaree Adalut direct me to observe to you, that as those offences are declared not to be bailable, it was your duty to have committed the persons here referred to, to jail instead of holding them to bail to take their trial before the Court of Circuit; unless they were only implicated in the degree mentioned in Clause

Clause second Section X Regulation IX of 1816 in which case a Memorandum should have been entered in your report explanatory of this apparent irregularity—

2. Should the persons here referred to have been admitted to Bail by order of the Court of Circuit a notification thereof should have been made in the report.—

5th December 1821. (Signed) W. Hudleston

Deputy Regr.

No. 426. To The Criminal Judge in the zillah of Canara.—

Sir,

1. In cases Nos. 73 and 74 of your last Quarterly report of persons apprehended in the zillah of Canara the Judge of the Court of Fouydaree Adalut observe that the delay of two months and Eighteen days which occurred in forwarding the prisoners to the Criminal Judge, is stated to have been owing to a third prisoners not having been apprehended earlier.—

2. The Judges desire that you will bring this case to the notice of the Magistrate in order that he may explain to the District Police Officers under his authority that the circumstance above referred to was not sufficient to authorize the detention of the persons already already apprehended.—

3. In all similar instances proceedings should be held against the persons actually apprehended and their

their cases brought to an issue without delay, and should any other persons supposed to be implicated in the offence be subsequently apprehended it will be the duty of the Police Officer to proceed with respect to them in the mode prescribed in the Regulations

5th December 1821. (Signed) W. Hudleston
Deputy Regr.

No. 427. To The Criminal Judge in the zillah of Madura

Sir.

1. The circular orders of the Fouzdaree Udalut dated 27th September last, directed that together with the Quarterly Reports prescribed by Section XXXV Regulation X of 1816 should be transmitted a separate report in a similar form exhibiting the mode in which the cases of all persons apprehended in the previous quarter and with respect to whom no final order was then passed might have been disposed of.

2. No such report having accompanied your last Quarterly Report, the Judges of the Fouzdaree Udalut direct that it be furnished without delay.

5th December 1821. (Signed) W. Hudleston
Deputy Regr.

No. 428 To The Assistant Criminal Judge in the zillah of Cuddapah

Sir.

1. The circular orders of the Fouzdaree Udalut

Udalut, dated 27th September last, directed that together with the Quarterly Reports prescribed by Section XXXV Regulation X of 1816 should be transmitted a separate report in a similar form exhibiting the mode in which the cases of all persons apprehended in the previous quarter, and with respect to whom no final order was then passed might have been disposed of.

2. No such report having accompanied your last Quarterly Report, the Judges of the Fouzdaree Udalut direct that it be furnished without delay.

5th December 1821. (Signed) W. Hudleston
Deputy Register

No. 429. To The Criminal Judge in the zillah of Bellary

Sir,

With reference to Nos. 151. 152. 153. 154. and 155 of your report of Cases not examined in the previous quarter wherein it appears that the prisoners were apprehended on 23rd April and arrived at the zillah station on 22nd May last, and whose cases are, at the date of your last quarterly Report, 30th September, stated to be still not examined in consequence of the non arrival of witnesses, the Judges of the Fouzdaree Udalut desire to be informed what steps have been taken to procure the attendance of the witnesses against the prisoners, and what grounds you may have for expecting that evidence will be adduced against them.

5th December 1821. (Signed) W. Hudleston
Deputy Register

№430 To

The Criminal Judge in the zillah of Nellore.—

Sir

1 In case №7 of your last Quarterly Report of persons apprehended in the zillah of Nellore it is stated that the prisoner who was apprehended on 26th January reached the zillah Station on 1st August 1821

2 The Judges desire that a communication may be made to the Magistrate of Nellore in order that he may explain for their information, either immediately or by reference to his Police Officers the cause of this unprecedented delay in forwarding the prisoner to the Criminal Judge.—

3 The circular orders of the Fouzdaree Udalut, dated 27th September last directed that together with the Quarterly Reports prescribed by section XXXV. Regulation X of 1816 should be transmitted a separate "in a similar form, exhibiting the mode in which the cases of all persons apprehended in the previous quarter and with respect to whom no final order was then passed might have been disposed of."

4 No such report having accompanied your last Quarterly Report the Judges of the Fouzdaree Udalut direct that it be furnished without delay.

5th December 1821. (Signed) W. Huddleston
Deputy Regr

№431 To The Criminal Judge in the zillah of Masulipatam

Sir.

1 I am directed by the Judges of the Court of Fouzdaree Udalut to acknowledge the receipt of your letters dated respectively the 6th and 7th Ultimo—

2 The former of those letters having been submitted to Government, the Judges conclude that Mr. Assistant Surgeon Hains will have received instructions on the Subject—

3. Of the Convicts now in Confinement in the Jail at Rajahmundry the Judges direct, that those whose unexpired period imprisonment may not exceed three months be released, and that the rest be sent with a Calendar exhibiting their names, crimes, and Sentences to the Criminal Judge in the zillah of Cuddapah, there to be imprisoned agreeably to the tenor their respective sentences.—

4. On carrying into effect the order for the release of the prisoners above referred to you will be careful to observe the precautions and rules prescribed by the circular orders of the Court of Fouzdaree Udalut under date 3d October 1817.

5. To the 17 prisoners, stated to be in confinement on a requisition of Security under the Sentence of the Fouzdaree Udalut, the Judges direct that the option be given of removal either to Masulipatam or to Cuddapah, should they still be unable to furnish the Security required, and should you

you not deem it expedient to recommend their release under the provisions of Section XI Regulation XV of 1803

6 You will tender the same option to the Civil Debtors confined at Rajahmundry and in the event of their being lodged in the Jail at Cuddapah an arraingement must be made for the payment at Masulipatam of the monthly allowance for their subsistence and its remmittance to Cuddapah.—

7. The Judges desire to be furnished with a copy of the Calendar of Convicts who may be transferred to Cuddapa, a list containing the same particulars of those who may be released, and a report shewing the manner in which the other prisoners may be disposed of.—

8. The list of prisoners transmitted by you under date the 7th Ultimo specifies 3 convicts sentenced by the Fouj.daree Udalut to be transported, and 1. whose trial was under reference to the Court of Fouj.daree Udalut.—

9. The Judges conclude, that the 3 prisoners above mentioned have been sent off to Chinglepat, and with respect to the other prisoner, who was tried in case No. 20 Rajahmundry Calendar 2d Sessions A.D. 1821, the orders of the Fouj.daree Udalut were transmitted to the 2d Judge late

late on Circuit in the Northern Division, under date 8th October last.—

10. In conclusion the Judges of the Court of Fouj.daree Udalut deem it proper to direct that in the several Quarterly Reports prescribed by Section XXXV Regulation X of 1816. the words from Rajahmendry be inserted in future opposite to the name of each prisoner who may have been apprehended within the limits of that Zillah.—

5th December 1821 (Signed) W. Hudleston
Deputy Register.

No. 432

To The Assistant Criminal Judge in the Zillah of Cuddapah

Sir

I am directed by the Judges of the Fouj.daree Udalut to acknowledge the receipt of your letter, dated 29th October last, and to inform you that the Criminal Judge in the Zillah of Masulipatam has been directed to send about 150 prisoners to be lodged in the Jail at Cuddapah together with a Calendar of their names, Crimes, and Sentences.—

5th December 1821 (Signed) W. Hudleston
Deputy Regr.

To

No. 433. To the Judges of the Provincial Court of Circuit
for the Northern Division.

Gentlemen,

1. It appearing from a communication addressed to the Foujdaree Udalut by the Criminal Judge in the Zillah of Chicacole, that there is at present no place of Jail Custody at that Station for convicts sentenced to imprisonment by the Court of Circuit, the Judges of the Court of Foujdaree Udalut deem it proper to direct, that until the construction of a Jail at Chicacole all prisoners convicted at that Station and liable to a sentence of temporary imprisonment, be sentenced under the provisions of Clause third Section VIII. Regulation XII. of 1803 to be banished to any other Zillah, which may be selected by the Foujdaree Udalut to whom a report containing their names, crimes, and sentences should be transmitted by the Criminal Judge immediately on the close of each Sessions.

2. With reference to the ascertained hostility of the climate of Vizagapatam to the bodily health of the inhabitants of Rajahmundry, the Judges of the Court of Foujdaree Udalut desire that the foregoing instructions be applied to the cases of prisoners from Rajahmundry tried at the Quarterly Sessions of Jail delivery for Vizagapatam.

3. You will be pleased to communicate the purport of this letter to the Criminal Judges of the Chicacole and Vizagapatam

Masulipatam, and to the 3rd Judge of the Court of Circuit in the Northern Division on his assuming the functions of that Office.

5th December 1821. (Signed) W. Huddleston
Deputy Register

No. 438 To The Judge and Criminal Judge in the Zillah of Salem

Sir.

I am directed by the Judges of the Sudder and Foujdaree Udalut to transmit to you the annexed extract of a letter to the late Judge and Criminal Judge in the Zillah of Coimbatore and to desire that you will immediately report what number of prisoners can be accommodated in the Jail under your charge in addition to those already confined there.

7th December 1821. (Signed) W. Huddleston
Deputy Regr.

No. 439. To The Magistrate in the Zillah of Coimbatore

Sir.

The Honorable the Governor in Council having under date 30th Ultimo resolved to consolidate the Zillah of Coimbatore with that of Salem, the Judges of the Court of Foujdaree Udalut desire, that you will adopt the necessary measures for giving publicity to that arrangement, and for placing the Heads of Districts Police in communication with the Criminal Judge in the Zillah of Salem

7th December 1821. (Signed) W. Huddleston
Deputy Regr.

No 1240 To

The Secretary to Government in the

Judicial Department

Sir,

Para 1. I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter No. 480. dated 20th Ultimo, transmitting for their revision Drafts of two Regulations, numbered respectively VII and VIII of 1821 and of your letter (No. 509.) dated 4th Instant desiring that a provision may be introduced into one of those Regulations empowering Magistrates, when they see cause to require security for the personal appearance of all individuals without a fixed residence or visible means of subsistence.—

2. The Judges have attentively considered the Regulations transmitted with your letter of the 20th Ultimo and being of opinion that certain alterations are required therein, have prepared amended Drafts which they direct me to submit with the following observations to the consideration of the Honble the Governer in Council.—

3. Into the preamble of the proposed Draft of the Regulation, numbered VII of 1821 the Judges have introduced certain verbal modifications of the original Draft; and have made the necessary addition, having reference to the enactments mentioned in your letter of the 4th Instant.—

4. In the latter part of clause first of Section II the Judges have made a verbal alteration which appeared requisite in order to render the meaning of the original Draft clear and precise.—

5. By the third clause of this section in the original Draft it is prescribed, that if it shall appear to the Judge of Circuit presiding at a trial that procurable evidence material to a prisoners defence has not been brought before him he "shall postpone the trial until the next Sessions of Gaol Delivery."—

6. The Judges of the Foujdaree Udalut with a view to obviate the postponement of trials from which such serious inconvenience must result to the parties and witnesses in cases wherein it may be possible to procure the attendance of the requisite evidence pending the Session have in the proposed Draft introduced a modification of this clause.—

7. Section III of the proposed Draft contains provisions for the guidance of Heads of Districts Police in the apprehension of vagrants and suspecious persons.—

8. These provisions are taken with some slight alterations from Section XX Bengal Regulation XX of 1817 by which were modified the provision on this subject enacted in Section X Bengal Regulation XXXV of 1803. The Judges consider these provisions to embrace the subject of the enactment required by the orders of the Honorable the Governor in Council and to be calculated to prevent the vexations exercise of

of the additional powers thereby vested in the Officers of Police

9. Section IV of the proposed Draft provides for the apprehension of vagrants under the Magistrates warrant and prescribes the proceeding to be adopted with respect to such as may appear investigation to be disorderly disposed—

10. Section V, VI, and VII of the proposed Draft are taken from sections III, IV, and V of the Original Draft without any alteration, excepting the Correction of an error in the marginal Note to Clause Second of Section IV—

11. In Section VIII of the proposed Draft the Judges have omitted as being unnecessary the including provision contained in section VI of the Original Draft regarding the disposal of counterfeited coin—

12. Sections IX and X of the proposed Draft correspond with sections VII and VIII of the Original Draft with the exception of a slight verbal alteration in section IX—

13 In the proposed Draft of Regulation VIII of 1821. the Judges have considered it necessary only to introduce one or two slight verbal alterations of the Original Draft—

8th December 1821

(Signed) W. Oliver Register

No 443 To The late Criminal Judge in the Zillah of Verdachellum

Sir

1. The Judges of the Tanjadaree Adalut desired that

that the convicts in confinement in the Jail at Verdachellum with the exception of those whose adjudged periods of imprisonment will expire before the end of the Month, and who will be released by you accordingly be sent with a calendar exhibiting their names crimes and sentences to the Criminal Judge in the Zillah of Chinglepat there to be imprisoned agreeable to the tenor of their respective sentences.

You will at the same time transmit a Copy

2. of the Calendar to this Office—

3. The Thirty one prisoners reported in your letter dated 6th Instant to be under commitment for trial before the Court of circuit will be sent by the same [illegible] together with the proceedings which may have been held against them and should any further delay occur in obtaining the further testimony stated by you to be requisite with respect to one prisoner it will be proper that he should also be sent to the Criminal Judge of Chinglepat whose duty it will be to communicate with the Magistrate of Vencatachellum on the subject—

You will also send to Chinglepat the

4. eighteen revenue defaulters, and the Civil Debtor stated to be in confinement at Verdachellum—

You will in communication with the

5. Medical Officer exercise your discretion as to the time of removing those prisoners who are now under his charge, and should that Officer be of opinion that any of them cannot be removed with

safety

Safely before your departure from the Station, you will report the circumstance for the further instructions of the Fouydaree Udalut.—

11th December 1821. (Signed) W Oliver Register

No 444. To

The Criminal Judge in the Zilla of Chinglepat

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of your letter dated 3rd Instant and to inform you that the late Criminal Judge in the Zilla of Verdachellum has been directed to send the prisoners in confinement at that Station to be lodged in the Jail at Chinglepat

2.

You will receive from the late Criminal Judge a Calendar containing the names, Crimes and Sentences of the Convicts sent to Chinglepat besides whom there are reported to be thirty one prisoners under commitment for trial by the Court of Circuit eighteen Revenue defaulters, and one Civil Debtor imprisoned under section XXIX Regulation III of 1802.—

11th December 1821. (Signed) W. Hudleston

Dy Register

No 450 To The 3rd Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Court

Fouydaree Diary 17th December 1821

Court of Fouydaree Udalut to acknowledge the receipt of your letter, dated 10th Instant, and to state that they do not consider it requisite that a further Sessions of Jail Delivery should be held at Seringapatam Circuit.—

17th December 1821.— (Signed) W. Hudleston

Deputy Regr

No 451 To The Judges of the Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Fouydaree Udalut to inform you that Mr Newnham has been directed to proceed upon the ensuing Circuit in the Northern Division without previously joining his station at Masulipatam

17th December 1821. (Signed) W. Hudleston

Deputy Regr

No 452 To The Judges of the Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Fouydaree Udalut to inform you, that Moculavee Mahummad Nokeem Cazee of the Provincial Court for the Centre Division, who has proceeded under the orders of the Fouydaree Udalut to join his Station at Chittoor is intitled to receive his Salary from the 1st Instant

17th December 1821. (Signed) W. Hudleston

Deputy Register

To

No. 454 To

(No. 63)

The Secretary to Government in the

Judicial Department

Sir

I am directed by the Judges of the Court of Sudr and Fouj.dary Udalut to transmit to you the accompanying letter dated 14th Instant from the Provincial Court of Circuit in the Centre Division, and to request an intimation of the pleasure of the Honorable the Governor in Council, as to the provision to be made for holding the 1st Quarterly Sessions of Jail delivery for 1822 at Chittoor and for the discharge of the functions of the Provincial Court of Appeal, after the departure of the two Judges now present at the Sudr Station.—

19th December 1821. (Signed) W. Hudleston

Deputy Register

No. 455 To (No. 64)

The Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Court of Fouj.dary Udalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter dated 12th Instant from the Criminal Judge in the Zillah of Salem.—

2. It appears from this letter that the present

Fouj.dary Diary 19th December 1821

present Zillah Jail will, on the completion of an additional building for which the sanction of Government has been recently obtained, afford accommodation for 400 prisoners and that the number usually in confinement varies from 370 to 390.—

3. The number of prisoners in confinement in the Jail at Coimbatoor being 138 and it being necessary that a considerable proportion of them should be transferred to Salem to Chittoor and a portion of those at Coimbatore to the Zillah Jails at Chittoor and Trichinopoly—

4. It appearing by the 3rd paragraph of the accompanying letter from the Criminal Judge in the Zillah of Salem that the Jails at that Station might at an expence of about 150 Pagodas be rendered fit to accommodate 550 prisoners which is about the average of the number heretofore in confinement in the Jails of Coimbatore and Salem conjointly, the Judges of the Fouj.dary Udalut would recommend that sanction be given to the Criminal Judge for the disbursement suggested by him on this account.—

(Signed) W. Hudleston

19th December 1821

Deputy Register

No. 456 To The Criminal Judge in the Zillah of Salem

Sir,

1. I am directed by the Judges of the Court of Fouj.dary Udalut to acknowledge the receipt of your letter, dated 12th Instant from which it appears that the Jail under your

your charge affords accommodation for 34 prisoners in addition to the number already confined there, which is stated to be 366.

2. By a report, which has been received from the late Criminal Judge in the Zillah of Coimbatore it appears that there are in that Jail 138 prisoners, of whom 72 are under sentence of the Court of Circuit, 23 of the late Criminal Judge 40 Committed for trial at the ensuing Sessions of Jail Delivery and 3 are Civil prisoners.—

3. It is necessary that the Civil prisoners and those under Commitment for trial should be sent to Salem, and it is also considered proper that those under sentence of the late Criminal Judge together with those sentenced by the Court of Circuit, whose sentences may be about to expire within Sixe months, and those detained on a requisition of Security should be transferred to your custody—

4. The late Criminal Judge, who will be furnished with a copy of this letter will immediately apprize you of the number of persons to be sent to Salem as directed in the preceding paragraph, and you will thereupon take the necessary measures for removing to Chittoor such portion of the Convicts now at Salem, as may exceed the for whom the Jails at that Station will afford accommodation.—

5 Immediately on carrying this arrangement into

into effect you will transmit to this office a Report containing the names, crimes, and sentences of Several prisoners who may be sent to Chittoor.

6. The Criminal Judge of Coimbatoor will be directed to dispose of the prisoners, whose transmission to Salem is not required by these Orders, between the Jails of Trichinopoly and Chittoor.—

(Signed) W. Hudleston
Deputy Regr.

19th December 1821.

P 457 To the late Criminal Judge in the Zillah of Coimbatoor

Sir,

P 1. I am directed by the Judges of the Court of Fayjdaree Udalut to acknowledge the receipt of your letter, dated 13th Instant, and to transmit for your information and guidance the annexed Copy of a letter which has been addressed to the Criminal Judge in the Zillah of Salem—

With reference to the concluding paragraph

2. of that letter the Judges of the Fayjdaree Udalut desire, that of the Convicts under your charge whose transmission to Salem is not therein required, you will select 30, whose term of imprisonment may be most nearly completed for transmission to the Criminal Judge in the Zillah of Trichinopoly, and that the remainder may be transferred to the custody of the Criminal Judge in the Zillah of Chittoor—

The Judges desire that you will—

3. immediately

immediately furnish them with three separate reports shewing the names, crimes and sentences of the prisoners, who may be sent by you to the Criminal Judges of Salem, Trichinopaly, and Chittoor respectively—

19th December 1821 (Signed) W Hudleston
Deputy Register

№ 460 To
The Criminal Judge in the zillah of Bellaree.

Sir,

I am directed by the Judges of the Court of Fayjdaree Adalut to acknowledge the receipt of your letter dated 12th Instant, and to desire that the 5 Bullocks therein referred to be sold in liquidation of part of the expences attending their past detention—

21st December 1821 (Signed) W. Hudleston—
Deputy Register

№ 461 To The Acting Judge on Circuit in the
Centre Division.

Sir.

With reference to your letter, dated 14th Instant, transmitting Copy of the proceedings held in two cases on the Bellaree Calendar 2d Session of 1821 postponed until the ensuing Sessions, the Judges of the Fayjdaree Adalut direct me to inform you, that the orders of the Court dated 26th Ultimo apply only to the

the cases of persons committed for trial and discharged by order of the Court of Circuit in consequence of there not having been sufficient grounds for their commitment, and do not require any report regarding cases postponed for trial at a future Sessions—

21st December 1821 (Signed) W. Hudleston
Deputy Regr.

(№ 66)

To The Secretary to Government in the
Judicial Department

Sir

1. With reference to my letter dated 21st Instant I am directed by the Judges of the Fayjdaree Adalut to transmit to you the accompanying letter from the late Criminal Judge in the Zillah of Verdachellum, dated 22d Instant—

2. It appearing by the 2d paragraph of the above letter that the whole of the records of the late Zillah Court will be dispatched for Chingleput by the 28th Current, the sanction of Government will not be required for retaining any part of the establishment beyond the present Month—

3. With reference to the report given in the first paragraph of Mr. Gowans letter regarding twenty four Invalid prisoners, the Judges beg leave to recommend that sanction be given for retaining a part of the Jail establishment and for the Medical treatment of these prisoners, until they may be sufficiently recovered to march by easy stages to Chingleput—

24th December 1821 (Signed) W. Hudleston
Deputy Register

No 467 To the Judges of the Provincial Court of Circuit
in the Centre Division

Gentlemen,

With reference to your letter dated 14th Instant, I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you the annexed Copy of a letter dated 21st Instant from the Secretary to Government in the Judicial Department and to desire that the Criminal Judge in the zillah of Chittoor may immediately submit a report, shewing the number of prisoners standing committed for trial at the ensuing Quarterly Sessions of Gail delivery, and the Crimes with which they are respectively Charged.—

24th December 1821. (Signed) W. Hudleston.
Deputy Register

No 470 To The late Criminal Judge in the zillah of
Coimbatore

Sir,

1

With reference to my letter dated 19th Instant, I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you the annexed copy of a letter from the Secretary to Government in the Judicial Department dated 21st Instant, and of the letter from the Principal Collector and Magistrate of Coimbatore therein referred to.—

2

Agreeably to the instructions of Government communicated in the foregoing letter you will deliver over charge of the Convicts in the Gail, excepting those mentioned in the following paragraphs of this letter to the Principal Collector and Magistrate

to whom you will furnish a Calendar exhibiting their names crimes and sentences, in order that those whose term of imprisonment may expire before the completion of the work on which they are to be employed may be discharged by that Officer.

3

The prisoners stated in the report transmitted by you on 13th Instant to be severally confined on a requisition of Security, Committed for trial by the Court of Circuit, and sentenced to imprisonment without labour together with the three Convict prisoners and one Lunatic, are to be immediately sent to the Criminal Judge in the zillah of Salem.—

27th December 1821 (Signed) W. Hudleston
Deputy Regr

No 471 To The Criminal Judge in the zillah of Salem

Sir,

1

With reference to my letter dated 19th Instant I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you the annexed Copy of a letter of this date to the late Criminal Judge in the zillah of Coimbatore and of the correspondence therein referred to.—

2

The instructions of Government for detaining the Convicts in the Gail at Coimbatore will obviate the necessity for the arrangement directed in the 4th Paragraph of my letter of 19th Instant.—

27th December 1821. (Signed) W. Hudleston
Deputy Register

№ 472 To

The Magistrate of Coimbatore

Sir,

1 The Judges of the Court of Fayzdaree Udalut having agreeably to instructions from the Honorable the Governor in Council directed that the Convicts in the Coimbatore Jail shall be for the present left there to be employed under your directions have desired me to transmit to you the annexed Extract of a letter on the subject which has been addressed to the late Criminal Judge.

2. The Judges direct me to refer you to the provisions contained in sections XXVIII. XXIX. XXXI. and XXXII Regulation X of 1816 for your guidance during the period for which the Convicts may remain under your charge and they desire that you will on the completion of the work referred to in your letter to Mr. Secretary Hill dated 11th Instant apply for their instructions regarding the disposal of the Convicts

27th December 1821. (Signed) W Hudleston

Deputy Register

№ 473 To The Crimenal Judge in the zillah of Masulipatam

Sir

1. I am directed by the Judges of the Fayzdaree Udalut to transmit to you the annexed copy of a letter from the Secretary to Government in the Judicial Department dated 21st Instant

With

2. With reference to the 9th paragraph of my letter dated 5th Instant the Judges conclude that the mistake of the late acting Criminal Judge will ere this have been rectified.

27th December 1821 (Signed) W. Hudleston

Deputy Register

(№ 67)

№ 474 To the Secretary to the Government in the Judicial Department

Sir

I am directed by the Judges of the Court of Fayzdaree Udalut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated the 21st Instant from the Criminal Judge in the zillah of Bellaree transmitting a Bill for Rupees 61 on account of translations for the court of Circuit.

27th December 1821 (Signed) W. Oliver

Register

(№ 68)

№ 478 To

The Secretary to Government in the Judicial Department

Sir

I am directed by the Judges of the Court of Fayzdaree Udalut to acknowledge the receipt of your letter № 528 dated 21st Instant and to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter dated 26th Instant from the Criminal

Foxydaree Diary 31st December 1821

Criminal Judge in the gillah of Chittaar forwarding an abstract of the Calendar of persons committed for trial at the 1st Quarterly Sessions of 1822.

31st December 1821 (Signed) W. Oliver

Register.