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Diary

for

1823

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A.D.

Fouzdaree Dewy 6 January 1823.

No 8 To The Criminal Judge in the Zillah of Madura

Sir

I am directed by the Judges of the Fouzdaree Adaulut to acknowledge the receipt of your letter dated 28 Ultimo transmitting report prescribed by Section XXXVII Regulation X of 1816, together with report of a convict sentenced to 14 years imprisonment in banishment by the Court of Circuit.

2. The Judges direct that the prisoner Ramakristnen be removed to the Jail in the Zillah of Chittoor there to be imprisoned agreeably to the terms of his sentence

6 January 1823. Signed W. Hudleston
Deputy Register

No 9 To The Criminal Judge in the Zillah of Chittoor

Sir

I am directed by the Judges of the Fouzdaree Adaulut to transmit for your information the accompanying copy of a letter addressed to the Criminal Judge in the Zillah of Madura.

6 January 1823. Signed W. Hudleston
Deputy Register

No 10 To The Court of Circuit in the Centre Division

Gentlemen,

The Judges of the Fouzdaree Adaulut desire

desire that you will instruct the several Criminal
Judges within your Jurisdiction in Cases of convicts
sentenced by the Court of Circuit under clause third
Section VIII Regulation XV of 1803 to banishment, to transmit
to the Court of Fouj.daree Udalut copies of the Warrants
of the Court of Circuit for their orders as to the prisoners
disposal.

6th January 1823 | Signed | W. Hudleston
Deputy Register

The same Copy to Northern & Southern Division

No. 11. To

The Criminal Judge in the Zillah of Nellore

Sir

I am directed by the Judges of the Fouj.daree
Udalut to acknowledge the receipt of your letter of the 24th Ultimo
and to return you the Notice with the report which has been
endorsed thereon by the Nazir of this Court

6th January 1823. | Signed | W. Hudleston
Deputy Register

No. 12. To

The 1st Judge Sudder on Circuit in the
Western Division

Sir,

1. I am directed by the Judges of the Fouj.daree
Udalut to acknowledge the receipt of your letter dated 27th
Ultimo reporting on the case of an insane prisoner

2. The Judges desire, that you will convey to
the Criminal Judge in the Zillah of South Malabar
their



their censure of his omission in this case to observe the orders
of the Fouj.daree Udalut, dated 21st February last, directing
that prisoners appearing from evidence to be of unsound mind
should be placed under charge of the medical officer of the station

3. The Judges direct that the prisoner "Karattoo
Hyssoopoo" be placed under charge of the Zillah Surgeon in view
to his eventual confinement in the Lunatic Asylum at the
Presidency

6th January 1823. | Signed | W. Hudleston
Deputy Register

No. 16 To

The Magistrate of Coimbatore

Transmitting copy of a letter from Government
sanctioning the charges incurred from 1st January to 30th June
1822 on account of Prisoners at Coimbatore

8th January 1823. Sent usual letter

No. 19. To

The Criminal Judge in the Zillah
of Chingleput

Sir

1. I am directed by the Judges of the Fouj.daree
Udalut to acknowledge the receipt of your letter, dated 3 Instant,
and to refer you to paragraph 11 of the "Last Rules" circulated
by the Court under date 8th October 1821.

2. It will be your duty to supply all convicts
with Cumblies, as directed in the rule above cited, the
expence of which will be entered in your contingent charges
submitted

submitted annually for sanction.

3. Where prisoners may be confined for less than six months the Cumblies should be taken back, and supplied, if in a fit condition, to others.

13th January 1823. | Signed | W. Hudleston
Deputy Register

No. 28. To

The Acting Judge on Circuit in the
Southern Division

Sir,

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 trial of a person on a charge, for which he had been previously tried and acquitted, being inconsistent with established principles of Justice, the commitment of the party mentioned in your letter was improper, and it will be your duty immediately to order his release.

2. The Judges purpose by a circular order to prohibit the commitment of any person for trial, under the same circumstances, in future.

16th January 1823. | Signed | W. Hudleston
Deputy Register

No. 29. To

The third Judge presiding at the 1st Quarterly
Sessions of Jail Delivery at
Masulipatam for 1823.

Sir

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter, dated 7th Instant.



Instant, referring copy of a letter from the Magistrate of Masulipatam, who desires instructions regarding his authority to take cognizance of complaints from individuals against their private servants for neglect of duty, absence without leave and other trifling faults, as well as for quitting their service without a regular discharge.

2. The Judges of the Court of Foujdaree Udalut desire, that you will convey to the Magistrate their opinion, that the punishment of conduct of the above description is wholly foreign to the functions of his office.

16th January 1823. | Signed | W. Hudleston
Deputy Register

No. 30. To

The 2d Judge of the Court of Circuit
in the Western Division

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter, dated 4th Instant requesting their opinion as to the most fit person to deliver the futwah on a trial, during a part of which the Magistrate, who has proceeded on Circuit, was present.

2. The Judges are of opinion, that under the circumstances stated in your letter the Judge of the Court of Circuit should be directed to peruse the record of the proceedings held on the trial, and to deliver a futwah thereon.

16th January 1823. | Signed | W. Hudleston
Deputy Register.

N:31 To

The First Judge late on Circuit in the Western Division

Sir

1 I am directed by the Judges of the Fanjdarree Adalut to acknowledge the receipt of your letter, dated 2d Instant transmitting the warrants issued by you for the Execution of the sentence of death passed by the Court of Fanjdarree Adalut on the prisoners Vencata and Naidoo Lepay.

2. The endorsement of the Assistant Criminal Judge on the latter warrant specifies that the body of the "prisoner was subsequently at the special request of the "Zillah Surgeon delivered up to him for anatomical "& anatomical inspection."

3 The Judges desire, that you will convey to the Assistant Criminal Judge their censure of his having taken upon himself without authority to adopt a measure, which they consider in many respects open to serious objection

16th January 1823. (Signed) W Hudleston

Deputy Register

N:32 To

The Criminal Judge in the Zillah of Chingleput

Sir

1 In case N:1 of the report furnished by you in form N:12 of the Appendix to Regulation X of 1816 the prisoner is stated to have been apprehended on the 17th September on a charge of stealing from the prosecutors property



property valued at Rupees 4 9 and to have received the Zillah station on 22d October last.

2. In explanation of the delay in disposing of the case it is stated that two precepts have been sent to the "Magistrate who reports that he is still in search of the "prosecutor who has absconded."

3 Under these circumstances supposing no other evidence to be forthcoming against the prisoner, the Judges of the Fanjdarree Adalut are of opinion that he ought not to be any longer detained in Custody.

4 Cases N:s 6 and 7 appear to have been more than a month before you and are stated to be under investigation.

5. Of delay of this nature the Judges will expect in future to receive a particular explanation.

16th January 1823. (Signed) W. Hudleston

Deputy Register

N:33. To

The Assistant Magistrate in the Zillah of Peringapatam

Sir

1 In the report submitted by you under date 9th Instant of robberies and other heinous offences committed in the year 1822 the number of "thefts of considerable amount or "attended with aggravating circumstances" is stated to have been 9, and the number of cases of that description in which the persons apprehended had been concerned is stated to be 15.

2. These two entries in the report being inconsistent,

it

it is returned to you for correction.

16th January 1823. (Signed) W. Hudleston
Deputy Register

N. 34 To
The Magistrate in the Zillah of Madura

Sir

1. The orders of the Court of Fouzdaree Udalut, dated 15th August last, directed the addition of a column to the report prescribed by Section XXX Regulation IX of 1816 exhibiting the number of cases, in which the persons apprehended may have been concerned.

2. The report submitted by you on 1st Instant not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.

16th January 1823. (Signed) W. Hudleston
Deputy Register

N. 40 To
The Magistrate in the Zillah of Viziadroog

Sir

1. The orders of the Court of Fouzdaree Udalut, dated 15th August last, directed the addition of a column to the report prescribed by section XXX Regulation IX of 1816 exhibiting the number of cases, in which the persons apprehended may have been concerned.

2. The report submitted by you on 20th Instant not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.

22d January 1823. (Signed) W. Hudleston
Deputy Regr.

To



N. 41 To
The Magistrate in the Zillah of Chingleput.

Sire

1 The orders of the Court of Fouzdaree Udalut, dated 15th August last, directed the addition of a column to the report prescribed by Section XXX Regulation IX of 1816 exhibiting the number of cases, in which the persons apprehended may have been concerned.

2 The report submitted by you on 17th Instant not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.

22d January 1823. (Signed) W. Hudleston
Deputy Register

N. 3.

N. 42. To
The Secretary to Government
in the Judicial Department.

Sire,

I am directed by the Judges of the Fouzdaree Udalut to transmit to you the accompanying General Abstract statement of the Criminal trials, in which sentences were passed during last year, with the request of the Judges that it may be laid before the Honorable the Governor in Council.

22d January 1823. I have the honor to be &c.
(Signed) W. Oliver
Register

Statement

General Abstract of Criminal Trials on which Sentences were by the Foujdaree Udalut from 1st January to 31st December 1822.

| Division | Zillahs | Names of Trials | | | Number of Prisoners on whom sentence has been passed | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Total | | | | | |
| | | 1821 | 1822 | Total | 1821 | 1822 | Death | Transportation | Imprisonment | Release on Security | Release | Total |
| Centre Division | Chittoor | " | 15 | 15 | " | 20 | 7 | 4 | 6 | " | 3 | 20 |
| | Bellary | 10 | 2 | 12 | 43 | 2 | 6 | 7 | 3 | 20 | 9 | 45 |
| | Cuddapah | " | 6 | 6 | " | 17 | 2 | 13 | 2 | " | " | 17 |
| | Chingleput | 7 | 1 | 8 | 11 | 1 | 1 | " | 10 | 1 | " | 12 |
| Northern Division | Masulipatam | " | 12 | 12 | " | 95 | 9 | 16 | 25 | 43 | 2 | 95 |
| | Nellore | 2 | 5 | 7 | 3 | 11 | " | " | 3 | 5 | 6 | 14 |
| | Chicacole | 4 | 3 | 7 | 13 | 10 | 3 | 8 | 9 | 2 | 1 | 23 |
| | Trichinopoly | " | 3 | 3 | " | 3 | 1 | " | 1 | " | 1 | 3 |
| Southern Division | Salem | " | 9 | 9 | " | 14 | 4 | 5 | 4 | 1 | " | 14 |
| | Combaconum | " | 2 | 2 | " | 11 | " | " | " | 4 | 7 | 11 |
| | Madura | " | 4 | 4 | " | 6 | 1 | 2 | " | 3 | " | 6 |
| | Tinnevelly | " | 3 | 3 | " | 26 | " | 2 | 20 | " | 4 | 26 |
| Western Division | North Malabar | " | 2 | 2 | " | 2 | 2 | " | " | " | " | 2 |
| | South Malabar | 13 | 7 | 20 | 44 | 15 | 17 | 24 | 8 | 8 | 2 | 59 |
| | Canara | 1 | 5 | 6 | 2 | 7 | 3 | 1 | 2 | 3 | " | 9 |
| | Seringapatam | " | 3 | 3 | " | 3 | 2 | " | 1 | " | " | 3 |
| Total | | 37 | 82 | 119 | 116 | 243 | 58 | 82 | 94 | 90 | 35 | 359 |

E E

Signed W. Oliver

Regr To

Foujdaree Udalut
Register's Office
22d January 1823.

No 47 To

The Acting Judge on Circuit in the Southern Division

Sir

I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter dated 18th Inst. and to state that they entirely concur with you in opinion that with reference to the provisions of Section XXXV Regn XI of 1816 persons holding the situation of Cutwaul are ineligible to the office of Police Ameen, and that it is not competent to the Magistrates to assign to them the police functions referred to in Clause first Section III Regulation IV of 1821, the subordinate officers mentioned in that clause being those only who strictly speaking form part of the district police establishment

25th January 1823.

I have &c.

Signed W. Hudleston

Deputy Regr

No 48 To

The Criminal Judge in the Zillah of Chittoor

Sir

Referring to certain numbers in your report of Criminal cases depending on 31st December 1822 wherein an interval of one month and upwards is stated to have elapsed since the arrival of the prisoners at the Zillah station and which are described as requiring "no explanation," the Judges of the Foujdaree Adaulut direct me to convey to you their instructions to render an explanation of the delay, whenever a case may be before you for the period of one month immediately

25th January 1823.

Signed W. Hudleston

Dy Regr

To



No 49 To

The Magistrate of Trichinopoly

Sir

1. The orders of the Court of Foujdaree Adaulut dated 15th August last directed, the addition of a "column to the report prescribed by section XXX Regulation IX "of 1816 exhibiting the number of cases, in which the persons "apprehended may have been concerned," and by their orders of 23rd May 1821 the Magistrates were enjoined to specify in that report "only the twelve descriptions of offences," mentioned in the form given in the appendix to the above Regulation.

2. Your last report contains an additional Column headed as directed by the Court of Foujdaree Adaulut and left blank throughout; from which but for the palpable mistake it would be inferrible that not one of the 301 persons sent to the Criminal Judge had been concerned in any of the 135 heinous crimes reported to have been committed.

3. The statement contains the gratuitous addition of a thirteenth head of crime, Viz. "poisoning cattle" of which offence it does not appear that any instance occurred within the period embraced by the report, which the Judges direct me to return to you for correction.

25th January 1823.

I have the honor to be &c.

Signed W. Hudleston

Deputy Regr

To

N.50 To

The Magistrate in the Zillah of Coimbatore

Sir

1 The orders of the Court of Fouj.daree Udalut dated 15th August last, directed "the addition of a column to "the report prescribed by Section XXX Regulation IX of 1816 "exhibiting the number of cases, in which the persons appre "hended may have been concerned".

2 The report submitted by you on 18th Instant, not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.—

27th January 1823.— Signed J. W. Huddleston

Deputy Regr

N.52 To

The Magistrate in the Zillah of Cuddalore

Sir

1 The orders of the Court of Fouj.daree Udalut, dated 15th August last, directed "the addition of a "column to the report prescribed by Section XXX Regulation "IX of 1816 exhibiting the number of cases, in which the persons "apprehended may have been concerned".

2 The report submitted by you on 20th Instant not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.—

30th January 1823. Signed J. W. Huddleston

Deputy Regr



N.53 To

The 2d Judge on Circuit in the Centre Division

Sir,

I am directed by the Judges of the Court of Fouj.daree Udalut to return to you the accompanying papers transmitted with your letter dated the 15th Ultimo.—

30th January 1823. Signed J. W. Huddleston

Deputy Regr

N.54 To

The Magistrate in the Zillah of Chingleput

Sir

1 I am directed by the Judges of the Fouj.daree Udalut to acknowledge the receipt of your letter, dated 25th Instant, transmitting a revised statement of crimes of a heinous nature committed in 1822.

2. The additional column headed "number of crimes "in which the persons apprehended have been concerned" is in the above report left blank throughout and you observe in your letter that the prisoners have not been recognized as having been formerly concerned in crimes".

3 The additional column is intended to shew in how many of the crimes specified in the first column of the statement to have been committed the persons apprehended have been concerned; and not the number of crimes which may have been committed by those persons within a period not embraced by the statement.—

The

4 The Judges desire that you will furnish another statement containing the information above mentioned

30th January 1823. Signed W Hudleston

Deputy Regr



N:58 To The Assistant Criminal Judge in charge of the Zillah Court at Chinglepet.

Sir

1 I am directed by the Judges of the Fanjdaree Udalut to acknowledge the receipt of your letter, dated 27th Ultimo and to state that in their opinion it is not competent to an Assistant Criminal Judge, during the absence of the Criminal Judge, to dispose of any case under the provisions of Section IV Regulation X of 1816, which may not have been referred to him by the Criminal Judge, previously to his departure from the station, and that under Clause second Section V of the above Regulation the report prescribed by Section XV Regulation XII of 1802 should be made by you to Government.

2 In reference to the point, whereon you apply for instructions the Judges direct me to state, that they consider a Criminal Judge competent to delegate to his Assistant the powers vested in him by Regulation XI of 1822.

5th February 1823. Signed W. Hudleston

Deputy Regr

N:59 To N:5.

The Secretary to Government in the Judicial Department

Sir

1 With reference to your letter (N:489) dated 3d December last I am directed by the Judges of the Fanjdaree Udalut to transmit to you for the purpose of being laid before the

the Honorable the Governor in Council the accompa
dated 23d Ultimo from the Magistrate in the Zillah
2. It appears to the Judges, that an
cannot be required at the same station with the off
viz the officio Head of Police of the District
5th February 1823. | Signed | W Alexr

Pay

No 60 To

The Magistrate in the Zillah of Chitta

Sir,

1. The orders of the Court of Fouzdaree
dated 15th August last, directed the addition of a
"the report prescribed by Section XXX Regulation IX of
"exhibiting the number of cases in which the persons of
"may have been concerned"

2. The report submitted by you on 27th Ul
not being drawn up in conformity with the above orders
returned to you in order that a revised report may be fur
5th February 1823. | Signed | W. Hudleston
Deputy

No 61 To

The Criminal Judge in the Zillah
of Moorsh

Sir

1. The first case in your report dated
of "Criminal Cases depending on 31st December 1822" co
the names of 16 persons the greater part of whom appear
been in confinement four years the month of June



and the delay in disposing of the case is stated to have arisen
from "the necessary witnesses not having been forwarded by the
"Police notwithstanding repeated injunctions from the Magistrate
"at the request of the Criminal Court"

2. The Judges of the Fouzdaree Udalut direct
me to convey to you their opinion, that unless the particular
circumstances which have opposed the attendance of the witnesses
in this case before you, were of such a nature as to warrant
a confident expectation of their being adequate proof forthcoming
against the accused their detention in custody has been improper

5th February 1823. | Signed | W. Hudleston
Deputy Regr

No 66 To

The Magistrate of Guntoor

Sir,

1. I am directed by the Judges of the Fouzdaree Udalut
to acknowledge the receipt of your letter, dated 28th Ultimo requesting
to be informed whether you ought to take steps to bring to trial
certain persons, suspected of being concerned in a forgery, against
whom the individual whose interests are immediately affected
by the transaction has not preferred a charge.

2. The Judges of the Fouzdaree Udalut are
of opinion that the right to institute proceedings in a case of
this nature belongs exclusively to the party whose interests
are affected by the transaction; and that if as would seem
from your letter the forged paper has been fraudulently
imposed upon you, as Collector, it will be competent to

you

you in that capacity to originate a charge against the parties -

3. Should this however not be the case it appears to the Judges of the Fouzdaree Udalut to be requisite, that proceedings should be instituted by the Prosecutrix of Doraswamy Bauptah the person reported to have been committed to take his trial, as an accomplice in the crime, and as it appears upon reference to a letter addressed by the Criminal Judge of Nellore under date 21st September last to the Secretary to Government in the Judicial Department, that a charge on oath was preferred on behalf of the prosecutrix before him against the whole of the parties implicated in the transaction the Judges are disposed to think the omission of the prosecutrix to institute proceedings against them before you may have arisen from her being unaware of the legal impediment to the omission of the charge by the Criminal Judge, and the consequent necessity of bringing it forward in the Magistrates Court, on which points, under the circumstances of the case, the Judges are of opinion that you should convey to her the necessary information

13th February 1823. | Signed | W. Hudleston
Deputy Regr

No 67 To

The Acting Criminal Judge in the Zillah of Chicacole

Sir,

1. In several cases in the report submitted



by the Assistant Criminal Judge of Criminal cases depending on 31st December last the Judges of the Fouzdaree Udalut observe instances of delay of from two to three months, and in one case of above six months, owing to the non arrival of the witnesses -

2 The Judges desire, that you will communicate with the Magistrate regarding the inattention shewn by the officers of Police to the provisions of the Regulations on this subject; and direct me to convey to you their opinion, that where considerable delay in forwarding witnesses may not be accounted for in such a manner as to warrant an expectation that adequate evidence is forthcoming against the prisoners, they should not be detained in Custody -

13th February 1823. | Signed | W. Hudleston
Deputy Regr

No 68 To

The Magistrate in the Zillah of Vizagapatam

Sir,

1. The orders of the Court of Fouzdaree Udalut dated 15th August last, directed the addition of a column "to the report prescribed by Section XXX Regulation IX of "1816 exhibiting the number of cases, in which the persons "apprehended may have been concerned" -

2. Your last report contains an additional column headed as directed by the Court of Fouzdaree Udalut and left blank throughout from which but for the palpable mistake it would be inferrible that not one of the 275 persons sent

sent to the Criminal Judge had been concerned in any of the 31 heinous crimes reported to have been committed.

3. The statement is therefore returned to you for correction.

13 February 1823. | Signed | W. Hudleston
Deputy Regr

No 69 To
The Magistrate in the Zillah of Tinnevelly

Sir

1. The orders of the Court of Faujdaree Udalut dated 15th August last, directed the addition of a column to the report prescribed by Section XXX Regulation IX of 1816 exhibiting the number of cases, in which the persons apprehended may have been concerned.

2. The report submitted by you on 20th Instant not being drawn up in conformity with the above orders, it is returned to you in order that a revised report may be furnished.

13th February 1823. | Signed | W. Hudleston
Deputy Regr

No 72 To
The 2d Judge of the Provincial Court of Circuit
in the Western Division

Sir

I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter dated 6th instant and to desire that the Criminal Judge in the Zillah of Malabar may be instructed to apply to the Court for orders as to the disposal of the prisoner, Ramangattoo Ravi



so soon as the Surgeon may recommend his being set at large.

17th February 1823. | Signed | W. Hudleston
Deputy Regr

No 73 To
The Criminal Judge in the Zillah of Madura

Sir

The Judges of the Faujdaree Udalut, observing that in several cases in your last Quarterly Report of persons apprehended the delay of the officers of Police in forwarding the Prisoners is stated to have arisen from references to the Magistrate for instructions, desire that you will convey to the Magistrate of Tinnevelly their injunction to enforce upon his Police Officers a more strict attention to the provisions of Clause fourth Section XXVIII Regulation XI of 1816, regarding the detention of persons in Custody.

17th February 1823. | Signed | W. Hudleston
Deputy Regr

No 74 To
The Magistrate of Rajahmundry

Sir,

In reference to your last report submitted under the provisions of Section XXX Regulation IX of 1816 whereby it appears that the Police have in the past year apprehended not more than one ninth of the persons concerned in one tenth of the heinous crimes committed, the Judges of the Court of Faujdaree Udalut deem it necessary to desire that you will report to them the causes which have in your opinion rendered

rendered their exertions so extraordinarily unsuccessful.

17th February 1823. | Signed | W. Hudleston
Deputy Reg.

N: 78 To

The Assistant Criminal Judge in the Zillah of Chingleput

Sir.

1 I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter, dated 11 Instant and to state that the immediate infliction of the corporal punishment adjudged against prisoners sentenced to transportation is the duty of the Criminal Judge to whom the warrant is addressed; and that when the inquiry prescribed by Section XXXV Regulation VII of 1802 may not have been made, agreeably to paragraph 20 of the 2nd Regulation in consequence of there not being at the station any person able to make it, it should be made at Chingleput on the prisoner's arrival.

2. A copy of this letter will be sent to the Criminal Judges for their information and guidance.

20th February 1823. | Signed | W. Hudleston
Deputy Reg.

N: 79 To

The 4 Provincial Courts of Circuit

Gentlemen,

Northern Division
Centre Division
Southern Division
& Western Division

The Judges of the Faujdaree Udalut desire that the annexed letter of this date to the Assistant Criminal Judge in the Zillah of Chingleput may be communicated to the several Criminal Judges concerned for their information and guidance.



20th February 1823. | Signed | W. Hudleston
Deputy Reg.

N: 80 To

The four Courts of Circuit

Gentlemen,

1 The Judges of the Faujdaree Udalut observe in the reports furnished by the Criminal Judges under the provisions of Section XXXVII Regulation X of 1816, that a date is assigned to the charges against the prisoners, subsequent to the date of their apprehension, desire that you will instruct those officers in all cases, where this anomaly may appear in the report of the Police Officer, to apply to the Magistrate, in order that the date of the original charge or information preferred against the accused, which must in all cases precede the issue of process for their apprehension, may be ascertained and recorded.

2 The Judges desire also, that you will apprize the several Magistrates within your jurisdiction of the great importance, which they attach to accuracy in this part of the reports of police officers, who appear frequently to substitute the date of the examination of the parties, after the apprehension of the accused, for that of the original information, which led to the issue of process against them.

20th February 1823. | Signed | W. Hudleston
Deputy Reg.

To

N.81 To

The Criminal Judge in the Zillah of Cuddapa

Sir.

The report of Casualties furnished by you under date 17th Instant, contains under the Head of Natural Death notices of two persons, hanged in pursuance of sentences of the Faujdaree Udalut.

The Judges direct me to call your attention to this mistake, the recurrence of which ought to have been obviated by a letter from this office, dated 11th February 1818 remarking on a similar error.

20th February 1823. Signed W. Hudleston

Deputy Regist

N.82 To

The Magistrate in the Zillah of Ganjam

Sir,

1. The orders of the Court of Faujdaree Ud dated 15th August last, directed the addition of a column the report prescribed by Section XXX Regulation IX of 1816 exhibiting the number of cases, in which the persons app may have been concerned.

2. The report submitted by you on 5th Instan not being drawn up in conformity with the above orders it is returned to you in order that a revised report may furnished.

20th February 1823.

Signed W. Hudle

Dep



N.83 To

The Acting Criminal Judge in the Zillah of Chicacole

Sir.

1. I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter, dated 6th Instant, requesting their final orders as to the commitment for trial of certain persons, charged with Forgery.

2. As the offence charged against the prisoners was not cognizable by the Criminal Judge, his proceeding if on that charge is altogether void in law, and if as the Judges conclude, the investigation of the Criminal Judge was of an inferior charge, the objection to the commitment of the prisoners, that they have already been tried, does not lie.

3. It appears to the Judges of the Faujdaree Udalut to be essential in justice to the prisoners themselves, if innocent, that they should be tried on their trial before the Court of Circuit, where only the evidence of the approvers can be taken, on which depends their claim to the confirmation of the pardon, conditionally tendered to them under the provisions of Section XX Regulation VIII of 1802.

20th February 1820. I have the honor to be &c.

Signed W. Hudleston

Deputy Regr.

To

Fouzdaree Diary 27th February 1823.

No 88 To

The Assistant Criminal Judge in charge
of the Zillah Court of Nellore

Sir

I am directed by the Judges of the Court of Fouzdaree Udalut to acknowledge the receipt of your letter of the 19th Instant and to return you the notice with the report which has been endorsed thereon by the Nazir of this Court

27th February 1823 (Signed) W Hudleston
Deputy Regr

Fouzdaree Diary 5th March 1823.

No 95 To

The Criminal Judge in the Zillah
of Cuddapah

Sir,

1 I am directed by the Judges of the Fouzdaree Udalut to desire, that 300 of the Convicts under your charge may be placed at the temporary disposal of the Collector of Cuddapah to assist in the repair of the Tank at Budwel

2 The Judges desire, that the selection may be made from those convicts, the periods of whose imprisonment has most nearly expired, and that care may be taken to supply a sufficient guard for their custody

5th March 1823 (Signed) W. Hudleston
Deputy Regr

No 96 To

The Collector and Magistrate in the Zillah
of Cuddapah.

Sir,

The Judges of the Sudr and Fouzdaree Udalut direct me to transmit for your information the accompanying copy of a letter of this date to the Criminal Judge in the Zillah of Cuddapah

5th March 1823. (Signed) W. Hudleston
Deputy Regr

No 97 To

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

Gentlemen,

I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter dated

dated the 11th Ultimo, and to state that they entirely c
with you in opinion, that the powers vested in Collect
by Regulation IX of 1822 cannot legally be delegated by
to their Subordinates -

5th March 1823.

| Signed | W Hudleston
Deputy

No 99 To

The Acting Criminal Judge and
of C

Sir

I am directed by the Judges of the
Udalut to acknowledge the receipt of your letter, dat
Ultimo, and to desire that you will ascertain whether
friends of the Prisoner Permallee Moodeligadoo a
and willing to undertake such care of him as may pre
the possibility of his doing mischief on the event of a
of his release - Melady; and that you will in such
deliver him into their charge, and that in the event o
unwillingness or inability on their part to receive charg
of the Prisoner you will detain him in confinement until
sufficient period shall have elapsed to warrant the co
that he has ceased to be liable to occasional alienation of

10th March 1823.

No 104 To

The Secretary to Government
in the Judicial Departm

Sir.

I am directed by the Judges of the Fouy

# Fouydaree Diary 14th March 1823.

Udalut to transmit to you, for the orders of the Honorable the Governor in Council, the accompanying letter dated 1st Instant from the Criminal Judge in the Zillah of Bellary transmitting a bill for Rupees 18 on account of translations for the Court of Circuit

14th March 1823.

| Signed | W. Oliver
Register.

No 105 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 acknowledge the receipt of your letter, dated 8th ultimo submitting a proposition from the Criminal Judge, arising out of the difficulty experienced by persons detained under the provisions of Section IV Regulation II of 1822. on a requisition of Security that in all cases wherein the Criminal "Judge may demand security from persons suspected but "not convicted of any crime, the accused, if unable to give "it on the spot, shall be allowed to name his Bailers, after "which a Security Bond shall be drawn up, having the name "of the party, the crime he stands accused of, the amount of "Security required by the Criminal Judge, and the period for which it is to be held good, inserted therein. The Crimi- "nal Judge shall then forward this paper to the Magte "with a written request "to cause the competency of the "Security to be ascertained by, and the Bond (if the Bailers

are)

"are willing to undertake the responsibility to be exam
"before the Head Police Officer of the District, and th
"by the Head Inhabitant and Curnum of the Village wh
"they (the Bowlers) reside, and to return it to the Crimina
"Judge," who will thereupon order the release of the pa
"dual on behalf of whom it has been taken"

2. The Judges of the Fouzdaree Adaulut co
the foregoing proposition of the Criminal Judge to be
free from objection and calculated to remedy the inconve
which he has pointed out, and they direct that a copy
this letter be furnished to the several Criminal Judg
and Magistrates within your jurisdiction for their
nine information and future guidance.

11th March 1823.

(Signed) W. Hudleston
Deputy Re

N.106. To
The Judges of the Provincial Court of C
Centre
in the Centre Divi

I am directed by the Judges
Fouzdaree Adaulut to desire that the annexed copy of
to the Judges of the Provincial Court of Circuit in the
Northern Division may be furnished to the Crimi
Judges and Magistrates within your jurisdiction
their information and guidance respectively.

11th March 1823.

(Signed) W. Hudleston
Deputy Re

The same copy to Southern
and Western Divisions.



N.107 To
The 3d Judge late on Circuit in the
Southern Division

Sir,

1. I am directed by the Judges of the Fouzdaree
Adaulut to acknowledge the receipt of your letter, dated 3d
Instant, transmitting returned warrant for transportation
of five prisoners in Case N.37 of Madura Calendar 2d
Sessions A.D. 1822.

2. The Judges direct me to observe with reference
to the above and other warrants for transportation received
from gaol that by the provisions of Section XIII Regulation
VIII of 1802 all warrants excepting those "for the infliction
of Capital punishment" are directed to "remain" with the
Court of Circuit; and that the above warrant issued by
you to the Criminal Judge does not command the
infliction of the Corporal punishment adjudged against
the prisoners by the Court of Fouzdaree Adaulut.

11th March 1823.

(Signed) W. Hudleston
Deputy Regr.

N.112 To
The Criminal Judge in the Zillah
of Malabar

Sir,

With reference to a letter from the late
Criminal Judge of South Malabar, dated 6th Instant
transmitting the opinion of the Zillah Surgeon regarding
the state of mind of Kuniangottoo Koonhally, a prisoner
under

under restraint on account of insanity, the Judges
Foujdaree Udalut desire, that you will take measu
for causing the said prisoner to be delivered into the
of his friends with strict injunctions to watch and
conduct; and to bring to the notice of the local polic
symptom of a return of the Malady to which he has
subject; in order that if necessary he may again be p
under Medical treatment.

17th March 1823.

(Signed) W. Hudleston
Deputy Reg.

No 113 To

The Acting Criminal Judge in the
Zillah of Salem

Sir

1.

I am directed by the Judges of the Foujd
Udalut to acknowledge the receipt of your letter, dated
Instant suggesting the tender of a conditional pard
to certain persons implicated in a case of Gang robb
and Murder

2.

It appears from your letter, that five of the
persons charged with the crime have been tried and cam
and as there is nothing in the papers transmitted by yo
to show, that those five persons were not the principals
Judges of the Foujdaree Udalut are unable to submit
case, in the shape now before them, to the Governor in C
under the provisions of Section XX Regulation VII of 1802
which are limited to cases, wherein the crime may



known to have been committed by several persons, the principal
of whom may not have been apprehended or convicted"

17th March 1823.

(Signed) W. Hudleston
Deputy Regr

No 116 To

The Criminal Judge in the Zillah of Bellary.

Transmitting copy of a letter from Government
sanctioning the charge of 111 Rupees incurred by him for trans-
lations required by the Court of Circuit.

19th March 1823.

(Signed) W. Hudleston
Deputy Regr

No 117 To

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

Gentlemen,

I am directed by the Judges of the Court
of Foujdaree Udalut to transmit to you the annexed copy of
a letter from Captain A Stock with its enclosures; and
to desire that you will obtain from the Magistrate of Masuli-
patam, and forward to this Court certified copies of the
whole of that officers proceedings in the case referred to.

19th March 1823.

(Signed) W. Hudleston
Deputy Regr

No 118 To

Captain A Stock
Masulipatam

Sir,

1

I am directed by the Judges of the Court
of Foujdaree Udalut to acknowledge the receipt of your letter
dated 2d Instant.

The

under restraint on account of insanity, the Fauzdaree Udalut desire, that you will take for causing the said prisoner to be delivered of his friends with strict injunctions to watch conduct, and to bring to the notice of the Local symptom of a return of the Malady to which he subject, in order that if necessary he may again under Medical treatment.

17th March 1823.

(Signed) W. Hudleston
Depy

No 113. To

The Acting Criminal Judge of
Zillah of

Sir,

1. I am directed by the Judges of the Udalut to acknowledge the receipt of your letter, dated Instant suggesting the tender of a conditional pa to certain persons implicated in a case of Gang and Murder

2. It appears from your letter, that five persons charged with the crime have been tried and and as there is nothing in the papers transmitted to shew, that those five persons were not the princip Judges of the Fauzdaree Udalut are unable to ord case, in the shape now before them, to the Governo under the provisions of Section XX Regulation which are limited to cases, wherein the crime

"known to have been committed by several persons, the principal
"of whom may not have been apprehended or convicted"

17th March 1823. (Signed) W. Hudleston
Depy Regr

No 116. To

The Criminal Judge in the Zillah of Bellary.

Transmitting copy of a letter from Government
sanctioning the charge of 111 Rupees incurred by him for trans-
-lations required by the Court of Circuit

19th March 1823. (Signed) W. Hudleston
Depy Regr

No 117. To

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

Gentlemen,

I am directed by the Judges of the Court
of Fauzdaree Udalut to transmit to you the annexed copy of
a letter from Captain A Stock with its enclosures, and
to desire that you will obtain from the Magistrate of Masuli-
-patam, and forward to this Court certified copies of the
whole of that officers proceedings in the case referred to

19th March 1823. (Signed) W. Hudleston
Depy Regr

No 118. To

Captain A Stock
Masulipatam

Sir,

1 I am directed by the Judges of the Court
of Fauzdaree Udalut to acknowledge the receipt of your letter
dated 2d Instant

The

under restraint on account of insanity, that the Fayd.ree Udalut desire, that you will take for causing the said prisoner to be delivered to of his friends with strict injunctions to watch conduct; and to bring to the notice of the local Magistrate symptoms of a return of the Malady to which subject; in order that if necessary he may again under Medical treatment.

17th March 1823.

| Signed | W. Hudleston

Dep.

N:113 To

The Acting Criminal Judge of the

Zillah of

Sir

1.

I am directed by the Judges of the Udalut to acknowledge the receipt of your letter Instant suggesting the tender of a conditional pa to certain persons implicated in a case of Gang and Murder

2.

It appears from your letter, that five persons charged with the crime have been tendered and as there is nothing in the papers transmitted to shew, that those five persons were not the princip Judges of the Fayd.ree Udalut are unable to ord case, in the shape now before them, to the Governm under the provisions of Section XX Regulation which are limited to cases, wherein the crime



"known to have been committed by several persons, the principal "of whom may not have been apprehended or convicted"

17th March 1823.

| Signed | W. Hudleston

Deputy Regr.

N:116 To

The Criminal Judge in the Zillah of Bellary.

Transmitting copy of a letter from Government sanctioning the charge of 111 Rupees incurred by him for transla- -tations required by the Court of Circuit

19th March 1823.

| Signed | W. Hudleston

Deputy Regr.

N:117 To

The Judges of the Provincial Court of Circuit

in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Fayd.ree Udalut to transmit to you the annexed copy of a letter from Captain A Stock with its enclosures; and to desire that you will obtain from the Magistrate of Masulipatam, and forward to this Court certified copies of the whole of that officers proceedings in the case referred to

19th March 1823.

| Signed | W. Hudleston

Deputy Regr.

N:118 To

Captain A. Stock

Masulipatam

Sir,

1

I am directed by the Judges of the Court of Fayd.ree Udalut to acknowledge the receipt of your letter dated 2d Instant

2d The Judges have deemed it proper for the proceedings of the Magistrate of Masulipatam the case to which you refer, and a communication of the order thereon will hereafter be made to you.

19th March 1873.

Shaw the honorable

/ Signed / W. Hudleston

Deputy R

No 119 To

The 1st Judge of the Provincial C

of Circuit in the

Western Divi

Sir

I am directed by the Judges of the

Udalut to acknowledge the receipt of your letter of the 18th

Instant, and to state that on the incorporation of the

of North and South Malabar there could be

Jail at the Seat station

31st March 1873.

No 120 To

The Judges of the Provincial Court of C

Gentlemen

in the Western Divi

I am directed by the Judges of the

Udalut to desire that you will instruct the Crim

Judge of Malabar to transfer 30 Convicts from the

at Calicut to the charge of the Assistant Magistr

Cochin



2. The selection should be made from among those Convicts, the expiration of the term of whose sentences is most distant, and the Magistrate of Malabar is to be desired to furnish the requisite guard for their escort to Cochin, and subsequent safe custody.

31st March 1873. / Signed / W. Hudleston

Deputy Regr.

No 121 To

The Criminal Judge in the Zillah

of Chingleput.

Sir

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 18th Instant and to return you the Notice with the report which has been endorsed thereon by the Nazir of this Court.

31st March 1873. / Signed / W. Hudleston

Deputy Register.

Faujdaree Diary 4th & 10th April 1823.

No 175 To

The Magistrate in the Zillah of Canara

Sir

I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter, dated 27th Ultimo, and to convey to you their sanction for the offer of a reward of Rupees 500 for the apprehension of Timmiah a person charged with a murder committed in December last, payable on the delivery of his person to you or to the Magistrate within whose jurisdiction he may be apprehended.

4th April 1823. Signed J. W. Huddleston
Deputy Register.

No 141. To

The Acting Criminal Judge in the Zillah of Salem.

Sir.

1. I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter, dated 29th Ultimo, transmitting translates of the declarations given before the Police Officer by the five prisoners who have been convicted before the Court of Circuit of the Murder and plunder at Ashoor, and recommending the tender of a conditional pardon to those of the remaining prisoners, "who have willingly confessed," in view to the conviction of the others as well as the apprehension of certain persons described in the above declarations as having belonged to the Gang—

your

Your letter of the 7th March contained a

2. recommendation that a tender of pardon should be ma
to Periyanane alias Gungan Coatchadoo alias Ven
and Moottan.

3. Of these persons Moottan is the only
who has confessed his guilt before the Criminal Co
it does not appear that there is any collateral eviden
before you corroborative of the truth of his declaration
does there seem to be ground to suppose that the othe
two persons are either able or willing to make disclo
which would lead to the apprehension of such of the
as are not in custody, or the conviction of any of the
the testimony of approvers being valid only where
by some collateral evidence.

4. Under these circumstances the Judge
the Court of Tanjore Udalut do not deem it expe
to recommend to the Honorable the Governor in Co
the tender of a pardon under the conditions specified
Section XX Regulation VIII of 1802, to all or either of the per
mentioned in your letter, dated 7th Ultimo.

10th April 1823.

N. 113. To

N. 9

The Secretary to Government

in the Judicial Department

Sir,

1. I am directed by the Judges of the Tanj



Udalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter, dated 6th February last, from the Magistrate in the Northern Division of Arcot, with copy of a letter from the Assistant Magistrate, suggesting the modification of certain provisions of the Regulations in force, and the enactment of certain provisions not contained in the Code.

2. The proposition first in order is, "that "the powers vested in the Criminal Judge by clause ninth "Section VII Regulation I of 1820 be transferred to the Magis- "trate, with a limitation if deemed necessary of the punishment "to a fine of 200 Rupees or six months imprisonment, and "an injunction to forward the offenders to the Criminal Judge "when on repetition of the offence he shall consider the punish- "ment which he may be authorized to inflict inadequate." And a clause is suggested "authorizing the Magistrate "to pay to the person on whose information the parties "may have been brought to punishment such portion as he "may consider proper of the fine which he may adjudge "the offenders to pay in all cases in which he shall exercise "the power of fine vested in him by Regulation I of 1820."

3 The Judges of the Tanjore Udalut consider the foregoing proposition of the Assistant Magistrate to be free from objection, and calculated to effect the object intended by the penal clauses of Regulation I of 1820 to which they refer.

The

with the facts of the case his refusal to answer the questions put to him, which is what the Judges understand the Assistant Magistrate to mean by a refusal to give evidence), would unless such answer tended to his own criminatoon be equally a contempt of Court: The Judges deem it proper to add, that in their opinion the rule suggested by the Assistant Magistrate would be altogether inapplicable to the case of a party, swearing that he was ignorant of facts, known to him, which as above stated would, when the facts were material to the issue of a Judicial proceeding, render the party liable to the penalties of perjury.

6 The provision next suggested by the Assistant Magistrate is, "that in cases in which under clause second "Section VII Regulation IV A D 1821 the examinations taken "before a Magistrate are not required to be recorded, it shall "not be necessary to receive the complaint in writing, but persons "shall be at liberty to make their complaints to the Magistrate "verbally and the Magistrate shall be authorized whether "in or out of Court to hear and determine them on the spot "provided all the parties necessary to the full investigation "of the case shall be present."

7 The Judges of the Court of Fayzdaree Adaulut cannot give their assent to the propriety of this provision. They consider it to be absolutely necessary in order to the exercise of that supervision over the acts of the Magistrates which belongs to the Courts of Circuit and Fayzdaree Adaulut, that



4 The Assistant Magistrate pro-
the enactment of certain provisions having refer-
IX of 1816 of which the first is that "whenever a wit-
"before a Magistrate shall absolutely refuse
"evidence with respect to any transaction of
"be proved by the evidence of other witnesses to
"having been present at the time of its occurr
"accurate knowledge he shall be liable to
"discretion of the Magistrate in any sum not
"Rupees or be committed to the Jail or ot
"until he shall consent to give his evidence."

5 The Judges of the Fayzdaree Ad
opinion, that a provision empowering the magi
Criminal Jurisdiction to confine any party
evidence until he shall consent to do so would
be required, be unobjectionable. All persons
answer questions put by a lawful authority
to do so constitutes a contempt which Courts
must have power to punish. It does not appear
Judges to be requisite to limit the time to
there may be evidence that the party is acquainted
circumstances of the case, or sufficient cause
to have such knowledge and may depose
is not acquainted with the facts is liable
of perjury but whether the party be or be not

10
N. 1142

that complaints preferred before them as well as the orders which they may pass thereon should continue to be recorded to be producible whenever there may appear to this superior Criminal Courts to be reason to question the legality of Magistrates proceedings - The objection to the recording "Magistrates proceedings" in cases determinable by the Magistrate, that is a duty of great labor and time, does not apply to the rule which requires, that complaints be preferred in writing, the rule of which the benefit appears to the Judges to be more than equivalent to any delay or trouble which can attend its operation - It is obvious to remark, that on a record shewing precisely the charges preferred against party as well as the punishment adjudged thereon, superintendence whatever over the proceedings of the Magistrates in the cases contemplated could continue to be exercised, and recent as well as former experience has convinced the Judges of the necessity of constantly maintaining such supervision over those proceedings, as under the existing Regulations is competent to the superior Courts.

8. The Assistant Magistrate concludes with recommending, that the Criminal Judges be required to furnish for the information of the Magistrate at the end of every month a statement shewing the manner in which he may have disposed of the cases forwarded to him by the Magistrates of the several heads of Police in the course of that month.

The



9. The Judges of the Fouzdaree Udalut are of opinion, that it is very desirable, that the information intended to be conveyed by the report here proposed should be communicated by the Criminal Judges to the Magistrates, and they purpose to direct by a circular order, that a report, embodying in the 4th column the information contained in the three last columns of the form suggested by the Assistant Magistrate, be furnished monthly to the Magistrates by the several Criminal Judges.

10th April 1823. Signed W. Oliver
Register.

No. 1143 To,
The 4 Provincial Courts of Circuit

Gentlemen,

1. The Judges of the Court of Fouzdaree Udalut, being of opinion, that it is of importance that the Magistrates should receive official information of the Mode in which all cases forwarded by them or by the Police officers under their authority to the Criminal Judges may be disposed of, desire that you will instruct the several Criminal Judges within your Jurisdiction to furnish to the Magistrates a Monthly Report of such cases in the subjoined form -

| 1 | 2 | 3 | 4 |
|---|---|---|---|
| No. of the Case | Prisoners name or names - | Crime charged against the prisoner or prisoners - | Mode in which the prisoners were disposed of - |
| | | | |

2. The fourth Column in the report is to shew what -

what persons may have been released, or committed
and what sentences passed on those punished by
said Judge.

10th April 1823.

No 144. To

Signed W Hudleston
Deputy

The Criminal Judge in the Zillah
of Chingleput

Sir

The Judges of the Fouydaree Adawlut
me to call your attention to the orders of the Court
21st July 1809 and to desire that reports of Commit
signed to your custody under sentence of transpor
may be regularly furnished for every month

15th April 1823.

No 145. To

Signed W Hudleston
Deputy

The Secretary to Government
in the Judicial Department

Sir

1. I am directed by the Judges of the Fouydaree
Adawlut to transmit herewith for the orders of the Honourable
Governor in Council the accompanying letter, dated 9th
from the Criminal Judge in the Zillah of Chingleput
requesting instructions as to the propriety of his carrying
execution a sentence of a Court Martial, passed for
Officer Commanding at Mahajanabad.

2. The Judges presume that the prisoners
this case in question, who are stated to be gold smiths
brought to trial under the provisions of Clause third



Section XI Regulation VII of 1821, which declares that all Bazar
men "shall be liable to be tried by a Native Court Martial for
"any breach" of "Regulations, made by competent authority for
"the maintenance of good order and fair dealing in the bazar".

3 The clause here cited does not prescribe the punish-
ment adjudicable in the cases referred to; and Section XIII of
the Regulation appears to empower Courts Martial to
adjudge imprisonment and hard labor, "to whatever" they may deem
"it necessary" without prescribing any limit as to time.

4 Under these circumstances the Judges of the
Court of Fouydaree Adawlut do not consider it to be competent
to them to interfere with the execution of the sentence of two
"years labor on the public roads", which by the Extract of
the Proceedings of the Court Martial, accompanying the letter
of the Criminal Judge, would seem to have been commuted for
the payment or the furnishing security for payment of Pagodas
7/8 to one Sillar Baebee, whom the prisoners were charged with
having defrauded.

5. In laying these papers before the Honorable
the Governor in Council the Judges deem it their duty to recommend
that some rules more precise than those contained in Regulation
VII of 1821 should be enacted for defining the powers and regulating
the proceedings of Courts Martial in the cases therein referred to.

6. It will not escape notice, that the prisoners
in this case appear to have been sent to the Criminal Judge
nearly three Months after the date of their sentence; which in
awarding

awarding corporal punishment would appear to be at variance with the provisions of Section XII Regulation VII of 1821.

15th April 1823.

No 146 To No 11

Signed W. Oliver
Register

## The Secretary to Government
in the Judicial Department.

Sir

1. I am directed by the Judges of the Fouzdaree Udalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter, dated 29th Ultimo from the Provincial Court in the Western Division transmitting report from the Criminal Judge of Malabar of the number of prisoners in confinement in the different Jails in that Zillah.

2. It appearing by a letter from the late Magistrate of South Malabar dated 29th September 1815, that the Jail at Cannanore is capable of accommodating 300 Convicts, the Judges of the Fouzdaree Udalut beg leave to recommend that the Criminal Judge may be authorized to place that number there, and that the Magistrate be instructed to visit or depute an Assistant Magistrate to visit the Jail at least once a Month for the purposes specified in Section XXVII Regulation X of 1816.

3 It will be the duty of the Judges of Circuit should this arrangement be adopted to visit the Jail at Cannanore after the completion of the Sessions of Jail

delivery

Fouzdaree Diary 15th April 1823

delivery for Malabar.

15th April 1823

Signed W. Oliver

No 147 To No 12

Register

## 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 consideration and orders of the Honorable the Governor in Council the accompanying letter, dated 5th Instant, from the Magistrate in the Zillah of Canara, recommending the offer of a reward of 1000 Rupees for the apprehension of the principal and 250 for that of the accomplices in a late murder, and the issue of proclamations offering those rewards throughout the territories of His Highness the Rajah of Mysoor.

15th April 1823.

Signed W. Oliver
Register

No 148 To

## The Criminal Judge in the Zillah of Chingleput

Sir,

1. I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter dated 12th Instant, reporting the escape of two Convicts under sentence of transportation

2. The Judges desire to be informed of the names and Crimes of those persons, the number of their Case or Cases on the Calendar and the measures which have been taken by you to effect their reapprehension.

15th April 1823.

Signed W. Hudleston
Deputy Regr

To

N. 154 To N. 13

The Secretary to Government in the Judicial Department

Sir,

Conformably with 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 Fouzdaree Adaulut 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 Courts of Circuit and by the Fouzdaree Adaulut from 1st July to 31st December 1822 —

21st April 1823 | Signed | W. Oliver

Register

N. 155 To

The Assistant Criminal Judge in Charge at Seringapatam

Sir

In reference to your last quarterly Report of prisoners I am directed by the Judges of the Fouzdaree Adaulut to observe, that the expression "cuts" with a rattan is improperly substituted for "stripes" and that each of the reports furnished under the provisions of Section XXXV Regulation X of 1816 should bear the signature of the Criminal Judge.

21st April 1823 | Signed | W. Hudleston

Deputy Regr To



N. 156 To

The Magistrate in the Zillah of Canara

Sir.

I am directed by the Judges of the Fouzdaree Adaulut to transmit to you the accompanying copy of a letter from Government sanctioning the rewards recommended in the Court's letter of the 15th Instant —

21st April 1823 | Signed |

N. 160 To

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

Gentlemen,

1. I am directed by the Judges of the Fouzdaree Adaulut to transmit to you the annexed copies of a letter addressed to the Secretary to Government in the Judicial Department under date 15th and of the reply thereto dated 22d Instant —

2 The Judges request that you will issue the necessary instructions to the Criminal Judge of Malabar, and communicate the above letters to the 3d Judge on Circuit for his information and guidance

24th April 1823. | Signed | W. Hudleston

Deputy Register

N. 164 To

The Third Judge of the Court of Circuit in the Northern Division

Sir.

1. I am directed by the Judges of the Fouzdaree Adaulut to acknowledge the receipt of your letter dated 8th Ultimo transmitting copy of a letter from the Magistrate of Masulipatam regarding

regarding the construction of Clause second Section II Regulation I of 1823.

2. With reference to the opinion expressed by you that the provisions of Regulation I of 1823 were not intended to apply to suits instituted under Section XLIII Regulation IX of 1816, the Judges direct me to observe that the provisions of Regulation II of 1810 apply exclusively to charges of the nature described in Section IV Regulation III of 1809.

3. Section XLIII Regulation IX of 1816 is an exception of the provisions of Section VIII Regulation II of 1802 consequent upon the transfer of the functions of Magistrate to the Collector and the Judges hold the provisions of Section III Regulation III of 1809 to have been, when in force, applicable to suits instituted under the provisions of both those enactments.

4. The Judges being clearly of opinion that the provisions of Section II Regulation I of 1823 apply to suits against a Magistrate for acts done in his official capacity, desire that you will inform the Magistrate of Masulipatam, that according to their construction of Clause second Section II Regulation I of 1823 a reference should be made by him to the Government, under the circumstances stated in his letter, and that he must use his own discretion as to the form in which the circumstances of the Case are to be laid before the Honorable the Governor in Council.

28th April 1823.

I Signed I W Hudleston

Deputy Regr

To



No 15.

No 172 To

The Secretary to Government

in the Judicial Department

Sir.

1. With reference to para 6 of an Extract of the proceedings of the Faujdaree Adawlut, under date 31st October last, forwarding report of the 3d Judge of the Provincial Court of Circuit in the Western Division on the 2d and 3d Quarterly Sessions for 1822 at Tellicherry, I am directed by the Judges of the Faujdaree Adawlut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter, dated 10th Instant, from the Magistrate of Malabar, agreeably to that officers request.

2. The Judges are of opinion, that notions of expediency cannot be admitted to warrant a departure from a plain and positive provision of the law enacted for the guidance of the Magistrate.

3. With regard to the cases which form the subject of the Magistrates representation it is obvious to remark, that if there was not evidence to the fact charged against the prisoners their offences could not correctly be stated to have been compromised.

30th April 1823.

I have the honor to be &c.

I Signed I W. Oliver

Regr

Fouzdaree Diary 5th May 1823

No. 174 To

The Acting Criminal Judge in the Zillah of Salem

Sir

1. Adverting to certain cases in your last quarterly report of persons apprehended wherein the delay of the police officer in forwarding the prisoners is stated to have been occasioned by the sickness of the prosecutor, or absence of witnesses, the Judges of the Fouzdaree Udalut direct me to desire that in all cases wherein these or similar excuses for delay, which in the Circular Orders of the Court of Fouzdaree Udalut have been denounced as inadmissible, may be assigned, a communication be made by you to the Magistrate in order that a recurrence of the irregularity may be prevented

2. Your return of Casualties exhibits 55 deaths in the last quarter

3. The Judges of the Fouzdaree Udalut deem it necessary to require an Explanation of the causes of this extraordinary mortality among the prisoners under your charge - you will obtain and transmit to them the opinion of the Surgeon on this subject -

5th May 1823 (Signed) W. Hudleston

Deputy Regr

No. 175 To

The Criminal Judge in the Zillah of Masulipatam

Sir,

Referring to cases Nos 2 and 3 of your report

of

of persons apprehended but not disposed of in the last
of 1822; the Judges of the Fouzdaree Udalut direct me
observe that a sentence of absolute imprisonment is not
authorized by Section XXI Regulation I of 1812 excepting
conviction of a repetition of fraud on the customs.

5th May 1823.

Signed W. Hudleston
Deputy Reg.

No. 176 To. No. 16.

## The Secretary to Government
in the Judicial Department.

Sir,

1. I am directed by the Judges of the Court
Fouzdaree Udalut to acknowledge the receipt of your letter
dated 21st February last.

2. In the 3d paragraph of the letter under reply
upon the standing orders of the Fouzdaree Udalut, which direct
"the suspension of proceedings and a reference to them, whenever
"there may be evidence before a Court of Circuit that the act
"charged against the prisoner was committed under a defect
"of intellect, that if a prisoner when put to the bar be not of
"sound mind, Justice requires that his trial should be postponed
"till he become capable of conducting his defence. But if
"he be of sound mind when put to the bar, there seems to be
"no reason for deferring his trial because he may have been
"insane when the act for which he is to be tried was committed
"since that plea, if established will constitute a valid
defence



"defence and since he is as capable of conducting his defence
"as he could be at any future period to which the trial might
"be deferred. Besides his insanity when the act for which he
"is to be tried was committed could not be ascertained without
an actual trial, since the commission of the act as to be
established as well as the insanity".

3. The Judges of the Fouzdaree Udalut beg
leave to submit to the Honorable the Governor in Council
the following observations, explanatory of the intent and
operation of their standing orders on this subject, as explained
in their proceedings of 5th February last, a consideration of
which may remove the impression of their objectionable tendency.

4. The Court of Fouzdaree Udalut, having
found it expedient in the exercise of the general controlling
power vested in them over the proceedings of the Courts of
Circuit, to reserve to themselves the final disposal of persons
charged with crimes, who may be found to labor under absolute
or partial insanity, require that the cases of all such prisoners
be reported for their orders.

5. Reasons of humanity appear to require that
the fate of an ignorant perhaps imbecile individual who
may in a fit of insanity have committed an act of violence
should not be allowed to depend on his adoption or omission
to adopt the best line of defence upon his trial. The investigation
which the orders of the Court enjoin in such cases, is in the nature

of

of an inquest of Lunacy, and while it is calculated to preclude an erroneous judgment against a man not liable for his own acts, it necessarily involves the determination of the point on which his defence would hinge, if brought to trial -

6. With respect to the cases specially mentioned in their proceedings of the 5th February, wherein the evidence for the prosecution, recorded in the proceedings laid before the Court of Circuit by the Criminal Judge, or further evidence called for by the Court of Circuit, after examination of those proceedings may shew that the prisoner while in a state of insanity committed the act charged against him, it is to be observed that much time and trouble are saved and every object of justice to the state and to the individual attained by the immediate reference now required for the orders of the Fouj:daree Udalut -

7. When the witnesses, who appear against the prisoner, may depose that he was insane when the fact charged came to him by their testimony occurred, no necessity can exist for further proceedings on the accusation; in such a case an arraignment, framed as required by the Courts orders in conformity with the evidence given on the preliminary investigation, would charge the prisoner with committing an act in itself Criminal being in a state of mind which rendered him not responsible for his actions, a charge anomalous and nugatory in its nature; while a decision of the Fouj:daree Udalut on consideration of the evidence, declaring the prisoner insane for the time



time of the act to be proved, is to all intents and purposes tantamount to a formal acquittal after a regular trial, conducted in the manner prescribed for other cases by the provisions of the general regulations -

8. It is to cases circumstanced as described in the preceding paragraph, that the order, of which the propriety is deemed questionable by the Honorable the Governor in Council exclusively applies - Attention to the public safety requires that an individual, who may have committed a fatal act of violence, or outrage in a fit of insanity should not be let loose upon society, until either experience has warranted the conviction of his being no longer liable to such an affection of the mind, or his friends may be able to take such charge of him as may prevent the possibility of his doing further mischief in the event of a recurrence of his Malady - As has been observed above, the Judges of the Fouj:daree Udalut have found it expedient to decide themselves regarding the disposal of persons of this description, which the reference required by their standing orders enables them to do without going through the forms of an ordinary Criminal trial -

7th May 1823 - | Signed, W. Oliver

N. 185 To N. 17 Register

## The Secretary to Government
in the Judicial Department

Sir

1. With reference to your letter, (N. 1149) dated 22d Ultimo, I am directed by the Judges of the Fouj:daree Udalut to transmit to you for the purpose of being laid before the Honorable the

the Governor in Council the accompanying letter dated 5th Instant, from the Criminal Judge of Malabar.

2. The Judges understand it to be the intention of the Government, that the three hundred (300) convicts confined at Cannanore should be placed under the charge of the Magistrate, it appears, however, to be requisite that this Officer should be specially vested with the charge of their custody, the supply and direction of their diet and the general superintendence of the Jail, and of the guards to be entertained for the separate establishment at Cannanore.

19th May 1823.

Signed W. Oliver
Register

No. 186. To
The Criminal Judge in the Zillah
of Bellary

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated 13th Instant, transmitting a list of insane persons in the Jail under your charge and copy of a letter from the Zillah Surgeon, representing the necessity under the existing orders of increasing the size of the Hospital for their accommodation.

2. Under the circular orders of the Foujdaree Adalut, dated 20th June last, the Judges conclude that you will have been furnished by the Court of Circuit with a copy of an Extract from the Minutes of Consultation, under date 24th May 1822, and of the letter from the Secretary to the Medical Board, dated 15th April 1822, therein referred to, which were directed to be communicated to the several Criminal Judges for their information and guidance.

3 The orders of Government above quoted direct, that the Judge in communication with the Engineer and the Medical Officer should provide for the temporary accommodation of Lunatics in the Civil Hospitals as proposed in the 8th paragraph of the letter from the Secretary to the Medical Board above cited, namely by the addition of two apartments to each Hospital. And the letter of the Medical Board contained also instructions as to the forms to be observed and the arrangements to be adopted for the transfer to the Presidency of confined Lunatics.

4. The Judges under these circumstances were quite unprepared for your present reference; and desire an immediate explanation of the causes, which have prevented the execution of the orders of Government on this subject.

5. It would appear by the letter of the Zillah Surgeon, a copy of which you have forwarded, that the instructions of the Medical Board and the resolution of Government above mentioned have not been communicated to him, as was obviously necessary in order to your carrying that resolution into effect.

19th May 1823.

I have the honor to be &c.
Signed W. Hudleston
Deputy Regr.

To

No. 187 To

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

Gentlemen,

1. I am directed by the Judges of the Fouydaree Udalut to acknowledge the receipt of your letter, dated 9th Instant, desiring to be informed whether the duties of the ensuing Circuit are to be performed by the 1st or the 3d Judge.

2. The 2d Circuit for 1822 fell to the turn of the 1st Judge, but in consequence of his illness a special provision for the duty was made by the Government.

3. The 2d Judge has proceeded on his tour to take the first circuit for the present year, and the Judges of the Fouydaree Udalut do not understand what can have induced a doubt, in respect to its being the duty of the 3d Judge to proceed next on Circuit, which does not appear to them to admit of a question.

19th May 1823.

/ Signed / W. Hudleston
Deputy Register

No. 189 To

The Acting Criminal Judge in the Zillah of Salem

Sir,

1. I am directed by the Judges of the Fouydaree Udalut to acknowledge the receipt of your letter, dated 12th with its enclosures, whereby it appears to be the joint opinion of yourself and the Zillah Surgeon, that the great sickness and mortality among the prisoners under your charge



is attributable to the closeness and confined nature of the prisons.

2. It is observed in your letter, that the number of prisoners fluctuates from 450 to 500 and upwards, being more than the Jails can with any degree of comfort contain.

3. Your report of persons confined under sentence to 20th February last gives 288, as the number of that description of persons then in the Jails at Salem: and the Judges observe from the reports for the years from 1816 to 1822 inclusive, that their number has fluctuated between 150 and 300.

4. The Criminal Judge in a letter, dated 12th December 1821, suggested an addition to the Jails which would render the accommodation sufficient for 500 prisoners, and by a letter from the Secretary to Government in the Judicial Department, dated 28th of that Month, the Judges of the Fouydaree Udalut were informed that sanction for the proposed addition had been given.

5. It is to be observed, that this augmentation of the Jails was proposed by the Criminal Judge under the expectation of the transfer to his custody of the prisoners at Coimbatore, who under subsequent orders from the Government remained under charge of the Magistrate in the Jail at that Station.

6. To enable the Judges of the Fouydaree Udalut to determine on the course proper to be adopted on the present occasion, they desire that you will immediately report the number of prisoners of all descriptions at present in the

Jails

Jails at Salem, and that you will explain how the high average, given in your letter, of the number ordinarily in confinement has been formed.

21st May 1823.

Signed W. Hudleston
Deputy Reg.

No 190 To | No 18 |

The Secretary to Government
in the Judicial Department

Sir,

1. With reference to your letter No 1177 dated 8th Ultimo, desiring that early notice should be given of any considerable number of Convicts under sentence of transportation having reached the depôt at Chingleput the Judges of the Fouzdaree Adaulut, in view to the prevention of the inconvenience which would attend the assemblage at that place of a greater number of convicts than the Jail can accommodate, desire to report for the information of the Honorable the in Council, that, in addition to ninety (90) convicts under sentence of transportation now at Chingleput sentence of transportation for life has been passed on ninety three (93) other convicts, the dates of which and the places from whence they have to be removed to Chingleput being as follows Viz.t.

| Dates of Sentence | | Jails |
|---|---|---|
| 17th January 1823 | | Masulipatam |
| 22d Do. | | Do. |
| 17th February | | Do. |



| | | | |
|---|---|---|---|
| 19th February 1823. | | Masulipatam | 2 |
| 13th March | | South Malabar | 1 |
| 14th Do. | Do. | Masulipatam | 1 |
| 18th April | | Canara | 1 |
| 25th Do. | Do. | Masulipatam | 8 |
| 28th Do. | Do. | Canara | 5 |
| 19th May | | South Malabar | 3 |
| Do. | Do. | Chicacole | 61 |
| Do. | Do. | Canara | 8 |
| | | | 93. |

2. Of the above ninety three persons sixty one constitute part of a numerous gang of robbers from the district of Vizagapatam, convicted at the late Sessions of Jail delivery at Chicacole; if, however, the extraordinary number of persons sentenced in that single case be deducted, the remainder will still greatly exceed the average number of convicts sentenced to transportation during the like period, previously to the enactment of Regulation I of 1822.

3. From the number of cases of Gang robbery still under reference, and of those which the Calendars laid before the Court of Fouzdaree Adaulut exhibit as referrible for their final sentence, it would appear that the provisions of the above mentioned Regulation have not yet been in force for a period sufficient to produce the effect of deterring desperate offenders from the commission of this crime. The Judges do not doubt that such will

eventually

eventually be the effect of the Regulation, and are of opinion, that persons, who have resorted to the practice of this atrocious offence, are not likely to be reclaimed by temporary imprisonment in our Jails, and that considering the public safety demands their irremovable

from society

21st May 1823.

No 191 To

Signed W Oliver

Register

The Criminal Judge in the Zillah

of Cuddapah

Sir

1 In Case No 1 in your last quarterly report of persons apprehended in the Zillah of Cuddapah the persons are described as having been charged with feloniously entering a dwelling house and stealing therefrom property to the value of Rupees 4114 -

2. If the prisoners in this case broke into the house, the case was not, under the provisions of Clause second Section II Regulation VI of 1822, cognizable by you

3 The charge in Case No 13 comes specifically within the description given in the above clause, of cases which are required to be brought to trial before the Court of Circuit and the same observation applies to case No 19 -

4 The Judges of the Fauzdaree Udalut deem it proper therefore to direct, that the prisoners in Cases Nos 13 and 19 and eventually those in Case No 1 of the report with



with the exception of those ordered to be released on security be committed for trial at the ensuing Sessions of Jail Delivery

5 The Judges direct, that you do eventually proceed in like manner in regard to the prisoners in Case No 2 of the report of persons apprehended in the preceding quarter, which is similarly circumstanced with Case No 1 of the last Quarterly Report -

6. With reference to cases Nos 2 and 22, wherein the prisoners are stated to have been sentenced to 2 years imprisonment; the Judges of the Fauzdaree Udalut desire that you will explain which of the circumstances of aggravation specified in clause fourth Section III Regulation VII of 1822 was established against the prisoners -

21st May 1823.

Signed W Hudleston

Deputy Regr

No 192 To

The Judges of the Provincial Courts

of Circuit

Gentlemen,

I am directed by the Judges of the Fauzdaree Udalut to transmit to you the accompanying copy of a letter from the Secretary to Government in the Judicial Department, dated 6th Instant, and to desire that you will communicate the same to the several Magistrates within your jurisdiction, together with a copy of this letter for their information and guidance respectively -

2 You will also furnish the several Criminal

Judges

Judges within your Jurisdiction with a copy of the last Paragraph of this letter.

3 The observations of the Honorable the Governor in Council in the foregoing letter are addressed to two points; first the diversity inferible from the half yearly reports of crimes and punishments in the administration of the same laws by different Magistrates, and secondly a supposed want of uniformity in the preparation of the register of crimes and prisoners.

4 It is obvious to remark, that if the statements furnished by the different Magistrates are not all framed upon the same principles, no inference as to discrepancy of practice can be drawn from a comparison between them.

5 The half yearly statement is as has been repeatedly explained by the Judges, to exhibit the total number of persons, apprehended within the period which it embraces, as well the number of offences, ascertained to have been committed.

6. There may be many cases so trivial as not to appear deserving of any record - but it is not possible in any other way to maintain uniformity in the mode of framing the statements.

7 To the observations of the Governor in Council in the concluding part of the foregoing letter the serious attention of the Magistrates should be directed. From the very large proportion of the persons apprehended by the officers of police, who are shewn by these statements to be discharged by the Magistrates, the Judges of the Fouzdaree Udalut cannot but infer, that adequate attention is not paid to those humane provisions of the Regulations enacted for the guidance of the Magistrates and of the officers under their authority, with the view of preventing the apprehension of individuals upon insufficient grounds.

8. It will be the duty of the Magistrates to take every opportunity of inculcating upon their police officers the importance of attending to this branch of their duty; and to notice every occasion on which persons may be brought before them, without proper enquiry as to the degree of credit due to the accusations against them.

9. In order to give greater effect to the object of these instructions namely the prevention of the groundless apprehension of innocent persons, the Judges of the Fouzdaree Udalut direct, that the several Criminal Judges be instructed to communicate to the Magistrate the circumstances of all cases, wherein prisoners may be sent to them by the Heads of District Police without any evidence of their guilt, or adequate enquiry by those officers in order to ascertain, whether credit was due to the charges preferred against them.

21st May 1823.

I have the honor to be &c.

Signed J. W. Hudleston

Deputy Regr.

To

No 202. To

The Secretary to Government

in the Judicial Department

Sir,

1. A case of most atrocious murder has recently been under trial before the Judges of the Court of Fouzdaree Adaulut, wherein during the absence of any Police Officer belonging to the District establishment an inquest was held, as prescribed by Section XIII Regulation XI of 1816, by the Head of the village, before whom it appeared in evidence that one of the persons apprehended upon suspicion made a confession of the murder.

2. Under the prohibition contained in clause second Section V of the above Regulation the confession so taken was altogether inadmissible in law, and from the nature of the case the facts which it is disclosed could not form a clue to other evidence, available for the discovery and conviction of the perpetrators of the crime.

3. The provisions of Section III Regulation IV of 1821 have certainly afforded great additional facilities for the appearance upon every inquest in a case of murder of a Police Officer duly authorized to conduct the investigation and to receive any confession which may be made by a party apprehended on suspicion. It is however, found that cases occur in which the attendance of an officer so authorized not being immediately procurable, the local investigation and discovery of the body devolves on the Head of the Village

The



4. The Judges of the Fouzdaree Adaulut are of opinion that the great publicity with which such inquests must be conducted renders it improbable that on those occasions undue means would be resorted to for the purpose of obtaining a confession from a suspected individual, and the extreme importance of affording every facility to the detection of murder induces them to suggest, that the provisions of Clause second Section V Regulation XI of 1816 be so far modified, as to authorize Heads of Villages, conducting the local enquiry, prescribed to them in the event of the absence of the District Police officer by clause third Section XIII of that Regulation, to receive any confession which a party suspected may on such an occasion deliver before them, and to cause the same to be committed to writing by the Curumm, and attested in the mode prescribed for confessions taken before a District Police officer.

26th May 1823.

I have the honor to be &c.

(Signed) W. Oliver

Register

N. 225 To (N. 21)

The Secretary to Government
in the Judicial Department

Sir,

1. I am directed by the Judges of the Fouzdaree Adawlut to transmit to you for the orders of the Honorable the Governor in Council the accompanying letter dated 5th Instant from the 3d Judge of the Provincial Court of Circuit in the Centre Division -

2. The 2d Circuit for the last year having been performed by the 3d Judge, the duty of proceeding on the ensuing circuit appears to the Judges to belong to the 2d Judge; but there being no precedent exactly in point to guide their decision on this reference, they deem it incumbent upon them to take the pleasure of the Honorable the Governor in Council on the subject -

9th June 1823. (Signed) W. Oliver
Register

N. 226 To
The Criminal Judge in the Zillah of Bellary

Sir,

I am directed by the Judges of the Fouzdaree Adawlut to acknowledge the receipt of your letter, dated 28th Ultimo, and to state that under the circumstances therein represented it appears to them to be proper, that you should make a further reference to the Government regarding the additional accommodation proposed for Lunatic prisoners -

9th June 1823 - (Signed) W. Hudleston
Deputy Regr To

N: 233 To

The Criminal Judge in the Zillah

of Chingleput

Sir,

1 Agreeably to orders from Government dated 10th Instant, I am directed by the Judges of the Fouzdaree Adawlut to desire that the convicts at Chingleput under sentence of transportation beyond Sea may be sent to the Police Office at Madras, so as to be embarked on the Morning of the 15th Instant.

2 You will transmit by a return of post a list of the convicts, forwarded under these instructions, in the usual form.

11th June 1823.

(Signed) W Huddleston

Deputy Registr

N: 234 To

The Criminal Judge in the Zillah

of Cuddapah

Sir,

1 I am directed by the Judges of the Fouzdaree Adawlut to acknowledge the receipt of your letter, dated 2d Instant.

2 Under the explanation given in your letter the Judges do not consider it necessary, that the prisoner in Case N: 13 of your last Quarterly Report should be recommitted for trial, it appearing that his case does not come literally within the limitations of Clause second Section II. Regulation VII of 1822.

With



3 With reference to the 5th paragraph of your letter I am directed to state, that the case, intended to be designated in the 5th paragraph of my letter dated 21st Ultimo, is N: 2 of the report of persons apprehended in the last quarter of 1822, with respect to whom no final order had been issued previously to 31st December 1822, wherein Jan Naik, alias Ramjee, charged with "feloniously entering the huts of Rooba Naik, and stealing therefrom "sundry articles valued at about 916 Rupees", was sentenced to 2 years imprisonment and 18 stripes.

4 With respect to case N: 19 the Judges direct me to observe, that as the provisions of the Regulation above cited took it out of your jurisdiction, as Criminal Judge, any sentence passed by you thereupon, in that capacity, was illegal and must be set aside.

5 The Judges do not understand how the prisoners in this case could have been convicted before you, if evidence essential to their conviction before the Court of Circuit were not forthcoming. Their confessions, if proved, would have been valid evidence, and if the prosecutors attendance were not procurable, the Government Vakeel might have been empowered to conduct the prosecution on behalf of the Sirkar.

6. The offence of the prisoners having been committed in a place out of the limits of the British Provinces the

Judges

Judges require to be informed, whether or not the reference prescribed by Section II Regulation XI of 1809 was observed directed by the Circular orders of the Fouj.daree Adalut under date 24th January 1822, made by you to the Governor in Council

7. Without special authority from the Governor in Council it is quite clear, that the prisoners could not legally be tried, and the Judges are apprehensive from the tenor of your explanation regarding this case, that this essential preliminary may have been omitted

11th June 1823.

Signed W. Hudleston

Dep.y Reg.r

N.o 238 To

The Secretary to Government

in the Judicial Department

Sir,

I am directed by the Judges of the Fouj.daree Adalut to acknowledge the receipt of your letter dated 11th Instant and to transmit to you the accompanying list of 91 Convicts forwarded by the Criminal Judge in the Zillah of Chingleput under sentence of transportation for the purpose of being sent on the ship Rolance to Bencoolen

13th June 1823.

Shewn the Seal to be Wax

Signed W. Oliver

Register

To



N.o 239 To

The Criminal Judge in the Zillah of Chingleput

Sir

I am directed by the Judges of the Fouj.daree Adalut to acknowledge the receipt of your letter dated 12th Instant, transmitting list of 91 Convicts sent to the Police Office agreeably to the orders of Government, transmitted to you under date 11th Instant

2. In addition to the ninety one persons, whose names are specified in the above list your report, dated 11th September 1822, of Convicts arrived under sentence of transportation exhibits, the seven following names —

1st Wengally Seedy

2d Tacharalodoogail Roungolen,

3d Poolliano Para Candil Comoopoo,

4th Corata Coonjolen,

5th Pollacannel Coonjyraim

6th Kelliangul Rannen, and

7th Plakattatil Coolly anoo, of whom the 1st and 2d were stated in your letter of the 12th April last to have escaped, and the 3d 4th and 5th were, in the list sent in your letter dated 15th April last reported to have died, but the records of the Court of Fouj.daree Adalut do not shew that any report has been made of the escape or the death either of the 6th or the 7th prisoner

The

3

The Judges desire therefore that you will apprize them of the circumstances, which has precluded the execution of the sentences passed on individuals last mentioned –

13th June 1823 – Signed W. Huddleston
Deputy

No. 245 To

The 3d Judge of the Court of Circuit
in the Centre Division

Transmitting Copy of a letter from Government desiring that Mr Greene may proceed to the ensuing Circuit in the Centre Division

18th June 1823

Sent usual letter

No. 247 To

The Criminal Judge in the Zillah of Tanjore

Sir,

The Judges of the Court of Sessions Udalut having it in contemplation to remand for Malapetam a portion of the Convicts now confined at that station, desire that you will report the number of persons who can conveniently be lodged in safety under your charge in addition to those at present there –

2. The Judges wish for an answer to this by return of post –

26th June 1823

Signed W. Huddleston
Dy Judge

The same to the Acting Criminal Judge



No. 250 To

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

Gentlemen,

The Judges of the Court of Tanjore Udalut, under instructions this day received from the Government, desire that you will immediately ascertain from the Magistrate of Trichinopoly the number of Convicts for which the Jail will afford accommodation in addition to those now confined there, and that in the event of there being sufficient room for the reception of one hundred and fifty (150) that you do forthwith direct the Criminal Judge in the Zillah of Salem to transfer that number of Convicts to the custody of the Magistrate at Trichinopoly –

2. Should there not be in the Jail of the latter station accommodation for this number of persons the Judges desire that a portion of them may be sent to Chittoor –

3. You will immediately apprize the Tanjore Udalut of the arrangement, which may be eventually adopted under these orders –

4 The Judges of the Tanjore Udalut direct me to annex Extract of a letter from the Secretary to Government in the Judicial Department dated 27th Instant, and to desire that such parts thereof as concern the Criminal Judge in the Zillah of

Salem

Salem and the Magistrate of Trichinopoly
Communicated to those Officers respectively for
information and guidance
30th June 1823.

I have the honor to be
Signed W Hudleston
Deputy



N.256. To
The Criminal Judge in the Zillah
of Chingleput.

Sir,

I am directed by the Judges of the Fouzdaree
Udalut to acknowledge the receipt of your letter dated 23d
Ultimo and with reference to the 3d paragraph to observe
that the provisions of Section XXIII Regulation VIII of 1802
clearly define the power of a Criminal Judge in cases
of the nature described by you.

7th July 1823. Signed W. Hudleston
Deputy Register

N.257. To
The Criminal Judge in the Zillah
of Masulipatam.

Sir,

I am directed by the Judges of the Fouzdaree
Udalut to acknowledge the receipt of your letter, dated 4th
Ultimo, and to desire, that you will transfer to the custody
of the Criminal Judge in the Zillah of Chittoor one
hundred (100) of the convicts now under your charge, to
be selected from among those whose unexpired term of
imprisonment may be the longest.

7th July 1823. I have the honor to be &c.

Signed W Hudleston
Deputy Register

To

N. 258 To

The Acting Criminal Judge in the Zillah of Chittoor

Sir,

With reference to your letter dated 28th Ultimo I am directed by the Judges of the Fouydaree Udalut to transmit to you copy of a letter of this date addressed to the Criminal Judge of Masulipatam.

7th July 1823.

Signed W Hudleston

Deputy Register

N. 263 To

The Acting Criminal Judge in the Zillah of Chittoor

Sir,

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

2. The Judges conclude that you will have placed under charge of the Zillah Surgeon the individual to whom your letter refers, agreeably to the Circular order of the Fouydaree Udalut of 21st February 1822.

3. In cases of the nature described in your letter the Judges consider the most regular course to be for the prisoner to be committed for trial and the duty of eventually reporting on the state of his mind will devolve on the Judge of Circuit; under the Courts orders of 29th October 1807.

9th July 1823.

Signed W Hudleston

Deputy Register



N. 264 To

The Criminal Judge in the Zillah of Cuddapah.

Sir,

1 I am directed by the Judges of the Fouydaree Udalut to acknowledge the receipt of your letter, dated 23d Ultimo, stating in reference to cases N. 19 of your last quarterly report that Regulation XI of 1809, escaped your recollection and that you "are) now proceeding against the prisoners agreeably to its provisions".

2 The Judges deem it requisite that you should lay before them a copy of the communication, which you may have) addressed to the Government regarding this case) and of the reply thereto, when received; it being their opinion that the punishment which the prisoners would appear to have already suffered without warrant of law may be considered by the Governor in Council to bar further proceedings against them.

9th July 1823

Signed W Hudleston

Deputy Register

N. 265 To

The Acting Criminal Judge in the Zillah of Chittoor

Sir

1 The Criminal Judge in the Zillah of Chingleput having under the orders of the Court of Fouydaree Udalut, dated 16th June 1814, transmitted to this office the Surgeon's certificate and orders furnished to the peon in charge of Abbas Ally a convict forwarded under sentence of transportation, the

Judge

Judges of the Fouj daree Udalut direct me to notice for the information and future guidance of Mr Surgeon Gibbon the defectuous[e] of the certificate a[t] abovementioned

2

The orders of the Fouj daree Udalut above cited direct, that before any prisoners are sent from a Zillah station to the depot, they shall be examined by the Surgeon of the Zillah who shall certify to the Magistrate that they are in a fit state of health to proceed on the journey, the Surgeon should consider it necessary that any of the prisoners should be allowed meat on the journey or should find that any of them are in want of necessary cloathing to protect them from the effects of weather &c. he shall state such opinion in his certificate and the Magistrate shall be authorized thereupon to issue an order for the supply of such necessary extra food or cloathing.

3

The paper signed by Mr Surgeon Gibbon now before the Judges, runs in the following terms:- "I have examined Abbas Ally and do not find that he has any complaint that would prevent him Walking. I have no knowledge of the provisions laid in for him, nor of the state of his cloathing."

4.

The above orders of the Fouj daree Udalut obviously require that the Surgeon should have a knowledge of the state of a prisoners Cloathing, who is about to march for Chengleput and should recommend a particular list when



when considered necessary and the Judges direct me to remark that on receiving such a Certificate from the Surgeon it became your duty to cause its deficiencies to be supplied.

9th July 1823. (Signed) W. Hudleston
Deputy Register

N. 266 To
The Criminal Judge in the Zillah
of Chengleput

Sir,

With reference to your letter dated 4th Instant reporting the arrival of Abbas ally a convict under sentence of transportation - I am directed by the Judges of the Fouj daree Udalut to transmit for your information the annexed copy of a letter of this date to the Acting Criminal Judge in the Zillah of Chittoor -

9 July 1823. (Signed) W. Hudleston
Deputy Register

N. 278. To
The Second Judge late on Circuit in the
Centre Division

Sir,

1. I am directed by the Judges of the Fouj daree Udalut to acknowledge the receipt of your letter dated 15th Instant, returning the sentence transmitted to you in Case N. 29 Cuddapah Calendar 1st Sessions A.D. 1823, in consequence of its including certain prisoners, who had been released by you previously to the reference of the trial

2. Upon enquiry the Judges find, that the sentence was incorrectly drawn up from a mistake of their notes of the judgement endorsed upon the trial, the error being attributable

attributable to your omission to enter on the record of
of the warrant issued to the Criminal Judge for the de
of the prisoners in question, who became in consequence
in the futwah delivered by the Law Officers of the Fouj
Udalut; and the sentence being submitted to the Judge
together with several others and bearing the signature
the ministerial officers the error escaped their observa

3. The Judges have on this occasion
issued Circular Orders regarding the insertion in the
of referred trials of the warrants issued for the release
persons acquitted, and directed me to transmit a remark
on Case No 29 Cuddapah Calendar 1st Sessions
to be carried into execution agreeably to the Regulation

21st July 1823.

No 276 To

The Judges of the Provincial Courts
of Circuit

Gentlemen,

1 The Judges of the Fouj.dary Udalut also
that on some occasions copies of the warrants issued for
releases of prisoners tried in cases referred to the Court on
omitted to be entered in the English Record; and that it
frequently happens that translations of these warrants are
not attended to the Persian versions of referred trials, from
that you will be careful on every occasion, wherein any of
the prisoners in a referible trial may be acquitted and



released to cause copy and translation of the warrant issued
for that purpose to the Criminal Judge, to be entered at the
conclusion of the English and Persian translations of the
proceedings.

2. You will be pleased to furnish the Judge
on Circuit with a copy of this letter.

21st July 1823. (Signed) W. Hudleston
Deputy Regr.

No 286. To

The Criminal Judge in the Zillah of Nellore

Sir,

1 I am directed by the Judges of the Fouj.dary
Udalut to acknowledge the receipt of a letter, dated 9th Instant
from the Assistant Criminal Judge inclosing a letter from
the Zillah Surgeon expressive of his opinion, that the allowance
of food at present given to the prisoners in the Jail is insuf-
ficient.

2 I am also directed to acknowledge the receipt
of your letter, dated 16th Instant, on the same subject.

3 The Court of Fouj.dary Udalut under date
20th October 1821 directed in conformity with a recommendation
from the 2d Judge on Circuit in the Northern Division, that
the Criminal Judge of Nellore should "make a trial" of the
allowance of three quarters of a seer per diem to be given to each
prisoner in money "subject to the rise and fall of the prices in
the market;" "with a view to its permanent adoption if found
"to be sufficient for the health of the prisoners."

The

4th The Surgeon having given an opinion that the above allowance is generally inadequate the Judges authorize and direct you to augment it to one seer of rice as proposed by that Officer -

5th The Judges direct me to state that they entirely approve of your having increased the allowance of the prisoners to the extent specified in your letter, and with reference to the concluding paragraph I am instructed to observe, that they consider the mode of supplying to convicts the prescribed allowance of food to be discretionary with the Criminal Judge -

28th July 1823 -

No. 287. To

/ Signed / W. Hudleston

Deputy Regr.

The Criminal Judge in the Zillah

of Cuddapah

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter, dated Tellicherry 18th Instant, and with reference to the circumstances therein represented to state, that they authorize and direct the unconditional release of the prisoners in the case referred to.

28th July 1823 -

No. 288. To

/ Signed / W. Hudleston

Deputy Regr.

The Judges of the Provincial Court of Circuit

in the Western Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit to you the annexed copy of a letter from the

Foujdaree Diary 28th July 1823 -

the Secretary to Government in the Judicial Department, dated 18th Instant, and of a letter dated 4th Instant from the Magistrate of Malabar therein referred to, and to desire that you will in communication with the Criminal Judge and the Magistrate suggest such subsidiary arrangements as you may consider to be best calculated to effect the object of the orders of the Honorable the Governor in Council, regarding the removal of Convicts under sentence of transportation to the presidency -

28th July 1823 -

I have the honor to be &c.

/ Signed / W. Hudleston

Deputy Register

N:299 To

The Criminal Judge in the Zillah

of Chingleput

Sir,

1. I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter, dated 25th Ultimo requesting instructions as to the disposal of a prisoner, named Ramien, the period of whose sentence of imprisonment has expired, and who is considered by the Medical Officer of the station to be unable to bear the infliction of the corporal punishment, which formed a part of his sentence —

2 Under these circumstances the Judges consider it proper to direct the immediate release of the prisoner; and they direct me on this occasion to observe that in their opinion the corporal punishment adjudged against convicts, should be inflicted either immediately after the sentence, or as soon as the party may be able to bear.

4th August 1823 — Signed W. Hudleston

Deputy Regr.

N:300 To

The 4 Provincial Courts of Circuit

Gentlemen,

1 The Judges of the Fouzdaree Udalut, deeming it to be expedient, that the mode in which the instructions issued by them from time to time to the several Magistrates through the Courts of Circuit are carried into effect, should be duly certified to the Court of Fouzdaree Udalut, direct that all instructions, whether founded upon the proceedings held

held on Criminal trials or otherwise, which may issue under the orders of the Foujdaree Udalut to the Magistrates, be in future furnished to those officers by precept of the Court of Circuit in the prescribed form, requiring return thereto within a limited time; and that certified copies of the said precepts and returns be transmitted to this office together with the return to the precept from the Court of Foujdaree Udalut to the Court of Circuit.

2. You will furnish a copy of these instructions to the Judge now on Circuit for his information and guidance

4th August 1823.

Signed W. Hudleston
Deputy Register

No. 309 To

The Acting Criminal Judge in the Zillah of Chittoor

Sir.

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 4th Instant, requesting instructions regarding the mode of procuring the attendance before you of several witnesses indispensably necessary to the proof of a charge of perjury on which Kistnasawmy Mandiff in Original Suit No. 2 of 1822 has been committed by the Judges of the Provincial Court in the Centre Division to take his trial at the next Sessions.

2. For the purpose of procuring the attendance of witnesses residing at Madras required to appear before you



you in a criminal case it will be proper that you should transmit by letter regular summonses for their appearance, which will be served through the Court of Foujdaree Udalut; and in the event of the omission or refusal of the parties to appear, the latter of which, should it occur, will be notified to you from this office, it will be requisite that you should issue warrants in the form prescribed by the Court's Orders of 4th August 1814 for the arrest of the several parties, which warrants must be transmitted by one of the peons of your establishment to this Court.

3. The summonses to be transmitted by you under these instructions must specify the name of the person required to attend, and the name of his father together with the religion cast, profession and age, and the number of the house where he may reside, or such other particulars as may enable the Nazir to find out his place of abode.

4. In conclusion the Judges direct me to observe, that the proposition of taking evidence on a Criminal investigation by commission in the absence of the accused party is altogether at variance with the most obvious and indispensable rules established for the administration of Criminal Justice.

13th August 1823. I have the honor to be &c.

Signed W. Hudleston
Deputy Regr.

To

N°310 To

The Criminal Judge in the Zillah of Chittagong

Sir,

1. The prisoners N°s 90 to 101 inclusive in the last report submitted under the order of the Fouzdaree dated 8th October 1821 are stated to have been charged with gold and silver Jewels &c. valued at Rupees 213 6 in the house of the prosecutor Ramdeb Sowar on the night of 13th March 1823.

2. The case is returned as having been dispatched by you under clause fourth Section III Regulation VI of 1822.

3. If the charge is correctly described in the case it comes within the provisions of Section II Regulation VI of 1822 and by the second clause of that section must only be tried before the Court of Circuit.

4. The Judges of the Fouzdaree Udalut direct that you will explain whether or not the prisoner was charged with house breaking as would appear from the report to be the case.

5. The prisoners N°s 18 to 19 inclusive in the quarterly report of persons apprehended were charged with house breaking and theft to a value exceeding 10 Rupees.

This case also is stated to have been disposed of by you under clause fourth Section III Regulation VI of 1822, which does not apply to cases of house breaking you will furnish an explanation of your

in this case for the further orders of the Fouzdaree Udalut.

6. A like explanation must also be given of the cases of the prisoners N°s 87 to 91 inclusive which as described in the report were not cognizable by you.

7. The prisoners N°s 114 and 115 charged with cattle stealing are stated to have been sentenced by the Assistant Criminal Judge under Section VII Regulation X of 1816.

8. Provision is specially made for the punishment of the offence by clause fourth Section III Regulation VII of 1822.

13th August

Signed W. Hudleston
Deputy Regr

N°311 To

The Criminal Judge in the Zillah of Salem

Sir,

1. With reference to case N°6 in the last quarterly report of persons apprehended in the Zillah of Salem, which is stated to have been returned to the Magistrate, the offence having been committed in a foreign territory, the Judges of the Fouzdaree Udalut direct me to observe, that if the prisoner was a subject of the British Government the provisions of Regulation XI of 1809 were applicable to his case, and that if not, it should have been so stated in the report.

2. In case N°92 the prisoner charged with "theft of a bird and coins" is stated to have been apprehended on 21st Decr 1822, and to have reached the Zillah station on 19th May 1823; the explanation given by the Police officer of the delay, being that he had

had waited the orders of the Magistrate of Salem"

3. The prisoner was ultimately released on 21st June "the charge not being proved"

4. The Judges of the Fouzdaree Udalut desire that you will obtain from the Magistrate a full and particular explanation of the causes of the delay in this case, whereby the prisoner was subjected to a confinement of six Months before it was ascertained, that there was no proof of the charge preferred against him

5 In case N: 98, a charge of Arson, it is stated that the police officer reported the delay in forwarding the prisoner to have been occasioned by "his having waited the "orders of the Magistrate of Coimbatore"

6 The Judges desire, that you will apply to the Magistrate of Coimbatore for an explanation of the sanction, apparently given by him, to a practice at variance with the provisions of Section XXVIII Regulation XI of 1816, which requires that in the cases described in the first Clause of the Section the prisoners shall be immediately forwarded to the Criminal Judge -

7 Referring to case N 122 wherein a delay of six weeks is reported by the police Officer to have been occasioned in taking depositions; the Judges direct me to observe that when excuses so manifestly insufficient may be assigned for a delay of this nature a communication should immediately be made to the Magistrate in order that means may be taken for correcting the irregularity

8. The Judges desire, that an explanation may be obtained from the Magistrate of Salem of the practice which from the remark on Cases N: 123 and 138 would appear to prevail in his district of detaining for "the orders of the Magistrate persons apprehended on charges of the nature described in Clause first Section XXVIII Regulation XI of 1816 -

13th August 1823 - Signed W. Hudleston

Deputy Register

N: 312 To

The Criminal Judge in the Zillah of Bellary.

Sir

Referring to N: 88 to 94 inclusive in your last quarterly report of persons apprehended, wherein a delay of two months in forwarding the prisoners to the Zillah station was stated by the Amildar to have "occurred in consequence of the press of business in his Cutcherry, on account of the Summer bundees, I am directed by the Judges of the Court of Fouzdaree Udalut to desire, that a communication may be made to the Magistrate, in order that this most culpable postponement of police to resume duty by a Head of District Police may receive such notice as may prevent its recurrence - The ample provision made by Section III Regulation IV of 1821 for those preliminary investigations required to be held by native officers of police, renders the conduct of the Amildar in this case wholly inexcusable -

13th August 1823 - Signed W. Hudleston

Deputy Regr To

N: 313 To

The 4 Provincial Courts of Circuit

Gentlemen,

The Judges of the Fouj daree Udalut de
that you will instruct the Criminal Judges within your
Jurisdiction in all cases of theft, punished by them under
provisions of clause fourth Section III Regulation VII of 18
with imprisonment exceeding six months, invariably
specify in the reports, submitted agreeably to Section XXX
Regulation X of 1816, the particular circumstances of aggra
which may have brought the case within those provisions

13th August 1823.

N: 318 To

The Magistrate in the Zillah of Nell

Sir,

In your last half yearly abstract of
of Crimes committed and punishments inflicted the nu
The same to the Magistrates of persons sent to the Criminal
of Trichinopoly and Guntoor Judge is included among the
committed an obvious error which the Judges of the
Fouj daree Udalut desire may be avoided in your
statements

15th August 1823.

I have the honor to be &c

(Signed) W. Hudleston

Deputy Re



N: 319. To

The Magistrate of Malabar

Sir.

1. Your last half yearly abstract statement of crimes committed of persons apprehended, and of punish-ments inflicted exhibits 8,201 as the number apprehended, and in a note at the foot of the statement it is explained, that "in Column N: 1 are included 153 offences most of them of very trivial nature" in which 6026 Persons were "concerned and accordingly apprehended and included "in column 2; but that the whole of that number have been "discharged by the Police Officers partly for want of proof "and partly from the Parties having filed Rejeenamahs.

2. As it is necessary that the abstract statement should exhibit the mode in which the number of persons apprehended are disposed of the Judges direct me to return the statement to you in order that in the 3d Column may be inserted the total number of persons acquitted and discharged.

3. The Judges conclude from the note appended to the statement, that the cases to which it has reference were of the nature described in Section XXXII Regulation XI of 1816 wherein as in the cases mentioned in the preceding Section the Summary apprehension of the accused party is not required.

4. The Judges desire, that you will explain how

show it has happened that in the large number of these cases specified recourse has not been had to the provisions of the Legislature, enacted for the express purpose of preventing the needless and vexatious prosecution of persons

15th August 1823.

Signed) W. Hudleston

Deputy Register

No 320 To

The Magistrate in the Zillah of Masulipatam

Sir

1. Your last abstract statement of crimes committed, persons apprehended, and punishments inflicted exhibits 2638, as the number apprehended, of whom 2075 acquitted and discharged

2. The Judges of the Court of Foujdaree cannot avoid the inference from the above statement, that in a large proportion of the cases to which it refers sufficient ground of suspicion did not exist to warrant the apprehension of the accused

3. The Judges direct me to desire, that you will impress upon the Police Officers under your authority the obligation imposed on them by the provisions of Clause first Section XXVIII Regulation XI of 1816 to ascertain in heinous cases whether the accusation be worthy of credit before they proceed to apprehend the accused party: and they desire that you will report to them whether the provisions of Sections XXXI and XXXII of the Regulation regarding bailable and trivial Offences are duly observed by those Officers

15th August 1823

Signed) W. Hudleston

Deputy Register

To



are duly observed by those officers -

15th August 1823 -

Signed) W. Hudleston

Deputy Register

No 321. To

The Magistrate in the Zillah of Madura

Sir

1. Your last abstract statement of crimes committed, persons apprehended, and punishments inflicted exhibits 7948, as the number apprehended of whom 3996 were acquitted and discharged

2. The Judges of the Court of Foujdaree Adalut cannot avoid the inference from the above statement, that in a large proportion of the cases to which it refers sufficient ground of suspicion did not exist to warrant the apprehension of the accused

3. The Judges direct me to desire that you will impress on the Police Officers under your authority the obligation imposed on them by the provisions of Clause first Section XXVII Regulation XI of 1816 to ascertain in heinous cases whether the accusation be worthy of credit before they proceed to apprehend the accused party: and they desire that you will report to them whether the provisions of Sections XXXI and XXXII of the Regulation regarding bailable and trivial Offences are duly observed by those Officers

15th August 1823

Signed) W. Hudleston

Deputy Register

To

N:322 To

The Acting Criminal Judge

in the Zillah

of Chicacole

Sir,

1. With reference to cases N:7 in the last quarterly report of persons apprehended in the Zillah of Chicacole wherein the prisoners were charged with having forced open houses of the prosecutors, and stolen therefrom property to Rupees 200, the Judges of the Foujdaree Udalut desire you will explain whether the prisoners broke into the said houses.

2. The prisoner in Case N:6 is stated to have been charged with having committed a robbery and plundered property to the amount of

3. The Judges do not understand how the charge as the foregoing could be preferred or recorded. They deem it necessary to have before them English translations of this information taken in this case by the Police Officer and such explanation of the Case as it may be in your power to afford.

4. The Judges desire that the number of persons stolen in Case N:20 may be reported.

15th August 1823.

I have the honor to be

Sir

Your most obedient humble Servant

(Signed) W. Hudleston

Deputy Register



N:323 To

The Acting Criminal Judge

in the Zillah

of Chittore

Sir,

1. Referring to cases N:s 19 45 to 49 inclusive, 63, and 75 of your last Quarterly report of persons apprehended wherein sentences of imprisonment exceeding six months were passed on the prisoners, the Judges of the Foujdaree Udalut desire, that you will explain which of the circumstances of aggravation specified in Clause fourth Section III Regulation VII of 1822 existed in those cases respectively.

2. The prisoner N:1 in the report of cases not disposed of in the preceding quarter is stated to be [illegible] confinement in consequence of insanity.

3. The Judges desire to be informed whether or not this prisoner be the person referred to in your letter of 27th June last.

15th August 1823.

(Signed) W. Hudleston

Deputy Register.

N:324 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 (N:301) dated 15th Instant, and to state that the arrival of the Convicts under sentence of transportation has been reported by the Criminal Judge

Judge of Chingleput; and that from the dates of the
and the distances which they have had to march
of 82 miles may be expected in a few days.

20th August 1823. (Signed) W. Oliver
Register

N. 331 To
The Acting Criminal Judge
in the Zillah of Chi
Sir,

1 I am directed by the Judges of the Fo
Udalut to acknowledge the receipt of your letter, dated
Instant, referring for their orders the petition of a
detained under a requisition of security, who prays
released from confinement.

2 The Judges direct me to point your
to the provisions of Section XI Regulation XV of 1803
for the guidance of the Criminal Judge in cases of
description.

25th August 1823. (Signed) W. Hudleston
Deputy Re

N. 332 To
The Criminal Judge
in the Zillah of Salem
Sir,

1 I am directed by the Judges of the
Udalut to acknowledge the receipt of your letter, dated
Instant, reporting the escape of two Convicts and
of twelve convicts belonging to the Chingleput



2 It appearing to the Judges that the escape
of those convicts could not have been effected without culpable
negligence or connivance on the part of the guard, they desire
that a strict inquiry may be instituted into the circumstances
of the case in order to the due punishment of their misconduct.

25th August 1823. (Signed) W. Hudleston
Deputy Register

N. 334 To
N. 30.
The Secretary to Government
in the Judicial Department.
Sir,

1 With reference to your letter (N. 271) dated
18th Ultimo I am directed by the Judges of the Fouzdaree
Udalut to transmit to you for the purpose of being laid before
the Honorable the Governor in Council the accompanying
letter, dated 9th Instant, from the Judges of the Provincial
Court of Circuit in the Western Division, suggesting an
arrangement for the periodical removal of Convicts under
sentence of transportation by Sea from Mangalore and
Calicut.

2 The Judges of the Fouzdaree Udalut
consider the measures recommended by the Provincial Court
to be worthy of adoption.

27th August 1823. I have the honor to be &c.
(Signed) W. Oliver
Register

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 23d. ultimo, transmitting certain depositions in the case of a prisoner of doubtful Sanity.—

2. It will be proper that you should commit the prisoner for trial before the Court of Circuit, which Court will eventually proceed in the mode directed by the Circular Orders of the Foujdaree Udalut dated 29th. October 1807.—

/Signed/ W. Hudleston

3d. September 1823. Dy. Registr.

To

The Criminal Judge

in the Zillah of Chingleput

Sir,

1 In reply to your letter dated 18th. ultimo I am directed by the Judges of the Foujdaree Udalut to observe that when there may be evidence to the fact of housebreaking and proof against the accused of the robbery thereby effected their denial of the Count charging them

them with housebreaking cannot be admitted
that part of the charge. The Judges desire that
be careful in future to specify with precision
reports the offence brought home to persons con

2.

In reference to the concluding
your letter I am directed to state that in
of the Judges that the Assistant Criminal
may exercise under delegation from you the
given to the Criminal Judge by Regulation

3d. September 1823.

/Signed/ W. Fu

Dy.

To

The Magistrate of Malabar

Sir,

1.

I am directed by the Judges
Foujdaree Udalut to acknowledge the rece
letter dated 23d. ultimo, and to convey to you
that the provisions of Section XXI Regulation
are not applicable to the cases of convicts, who
from their guards or from Jail; and that
therefore, be necessary that you should
Government to sanction the



for the reapprehension of certain convicts, who escaped from the guard while on their march to Chittoor.—

2. In cases like the present the distribution of rewards, and their tender by proclamation may be necessary to secure the reapprehension of the convicts; but the Judges consider that it would be impolitic to permit any officer of police or connected with the police establishment to receive remuneration for this service.—

/Signed/ W. Fudleston

3d. September 1823. Dy. Registe

To

The Acting Criminal Judge

in the zillah of Chittoor.

Sir

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 25th. Ultimo.—

2. In explanation of a sentence of eight months imprisonment passed on the prisoners Nos. 45, 46. and 47. in your last quarterly report it is stated in the third paragraph of your letter that they admitted before the Police that they had been concerned in other robberies, which depositions were proved before the Court

to

to have been voluntarily given.—

3. In order to exercise of the extended vested in the Criminal Judge by clause fourth Regulation VII of 1822 in this Case, it was requ the prisoners should have been before convicted offences therein designated. their admission con confession delivered before the Criminal Judge robberies would not bring them within the scop provisions of that clause, although it might fo ground for their being Committed for trial discription given in the latter part of clause of the Section.—

4. It will be your duty to revise passed on the above three prisoners with refere Section VII Regulation X of 1816.—

5. In regard to the explanation in paragraph of your letter of Case No. 75 I am by the Judges to state that the provisions of fourth Section III Regulation VII of 1822 relate to cases of simple theft: & that if the offence Prisoner was aggravated by any peculiar circ



and the specific conditions of enhanced punishment — which are specified in that clause were not established, the prisoner should, as above remarked, have been committed for trial.—

6. The Judges direct, that the sentence in this case may be revised conformably with the exposition of the Law here given.—

7 The Judges concur with you in thinking that the Prisoner No. 1 in the report of cases not disposed of in the preceding quarter should remain under personal restraint; but as it does not appear to be the intention of the Government that Lunatics should be permanently Confined in the provinces, the Judges desire that you will furnish them with translations of such depositions or reports as you may possess regarding this prisoner's previous state of mind, and of depositions from those who have been immediately about him during his confinement, together with the opinion of the Zillah Surgeon, in order that measures may eventually be taken for his admission into the Lunatic Hospital at the Presidency.—

3d. September 1823.— /Signed/ W. Hudleston
Dy. Registrar

To

No.

To

The Criminal Judge

in the zillah of Cudd

Sir,

1. The Judges of the Court of
Udalut desire that you will report the value
property stolen in case No. 23 of your last gaol
report of persons apprehended wherein Jakoraj
gandoo, Nagadoo, and Ianoogadoo were charged wi
Burglary.—

2. Referring to case No. 24 wherein
charged with stealing Indigo to the value of 3
was sentenced to 2 years imprisonment the
that the circumstances of aggravation which
case within the scope of the provisions of claus
Section III Regulation VII of 1822 may be repealed

3. A like explanation is required in
to case No. 31 for stealing grain valued at Rupe

8th September 1823. Signed W. Hud
Dff.

No.

To

The Criminal Judge

in the zillah of Cudd

Sir,

1. The Judges of the Foujdaree
are concerned to observe in your last quarterly
persons apprehended numerous instances of the
of the prisoners by the officers of police in the



of the sickness of the prosecutor or witnesses, the search for evidence and like excuses for the infringment of the provisions of the Regulations on this subject, which have been repeatedly denounced as inadmissible by the Court of Foujdaree Udalut.—

2. Whenever the detention of prisoners may not be satisfactorily accounted for by the Police officers, the Judges desire that you will immediately address the Magistrate on the subject.—

3. With reference to the prisoner No. 23 the Judges direct me to observe that the authority of a Head of Police to require Bail is limited to the cases described in Section XXXI Regulation XI of 1816.—

Signed W. Hudleston
Dff. Regr.

8th September 1823

No.

To

The Criminal Judge

in the zillah of Salem

Sir

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 1st Instant, requesting instructions as to your authority to commit for trial certain peons from whose custody tens convicts escaped at Amboor in the zillah of Cittoor.—

2. With reference to the provisions of Section VIII Regulation X of 1816. the Judges consider, that in this

Case

case the regular course will be for you to make over the accused persons to the Magistrate of Chittoor furnishing that officer with such evidence as you may possess in proof of the charge, which should eventually be prosecuted on behalf of Government by the Government Vakeel at the

8th September 1823

/Signed/ W. Hudleston
Dy Regr

No.

## To The Judges of the 1st Provincial Court of Circuit

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to transmit to you the accompanying copy of a letter dated the 8th Instant from the Secretary to Government in the Judicial Department together with an ordinance letter to the Medical Board and to desire that the latter may be communicated to the Criminal Judges in your Division for their information and guidance.—

13th September 1823

/Signed/ W. Hudleston
Dy Regr

No.

## To The Secretary to Government (No. 31)

in the Judicial Department

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council, the accompanying



dated 3d Instant from the Provincial Court of Circuit in the Southern Division, suggesting a permanent alteration in the order of succession fixed by section VII Regulation I of 1811 for the delivery of the Jails in that division.—

2. Under the provisions of section VIII of the Regulation the Court of Foujdaree Udalut are vested with authority to sanction an alteration of the order of succession so established, but they deem it proper to take the pleasure of the Honorable the Governor in Council as to the permanent arrangement proposed by the Provincial Court.—

/Signed/ W. Oliver
Regr

12th September 1823

No.

## To The Criminal Judge

in the Zillah of Cuddapah

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 3d Instant, transmitting copies of two warrants issued by the 2d Judge late on Circuit in the Centre Division, in pursuance of Sentences of transportation for life beyond Sea passed by the Court of Foujdaree Udalut.—

2. It is stated in your letter that these papers have been sent "agreeably to the orders of the Court of the 6th January 1823" on reference however to those orders you will find that the transmission to the Court of Foujdaree Udalut of Copies of the warrants, issued in Cases of Convicts, sentenced

by

"by the Court of Circuit under clause third Section XII
"lation XII of 1803 to banishment" is thereby directed; whic
has no relation to convicts sentenced to transportation
beyond Sea.—

3. There is no order of the Foujdaree Ud
requiring that Copies of the warrants issued in the ca
last mentioned should be furnished by the Crimin
4. The Judges conclude that in returning
warrants to the 2d Judge you certified, in the mode
by the orders of the Court of Foujdaree Udalut dated 3
1809. that due notice had been given to the convicts
penalty to which they are liable under clause second
Section IX Regulation XV of 1803 and that execution of
part of the sentence in one of the cases which directed
infliction of Stripes was also certified; but from the
in the second paragraph of your letter that the mar
one" of the convicts on the forehead occasioned their
being sent sooner to Chingleput the Judges are led
suppose that in the other cases the provisions of
XXXV Regulation VII of 1802 have not been observed
which no reason is assigned.—

12th September 1823

/Signed/ W. Hudleston
Dy Regr

No.

To The Judges of the Provincial Court of Circuit
in the Western Division

Gentlemen,

With reference to your letter of the



I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you the accompanying Copies of a letter to the Secretary to Government in the Judicial Department dated 27th ultimo and of the reply thereto dated 9th Instant.—

2. It would appears from the latter, that it is not in the contemplation of the Government to adopt the specific arrangements suggested in your letter for the removal of Convicts under Sentence of transportation; and the Judges of the Foujdaree Udalut understand it to be intended, that where upon communication with the Officers designated in the letter of Mr Secretary Hill the Criminal Judge may find, that an immediate or early opportunity for transmitting by sea to Madras convicts Sentenced to transportation will not offer, the Convicts are to be sent by land as heretofore.—

3 When a favorable opportunity for sending the convicts to Madras by Sea may offer, it will be the duty of the Criminal Judge in communication with the principal Collector or the Collector of Sea customs to make the necessary arrangements for their passage and subsistence consigning them to the charge of the Superintendent of Police at Madras, who should be furnished with a Calendar, exhibiting their crimes and Sentences.—

4. On such occasions a report of the dispatch

to

of the Convicts with a Calendar shewing their crimes sentences should be transmitted to this office.—

12th September 1823

/Signed/ W. Hudleston
Dy. Regr

No.

## To The Secretary to Government (No. 32)
in the Judicial Department

Sir,

With reference to your letter of the 9th I am directed by the Judges of the Court of Fouzdaree Udalut to transmit to you for the purpose of being before the Honorable the Governor in Council the accompanying copy of the instructions issued to the Judges of the Provincial Court of Circuit in the western Division under this date.—

13th September 1823

/Signed/ W. Oliver
Regr

No.

## To The Second Judge of the Prov.l Court of Circuit in the Centre Division

Sir,

1. I am directed by the Judges of the Fouzdaree Udalut to acknowledge to receipt of your letter, dated 10th Instant requesting to be informed whether it is competent to a Judge of Circuit to direct the release of a prisoner, declared by the futwa delivered on his trial to be liable to Ookoobut.—

2. The provisions of section XXII Regulation VII of 1802, which require a reference to the Court of Fouzdaree Udalut in all cases, wherein the Judge of Circuit may disapprove of the futwa, and the provisions contained in section II Regulation XV of 1803 relative to futwas of discretionary punishment appear to the Judges of the Fouzdaree Udalut to leave it open to a Judge of Circuit to order the release of a prisoner, against whom a futwa of Ookoobut may have been given, only in cases wherein the offence may neither have been specially provided for by any regulation nor by any stated penalty in the Mohummedan Law, and the Judge of circuit, concurring in the futwa, may consider that the imprisonment already undergone suffices for the punishment of the prisoner.—

/Signed/ W. Hudleston
Dy. Regr

15th September 1823

No.

## To The Acting Criminal Judge
in the Zillah of Chicacole

Sir,

1. The Judges of the Fouzdaree Udalut not having received a report of the arrival at Chengleput of the sixty one prisoners, sentenced on 19th May last to transportation beyond sea, desire that you will report the period of their setting out for that station, and will ascertain for the information of the Fouzdaree Udalut, whether any



prention

peculiar impediment has protracted the completion
their journey.—

15th September 1823

/Signed/ W. Hudleston
Dy. Regr

No.

To
The Criminal Judge
in the Zillah of Cuddap

Sir,

1. I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter, dated 13th Instant, requesting authority to deliver over Ramdas a prisoner of unsound mind to charge of his brother.—

2. Under all the circumstances of the case the Judges authorize the measure recommended by you, should the surgeon be of opinion that the prisoner is not a fit subject for the Lunatic Asylum

/Signed/ W. Hudleston
Dy. Regr

19th September 1823

No.

To
The Judges of the Provl Court of Circuit
in the Southern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your



letter dated 3d Instant, and to inform you that the alteration in the order of Jail deliveries in the Southern Division therein recommended, is sanctioned.—

/Signed/ W. Hudleston
Dy. Regr

23d September 1823.

No.

To
The Criminal Judge
in the Zillah of Chicacole

Sir

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of a letter, dated 30th Ultimo, from the late Acting Criminal Judge, transmitting translations of the proceedings held in case No. 8 of the last quarterly report of prisoners.—

2. The Judges desire, that the profligate conduct of the Head of Police which is described in the deposition of the only subscribing witness to the declaration of the prisoner in the above case, who appeared before the Criminal Court may be brought to the notice to the Magistrate.—

/Signed/ W. Hudleston
Dy. Regr

23d September 1823.

No.

To
The Secretary to the Marine Board

Sir

I am directed by the Judges of the Foujdaree

Foujdaree Udalut to acknowledge the receipt of
letter, dated 23d. instant, and to inform you that
number of Convicts under sentence of transportation
beyond Sea, whose arrival at Chengleput has been
reported, is forty five.—

No.

23d. September
1823.

/Signed/ W. Hudleston
Dy. Sy.



To
The Secretary to the Marine Board

Sir

I am directed by the Judges of the
Foujdaree Udalut to inform you that the arrival of
twenty five convicts at Chengleput under sentence of
transportation has been reported since the despatch of
my letter to your address dated 23d. Ultimo the total
number now assembled at that depot being Seventy one.—

/Signed/ W. Oliver
Register

10th. October
1823.

(No. 35)

To
The Secretary to 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 the
Governor in Council the accompanying statement,
shewing the number of persons apprehended released, and
punished, as also the nature of all punishments inflicted
by the several Magistrates, Criminal Judges, and
Courts of Circuit, and by the Foujdaree Udalut from
1st. January to the 30th. June 1823.—

2. Your letter /No. 166/ dated 6th. May last,
referring to a corresponding statement for the preceding

half

half year conveyed to the Judges the sentiments
Honorable the Governor in Council upon the disp
the number of persons apprehended in different
and the importance of avoiding the unnecessary
of personal liberty.—

3. The Statement now submitted exhibits
in a less degree, a similar disparity in the numb
persons apprehended; and a comparison institute
the returns from the Zillahs of Bellary and Ma
would be calculated to induce on this occasion the
inferences, as are drawn in your letter of 6th May
the disproportion in the numbers for those Zillahs
respectively exhibited in the preceding Statement

4th. The Judges direct me to transmit
of a letter dated 15th August last, addressed to
Magistrate of Madura on this subject, together wi
that officer's reply, dated 1st Ultimo, wherein he ad
number of persons apprehended in that Zillah d
attributed by him to peculiar local circumstance

5th. The Judges deemed it to be their duty
circulate Copies of your letter of 6th May last to
the Courts of Circuit to the several Magistrates
they direct me to submit for the information of

Hon



Honorable the Governor in Council a copy of instructions
issued by them on this subject under date 21st May
last for the guidance of those officers and of the
Criminal Judges.—

/Signed/ W. Oliver
Registr.

16th October 1823.

## To The Acting Criminal Judge
in the Zillah of Chittoor

Sir,

1. I am directed by the Judges of the
Fouzdaree Udalut to acknowledge the receipt of your
letter, dated 18th Instant: submitting certain observations
upon a precept which has been addressed to you by
the 2d Judge presiding at the Court of Quarterly Sessions.—

2. This mode of reference on such
an occasion being irregular, the Judges direct me
to return your letter:- it will be open to you to address
the Court through the 2d Judge, should you deem
it proper to do so.—

/Signed/ W. Hudleston
Dy. Regr.

27th October 1823.

To

To The Acting Judge on Circuit
in the Centre Division

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated 11th instant, and to convey their opinion, that where the alleged perpetrators of theft or robbery, and the persons charged with the crime by receiving property obtained in such an act of theft or theft may be in custody, their Cases may properly form the subject of one trial.

2. In reference to the point argued in your letter the Judges direct me to observe, that under the provisions of Clause fifth Section IV. Regulation VII of 1822. persons charged with knowingly having stolen or plundered property may be brought to trial although the actual perpetrators of the theft or robbery may not have been committed.—

/ Signed / W. Hudleston
Dy. Regr.

27th October
1823



adjudged to receive "24 stripes and were committed on "other charges," the Judges direct me to convey to you — their opinion, that a prisoner committed to take his — trial for one offence cannot properly be at the same time punished for another by the Criminal Judge.—

4. Timarayen, prisoner No. 213, is described in that Case as having been apprehended on 11th Septr. 1823, and reached the Criminal Court on the 16th and in Case No. 171, he is stated to have been sentenced on 25th July 1823 to 3 Months imprisonment.—

5. This requires explanation.—

/ Signed / W. Hudleston
Dy. Regr.

5th November
1823

To The Criminal Judge
in the Zillah of Canara

Sir,

1. In case No. 18 of your last Quarterly Report of persons apprehended the prisoner on a charge of murder appears to have been detained by the Police Officer 27 days, which is accounted for by a reference made to the Magistrate.—

2. The Judges of the Foujdaree Udalut — consider this ground of detention assigned in this Case to be altogether inadmissible, and desire that you will communicate to the Magistrate this opinion for his

information

information and guidance.—

3. The number of deaths reported in the quarter appearing to the Judges to be extraordinary desire that you will inform them whether any peculiar causes existed for this mortality among the prisoners

5th November 1823. /Signed/ W. Hudleston
Dy. Regr.

To The Criminal Judge
in the Zillah of Malabar

Sir,

1. The prisoner No. 23 in your last Quarterly Report of persons apprehended is stated to have been sentenced to 8 months imprisonment on a charge of breaking into a granary and stealing therefrom property valued 12 Rupees.—

2. The offence coming within the scope of the provisions of Clause Second Section II. Regulation VII of 1822 was not punishable by you; and the Judges of the Foujdaree Udalut desire that the prisoner may be committed for trial.—

3 The sentence passed on prisoner No. 11 of 11 months imprisonment for stealing property valued at 6 Rupees appears to be contrary to the provisions of the fifth Section III. Regulation VII of 1822.—

The



4. The Judges are of opinion that the sentence of 3 months imprisonment passed on the prisoner No. 91. was inadequate to the offence of house breaking and theft—

5th November 1823. /Signed/ W. Hudleston
Dy. Regr.

To The Criminal Judge
in the Zillah of Masulipatam

Sir,

1. In case Nos. 1 and 2 of your last Quarterly Report of prisoners the same individual appears to have received two separate sentences of six months imprisonment on charges of cattle-stealing.—

2. The Judges of the Foujdaree Udalut direct me to convey to you their opinion, that the same individual cannot regularly be adjudged to two distinct punishments at the same time.—

3. In case No. 3 a Sentence of one months imprisonment was passed for cattle-stealing a punishment not according with the sense entertained by the legislature of the Criminality of the Offence, as intimated in the latter part of Clause fourth Section III. Regulation VII of 1822.—

/Signed/ W. Hudleston
Dy. Register

5th November 1823.

P

## To The Criminal Judge

Sir,

in the Zillah of Nella

1.

In case No. 3 of your last Quarte
Report of persons apprehended a delay of more than fo
weeks in forwarding the prisoner to the zillah station
stated to have arisen "from a correspondence between
"Magistrate and the police officer."—

2.

A delay of nine weeks in case No.
in cases Nos. 17 and 19 of more than eight weeks, is no
accounted for: and in one or two cases a considerable
is attributed to "summoning and examining" the pa

3.

The Judges of the Foujdaree Udalut
that an explanation may be attained from the magis
of the cases mentioned in the first, and that the attenda
of that office may be called to the irregularity point
out in the second paragraph of this letter.—

4.

The Judges observe that in case No.
and 10 the same individuals recived sentences of imp
ment on separate charges of house breaking. They de
me to state that they consider it improper that the
individual should at the same time be sentenced
to punishment, in regard to the cases here cited. T
are of opinion, that if the offences were committed



different dates the prisoners should have been brought to
trial before the Court of Circuit.—

/Signed/ W. Hudleston
Dy. Regr.

5th November
1823.

## To The Four Provincial Courts
of Circuit

Gentlemen,

1.

The Judges of the Court of Foujdaree
Udalut desire, that you will instruct the several
Criminal Judges within your jurisdiction to be care-
ful immediately to communicate with the Magistrate,
whenever prisoners sent in by the officers of Police may
have been subjected to a detention in custody longer than
the period prescribed by the Regulations, for which no
satisfactory reason may be assigned: and in such cases
to enter in the report submitted under the provisions of
Section XXXV Regulation X of 1816 a memorandum of the
reply, which may be made by the Magistrate, in order
that the Judges of the Foujdaree Udalut may be inform-
ed what notice is taken of these irregularities.—

2.

The Judges desire also that in all cases
of house breaking or simple theft the value of the stolen
property be specified in the report.—

/Signed/ W. Hudleston
Dy. Regr.

5th November
1823.

To

To

The Acting Judge on Circuit

in the Centre Divisio

Sir,

1. I am directed by the Judges of the S.
Udalut to acknowledge the receipt of your letter
1st Instant and to state that in case where, on a fa
of the Criminal Judges proceedings, you may be
opinion that further evidence is required, it will be
proper that you should call for it, and should the
attendance of the witnesses be procurable before the
conclusion of the other business of the Sail Delive
trials can proceed: but if not it will be proper
should be postponed till the ensuing sessions.

2. In regard to cases wherein full confes
may have been delivered before the Criminal Judge
duly attested, it may not be necessary that the trial
should be postponed on account of the absence of
witnesses to the fact, unless such should be your
opinion on a consultation with the Mohummedan
officers but the Criminal Judges in attention to
provisions of Section X Regulation X of 1816 should be
noticed.—

3. The Judges conclude that you will
reference to clause fourth Section III Regulation



have discharged the prisoners in the cases of Adultery wherein
the prosecution has been withdrawn.—

(Signed) W. Fendleston
Dy. Register

11th November 1823.

To

The Acting Criminal Judge

in the Zillah of Chittoor

Sir,

1. I am directed by the Judges of the Foujdaree
Udalut to acknowledge the receipt of your letter dated
6th Instant and to desire that you will make over
Gungadoo the prisoner therein referred to, to the charge
of his friends; the Judges understanding from the tenor
of the depositions which accompanied your letter, that
there are Relatives of the prisoner still in esciatence—
which from the Seventh paragraph of your letter
of 25th August last they had concluded not to
be the case.—

(Signed) W. Fendleston
Dy. Register

17th November
1823.

To

No. 445.

(No. 38)

## To The Secretary to Government

Sir

Judicial Department

1. I am directed by the Judges of the Foujdaree Udalut to transmit to you for the information of the Honorable the Governor in Council the accompanying letter, dated 31st ultimo, from the Criminal Judge in the zillah of Chicacole, requesting sanction for the appointment of a Criminal Record Keeper.

2. The Judges beg leave to recommend that this addition to the establishment of the Criminal Court may be permitted, a Record Keeper being entertained on the establishment of all the other Courts and it appearing to the Judges that such an officer is indispensably necessary.

24th November 1823

/Signed/ W. Oliver

Regr

No. 446

## To The Criminal Judge

in the zillah of Nellore

Sir

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter, dated 13th Instant, and in reply to the concluding paragraph thereof to convey to you their opinion, that a Prisoner convicted before the Criminal Judge of two or more petty thefts, neither of which may have been attended with any of the circumstances of aggravation specified in clause fourth Section III Regulation VI of 1822, cannot legally be sentenced by that officer to a punishment exceeding the limitations prescribed in Section VII Regulation X of 1816.

2. But the Judges would be disposed to consider a prisoner who may have committed several petty thefts at different times, to be a fit object for commitment for trial before the Court of Circuit under the general provision contained in the latter part of clause second Section III Regulation VI of 1822.

/Signed/ W. Rudlestone

Dy. Register

24th November 1823

No. 447.

## To The Judges of the 4 Provincial Courts of Circuit

Gentlemen,

1. I am directed by the Judges of the Foujdaree Udalut to transmit to you with reference to the circular orders of the Court under date 21st May last, the accompanying copies of a letter, dated 16th Ultimo, addressed to the Secretary to Government in the Judicial Department and

and of the Statement therein referred to, and of a letter dated 7th Instant received from Government in reply

2. In compliance with the Sentiments of the Honorable the Governor in Council conveyed in the letter mentioned, the Judges of the Court of Foujdaree Udalut direct, that the several Criminal Judges and Magistrates within your jurisdiction, to whom you will immediately furnish Copies of the letter, be instructed to submit through the Provincial Court of Circuit the quarterly returns, prescribed by Section XXIV Regulation X of 1810 and the half yearly Statement of Crimes committed and punishments inflicted required by the orders of the Foujdaree Udalut, dated 25th June 1819.—

3 Your serious attention should be directed to the correction of the evil particularly pointed out in the above letter from the Government; and in order that the Judges desire that you will obtain when necessary and lay before them a full explanation of the causes for any remarkable disparity which may appear between the numbers of persons apprehended in different Zillahs, and between the number in each Zillah apprehended and the number convicted.—

4 Referring particularly to the quarterly Reports from the Criminal Judges it will be proper that you



you should in examining them notice any irregularities which they may exhibit and call for and transmit with the reports any explanations from the Criminal Judge or the Magistrate, which may appear to be required.—

5 The Judges of the Foujdaree Udalut desire, that you will instruct the Criminal Judge and Magistrates to send up the reports as soon as possible after the expiration of the periods, the operation of which they respectively embrace; and it is hoped that the circuitous mode of transmission prescribed by these orders will not protract the arrival of the Returns at this office in any instance more than one month beyond the period, now prescribed for their direct transmission to the Court of Foujdaree Udalut.—

/Signed/ W. Hudleston
Dy. Registr

24th November 1823.

No. 1148.

To The Judges of the 24 Provincial Court of Circuit.

Gentlemen,

The Judges of the Court of Foujdaree Udalut desire, that you will call on the several Criminal Judges within your jurisdiction for a Statement in the annexed form which you will transmit to this office with as little delay as possible.—

XXIX

Number

| 1 | 2 | 3 |
|---|---|---|
| Number of prisoners now in confinement distinguishing the number under sentence and the number under examination.— | Total number of persons which the Jail is capable of containing.— | Space allowed each person resting at night in forming the estimate in this Column— |

24th November 1823

/ Signed / W. Hudleston
Dy. Registr

No. 449.

To The Criminal Judge in the Zillah of Nuddea

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated 19th instant.—

2. A circular order of the Court of Foujdaree Udalut dated 18th instant, which will be communicated to you by the Provincial Court of Circuit, fully explains what is intended in the orders of 20th February last by the "original charge or information" which ought always to accompany the proceedings, sent up by the officers of the to the Criminal Court under the provisions of Section XXX Regulation XII of 1816.—

3. The Judges hope that by a strict adherence on the part of the Criminal Judges to the instructions



instructions contained in the orders of 20th February, and on the part of the Magistrates to those, issued on 18th instant, a record may in future be in all cases furnished of the first complaint or charge preferred to the officers of Village or of District Police, whereof from the observation at the conclusion of your letter no record appears at present ever to be made.—

24th November 1823. / Signed / W. Hudleston
Dy. Regr

No. 450.

To The Criminal Judge in the Zillah of Cuddapah.

Sir,

1. Referring to certain cases in your last Quarterly Report of prisoners wherein a delay occurred, in transmitting the prisoners to the Zillah station exceeding the period specified in the circular orders of the Foujdaree Udalut dated 12th August 1822, for which no reason is assigned, the Judges of the Foujdaree Udalut direct me to call your attention to those orders, and desire that you will be careful in future to obtain in all such cases the requisite explanation from the Magistrate.—

2. In several cases the Judges observed that the prisoners were "sentenced to find security

security for certain specified period," to "
imprisonment for a further term.-

3. The Judges dont consider that the p
of section IX Regulation II of 1822 warrant
species of commutation for a requisition f
security for further good behaviour and they
that the sentences in the cases here refer
to be revised in strict accordance with the
provisions.-

4. Refering to case No 97 in which it
stated that the date of apprehension was "
Known", the Judges direct me to state that
the date of apprehension may not be certifi
by the police officer, an application there
immediately be made to the Magistrate in
that the information may be supplied

5 In several cases the Judges observed
the same individuals have been sentenced
punishment in different Numbers. This
proceeding the Judges consider to be improp

24th November 1823 } (Signed) W. Hudleston
Dy. Regr

No. 151. To The Acting Criminal Judge in the
Zillah Chittagong

Refering to certain cases in your
last Quarterly Report of prisoners, wherein a delay
occurred



occurred in transmitting the prisoners to the Zillah
station, exceeding the period specified in the circular
Orders of the Fouydaree Adalut, dated 12th August
1822. for which no reason is assigned, the Judges of
the Fouydaree Adalut direct me to call your attention
to those orders, and desire that you will be careful
in future to obtain in all such cases the requisite
explanation from the Magistrate.-

24th November 1823 } (Signed) W. Hudleston
Dy. Register

No. 152. To The Criminal Judge in the Zillah of
Chicacole

Sir,

Refering to certain cases in your last
Quarterly Report of prisoners, wherein a delay
occurred in transmitting the prisoners to the
Zillah station exceeding the period specified in
the circular Orders of the Fouydaree Adalut dated
12th August 1822, for which no reason is assigned,
the Judges of the Fouydaree Adalut direct me to
call your attention to those orders, and desire
that you will be careful in future to obtain
in all such cases the requisite explanation
from the Magistrate.-

24th November 1823 } (Signed) W. Hudleston
Dy. Regr.

No. 453 To

The Criminal Judge in the Zillah of Malabar.

Sir

1. Referring to certain cases in your last quarterly report of prisoners, wherein it is stated that for the delay in the transmission of the prisoners to the Zillah station the only reason assigned was, that the Police officers had not "closed his investigation," the Judges of the Court of Foujdaree Adalut direct me to observe that such an explanation is altogether vague and unsatisfactory, and that on such occasions a communication should be made to the Magistrate for the purpose of obtaining more definite information and preventing future irregularity.-

2. Too the detention of four prisoners in case No. 6 the excuse made was, that information was required respecting the other prisoners.-

3 This, as has repeatedly been declared by the Court of Foujdaree Adalut, does not justify the detention of the persons already in custody, who are in all cases to be forwarded to the Criminal court with forty eight hours if possible

4. Referring to cases No. 12, wherein the detention of the prisoner charged with murder is attributed to a reference made by the police officer of his proceedings to the Magistrate, the Judges desire that you will apprize the Magistrate of their opinion, that the detention of prisoners in cases of the nature described in clause first section XXVII Regulation XI of 1816 by the Police officer, pending a reference for the orders of the Magistrate, is irregular and improper.-

/Signed/ W. Hudleston
Dy. Regr.

24th November 1823



No. 454. To

The Criminal Judge in the Zillah of Malabar.

Sir,

I am directed by the Judges of the Foujdaree Adalut, to acknowledge the receipt of your letter, dated 13th Instant, and to state that the explanations therein given of the sentences passed in certain cases in your last Quarterly report of prisoners are considered by the Judges to be satisfactory; and that the information now furnished should have been contained in the report.-

/Signed/ W. Hudleston
Dy. Register

24th November 1823

No. 39.

No. 455. To

The Secretary to Government in the Judicial Department

Sir,

Referring to my letter, No. 18, dated 3d Augt

August 1820 and to your letter No. 355 dated 22d
of the same month we reply thereto, transmitting
copy of the opinion of the late Advocate Genl
that the Courts of Circuit have authority to
compel the attendances of fixed inhabitants
Natives to give evidence before them, & are desi
by the Judges to transmit to you for the purpose
of being laid before the Honorable the Governor
in Council the accompanying letter, dated 20th
Ultimo, from the Acting Criminal Judge in the
Zillah of Chittoor, soliciting instructions as to
means of procuring the attendance of
an attorney of the Supreme Court before the
of Circuit.

2. It is proper to state, that by a subsequent
communication from the Acting Criminal
Judge it was announced to the Judges of the
Faujdaree Adalut, that Mr. Reed's attendance
would not be required, but the question how
answer it appears to the Judges to be desirable
that the Advocate General should furnish
them with his opinion, first as to whether
not any distinction exists between the case
a European British subject, one of other persons
residing within the limits of the Supreme Court
in regard to their liability



Criminal Courts in the provinces, and secondly
as to whether or not attorneys of the Supreme
Courts are entitled from peculiar privilege to
exemption from such liability.-

Signed W. Oliver
Register

24th November 1823 } No. 40.

To
The Secretary to Government in the
Judicial Department

Sir,

1 I am directed by the Judges of the Fauj-
daree Adalut to transmit to you for the purpose
of being laid before the Honorable the Governor
in Council the accompanying letter, dated 20th
Instant, from the Criminal Judge in the Zillah
of Masulipatam, soliciting permission to hire
pro tempore some private buildings for the
accommodation of the persons committed for
trial at the ensuing Sessions of Jail Delivery.-

2. In submitting this application for the
orders of Government the Judges of the Faujdaree
Adalut direct me to state that the number of
prisoners in the other Jails does not admit of
their drafting a portion of the convicts at
Masulipatam to another Zillah the Jail at
Rajahmundry might be resorted to on the
present occasion, under an arrangement similar

to

to that adopted at Coimbatore and Trichinopoly
28th November 1823.

Signed W. Oliver
Register

No. 457. To

The Criminal Judge in the Zillah
of Chicacole.

Transmitting copy of a letter from
Government granting permission to entertain
a Foujdaree record keeper in his establishment
28th November 1823.

Sentensual Letter



No. 41

No. 462 To

The Secretary to Government
in the Judicial Department

Sir

I am directed by the Judges of the Foujdaree
Adawlut to transmit to you for the purpose of being laid before
the Honorable the Governor in Council the accompanying letter
dated 29th Ultimo from the Magistrate of Coimbatore, forwarding
for sanction Statement of batta &c. for prisoners in the Jail
at Coimbatore

Signed W. Oliver
Register

8th December 1823.

No. 463 To

The Judge of the Provincial Court of Circuit
Centre Division

Sir

I am directed by the Judges of the Foujdaree
Adawlut to acknowledge the receipt of your letter dated 3d Ultimo
submitting proceedings held in the Case of Veeradoo, a lunatic
prisoner.

The Judges concur with you in opinion that
1 2
the insanity of the prisoner is fully established, and that there
is also sufficient proof of his having committed the acts
charged against him under a deprivation of intellect.

Under the opinion expressed by the Zillah
3
Surgeon of the prisoners state of mind, he will of course be sent
to the Lunatic Asylum at the Presidency.

The

4. The Judges desire, that you will furnish the Acting Criminal Judge with a copy of this letter for the information of the Surgeon.

8 December 1823. | Signed, W. Huddleston
Deputy Regr.

No. 477. To the Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter, dated 9th Instant, and to state that considering it most desirable to make use of the jail at Rajahmundry for the accommodation of such portion of the prisoners at Masulipatam as the jail at that station cannot conveniently contain, they have issued the necessary instructions for carrying that arrangement into effect.-

2 Referring to the concluding observation in your letter the Judges direct me to state, that the jail allowances are fixed on the lowest scale consistent with the health of the prisoners and that no instance has yet him brought to him notice of their operating as an inducement to the commission



of offences.-

3 I am directed to take this opportunity of transmitting to you for the purpose of being laid before the Honorable the Governor in Council a letter, dated 12th Ultimo, from the Acting Judge on Circuit in the Centre Division stating that the number of prisoners in the jail at Cuddapah is too great.-

4. Upon the abolition of the Zillah Court at Rajahmundry 150 prisoners were removed from that jail to Cuddapah and the Judges of the Foujdaree Adalut would now propose with the sanction of the Government to place those convicts again in the Jail at Rajahmundry under the charge of the Magistrate.-

15th December 1823. } Signed W. Oliver
Register

No. 478. To the Criminal Judge in the Zillah of Masulipatam.

Sir,

1. In acknowledging the receipt of your letters dated respectively 20th and 27th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a letter addressed to the Secretary to Government in the Judicial Department under date the 28th Ultimo and an extract of the reply thereto dated

dated 9th Instant.

2d The Judges of the Foujdaree Adaulut are of opinion, that of the two arrangements to which by the foregoing letter the sanction of the Government has been given, the most expedient will be the occupation of the Jail at Rajahmundry and they desire, therefore, that you will immediately communicate with the Magistrate of Rajahmundry in view to his making due provision for the reception and safe custody of all the convicts from that Zillah now under your charge, and of such a portion of the other convicts as the present crowded state of the Jail at Masulipatam may render it expedient to remove.

3 Instructions will be issued to the Magistrate, through the Provincial Court of Circuit, respecting the treatment, and care of the prisoners to be consigned to his charge.

15th December 1823 } Signed W. Hudleston

Dy Register

No 479 To, The Judges of the Provincial Court of Circuit Northern Division

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Adaulut to inform you, that on a representation from the Criminal Judge of Masulipatam, respecting the crowded state of the Jail under his charge, the Honorable the Governor in Council has been pleased to authorize the removal of so many of the prisoners, as may be necessary, from Masulipatam to the Jail at Rajahmundry.

2 It will be the duty of the Criminal Judge to furnish to the Magistrate of Rajahmundry a Calendar, exhibiting the names, crimes and sentences of the convicts consigned to his charge in order that they may be regularly discharged at the expiration of the periods of their respective sentences.

3 The Magistrate should also be furnished with a copy of the Jail Regulations and the order of the Foujdaree Adaulut under date 8th October 1821 and his attention should be particularly directed to the provisions contained in sections ~~XXVII~~ XXX ~~XXXI~~ & ~~XXXII~~ Regulation X of 1816.

4. It is in the contemplation of the Judges to propose, that the convicts removed from Rajahmundry to Cuddapah on the abolition of the late Zillah Court should be also placed under the charge of the Magistrate of Rajahmundry, for which eventual arrangement that officer should be prepared.

5. The Judges direct that so long as the Jail

Jail at Rajahmundry be occupied by convicts under the Magistrates' charge, the Judges of the Provincial Court, successively proceeding on Circuit, do visit that Jail and issue such orders as may appear to them proper with reference to the provisions of section XXXII Regulation VII of 1802.

6 You will be pleased to furnish the Criminal Judge of Masulipatam and the Magistrate of Rajahmundry with copies of this letter for their respective information and guidance.

15th December 1823. } Signed H. Hudleston

Dy. Reg

No. 480. To the Criminal Judge in the Zillah of Ra

Sir

1. I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter, dated 4th Instant.-

2. The Judges are of opinion, that the provisions of clause fourth section III Regulation VI of 1822. are to be construed strictly; and that in cases of simple theft it is not competent to a Criminal Judge to exercise the extended powers thereby vested in him, unless under the specific circumstances of aggravation therein mentioned; and that a prisoner who may be brought before the Criminal Judge



Judge charged at the same time with several petty thefts, committed at different times, cannot, if convicted on the first charge, be punished on the second, as a person, who has been "before convicted" of theft &c., within the intendment of Clause fourth Section III Regulation VI of 1822.

3 In reply to your question, founded on my letter of 5th Ultimo, as to how the punishment ought properly to be adjudged, when a prisoner has been guilty of a number of petty thefts, and may not be committed for trial before the Court of Circuit, the Judges of the Foujdaree Adaulut direct me to state, that in such a case, if sentence of punishment to the extent allowed by section VII Regulation X of 1816 may have been passed on one charge, no punishment can be awarded on the others.

The sentiments of the Judges regarding the propriety of commitment for trial in such cases, remain unaltered.-

4. The Judges consider that part of clause fourth Section III Regulation VI of 1822., which relates to cattle stealing to be subject to the general provision, contained in the latter part of clause second of the Section, authorizing commitment for trial, whenever the Criminal Judge may deem the punishment

punishment adjudicable by him to be insufficient.

5. With reference to the concluding observation in your letter the Judges direct one to state that in their opinion it is incumbent on a Criminal Judge in all cases decided by him to hear any urg which the prisoner may have to offer in his defence.

15th December 1823. / Signed W. Hudleston Dy. Regr.

No. 481. To

The Criminal Judge in the Zillah of Bellary

Sir,

I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter, dated 29th Ultimo, and to state that the explanations therein given are considered to be satisfactory, excepting as regards case No. 70, which not coming within the scope of the provisions of Clause fourth Section III Regulation VII of 1822, can be disposed of only in accordance with the provisions of Clause fifth of that section.

15th December 1823. / Signed W. Hudleston Dy. Regr.

No. 482. To The Second Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Fouzdaree



Fouzdaree Udalut to acknowledge the receipt of your letter, dated 4th Instant, and to state that under the circumstances therein represented the Fouzdaree Udalut permit the Criminal Judge in the Zillah of Canara to continue the practice of inserting in the Calendar the substance of each witness' evidence.

15th December 1823. / Signed W. Hudleston Dy. Regr.

No. 483. To

The Second Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter, dated 4th instant; and to convey to you their instructions to hold a Sessions of Jail delivery at Seringapatam, after the close of the Sessions at Calicut.

2. As the servants, attached to the Judges on Circuit, will, the Judges conclude, be required by the 1st Judge proceeding on the ensuing Circuit, it appears desirable, that the Criminal Judge of Seringapatam should be instructed to peluce the servants of his establishment at the disposal of the Court of Circuit in Sessions.

15th December 1823. / Signed W. Hudleston Dy. Regr.

No. 1184. To the Magistrate of Coimbatore

Transmitting copy of a letter from Government sanctioning the statement of batta &c. on account of prisoners at Coimbatore 15th December 1828.

No. 486. To /Sent usual letter/

The Secretary to the Medical Board

Sir,

I am directed by the Judges of the Court of Foujdaree Adaulut to acknowledge the receipt of your letter dated 12th instant, requesting their instructions as to the disposal of Francisco de Rozario, a person sent from Caliaut as a confirmed Lunatic, who is reported to be in a state of mind warranting his discharge.

2. As this individual has under charge of murder, it becomes necessary, that he should be remitted to the custody of the Criminal Judge at Malabar; and in Order thereto the Judges request, that he may be made over to the charge of the Superintendent of Police to be forwarded under a sufficient guard to the Criminal Judge of Chingleput, to whom instructions will this day be transmitted respecting him

17th December 1823. /Signed/ W. Hudleston

Dy. Register

To



No. 1187. To

The Superintendent of Police Madras

Sir

I am directed by the Judges of the Court of Foujdaree Adaulut to transmit to you the annexed copy of a letter of this date addressed to the Secretary to the Medical Board, and to request that you will have the goodness to receive into your charge, and forward to Chingleput Francisco de Rozario, the individual therein referred to.

17th December 1823. /Signed/ W. Hudleston Dy. Register

No. 1188. To

The Criminal Judge in the Zillah of Chingleput

Sir,

I am directed by the Judges of the Court of Foujdaree Adaulut to transmit to you copy of a letter of this date, addressed to the Secretary to the Medical Board, and to desire that you will receive into your charge and forward to the Criminal Judge in the Zillah of Malabar in the mode prescribed by the circular orders of the Foujdaree Adaulut dated 18th June 1811 Francisco de Rozario, the person therein referred to.

17th December 1823. /Signed/ W. Hudleston Dy. Register

Foujdaree Diary 17th December 1823.

To

The Criminal Judge in the Zillah
of Malabar.

Sir

Referring to case No. 19 of the Quarterly report of persons apprehended, furnished under date 31st December 1822. by the late Criminal Judge of South Malabar wherein the prisoner Francisco de Rozario, charged with the murder of his wife, was reported to have been placed under the observation of the Surgeon in consequence of insanity, I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the accompanying copy of a letter, dated 4th instant from the Secretary to the Medical Board and its enclosures.

2 Francisco de Rozario being pronounced to have fully recovered the use of his understanding the Judges of the Foujdaree Adalut direct that on his arrival at Calicut, for his transmission to which place the necessary orders have been given, the usual preliminary investigation be held in view to his commitment for trial before the Court of Circuit, which Court will of course take any evidence, that may be adduceible in proof of his having been insane, when the above fatal act of violence was committed.-

17th December 1823.

(Signed) W. Hudleston

Foujdaree Diary 20th December 1823.

No. 43.

491. To

The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for the consideration and orders of the Honorable the Governor in Council the accompanying letters, dated respectively 24th July last, the 8th and the 11th instant from the Criminal Judge of Malabar, together with an Extract of the proceedings of the Court of Foujdaree Adalut, under date 4th August last, on the subject of the first of those letters.-

2. The Judges of the Foujdaree Adalut regret that it has become necessary for them to solicit the interference of the Government vindication of the authority of the Criminal Judge over the Joint Assistant Judge Mr. W. Lewin, the admonition which was conveyed to this gentleman under their orders of the 4th August having failed to induce on his part the observance of due respect towards his superior.

2. In reference to certain passages in the communication, which the joint Assistant Criminal Judge has thought proper to address to the Judge, I am directed to remark, that all the proceedings

proceedings of the Criminal Judge come periodically under the review of the Judges of Circuit, whose province it is to notice and correct all irregularities, which might appear therein; but whose reports do not shew, that any grounds have existed for calling their proceedings in question.-

20th December 1823. /Signed/ W. Oliver
Register

No. 1192. To. No. 114.

The Secretary to Government in the Judicial Department

Sir

I am directed by the Judges of the Fouzdaree Adalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter, dated 1st Instant from the Secretary to Medical Board announcing that Francisco de Rozario, who was sent from Calicut to the Lunatic Hospital as a confirmed Lunatic, has recovered the use of his understanding.

2. This individual being now in a situation to be released to the charge of friends, which has been preferred against him, the Judges request that authority may be given to



to the Superintendent of Police to receive and forward him to Chingleput, in order to his being remitted to the custody of Criminal Judge of Malabar.-

20th December 1823 } /Signed/ W. Oliver Register

No. 1193. To the Judges of the Provincial Court of Circuit in the Southern Div.

Gentlemen, I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter, dated 12th instant and to state that they authorize the removal of 30 Convicts from the Jail of Combaconum to the Jail at Trichinopoly.

2. You will be pleased to issue the necessary instructions to the officers in charge of the prisoners at the above stations.-

22d December 1823 } /Signed/ W. Hudleston Dy. Regr.

No. 1194. To the 2d Judge on Circuit in the Western Division

Sir, I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter, dated 8th Instant, and to state that the leave of absence solicited by the Baize is granted.-

22d December 1823. /Signed/ W. Hudleston Regster

No 495. To the Criminal Judge in the Zillah of Bellary

Sir

The report recently forwarded by you under the provision of section XXXV Regulation X of 1816 was accompanied by the enclosed letter addressed to you by Order of the Provincial Court which I am directed to return to you.

22d December 1823.

/Signed/ W. Hudleston
Dy. Regr.

No 503. To
No. 47.

The Secretary to Government in the Judicial Department

Sir,

With reference to your letter, dated 7th Ultimo containing observations upon the half yearly "statement furnished under date the 16th October, of the operations of the several Criminal Tribunals I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you for the purpose of being laid before the Honorable the Governor in Council the accompanying letter, dated 11th Instant, from the Magistrate in the Zillah of Madura, whereby it appears that this Officers' returns of the number of persons apprehended have been erroneously swelled by his including the numbers summoned to answer trivial charges but not taken into custody.-

The



2

The Judges have intimated to the Magistrate, that persons merely summoned on complaints are not to be included in his returns of persons apprehended.-

/Signed/ W. Oliver
Register

24th December 1823

No. 504. To The Judges of the 4 Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you the accompanying copy of a letter, dated 11th Instant, from the Magistrate in the Zillah of Madura, and to desire that you will instruct the several Magistrates in your division, that the half yearly statement of Crimes committed, and persons apprehended, is intended to include, under the latter head, the number of persons taken into custody, and not of those merely summoned to answer trivial charges.-

/Signed/ W. Hudleston
Dy. Register

24th December 1823.

No. 506. To The Assistant Criminal Judge in Charge of the Zillah Court of Cuddapah

Sir,

I am directed by the Judges of the Court

Court of Foujdaree Adalut to inform you, that by the sanction of the Honorable the Governor in Council it has been resolved, that the prisoners in the Jail under your charge, who were removed thither from the Jail at Rajahmundry, on the abolition of the late Zillah Court at that station, shall be sent back, and lodged in the Rajahmundry Jail under the charge of the Magistrate.

2. You will in pursuance of the above resolution forward the prisoners to Rajahmundry furnishing to the Magistrate a Calendar exhibiting their names, crimes, and sentences, in order that they may be regularly discharged at the expiration of the periods of imprisonment which they have been respectively adjudged to suffer.—

29th December 1823. (Signed) W. Hudleston
Dy. Register

No. 507. To the Judges of the Provincial Court of
Circuit in the Northern Division

Gentlemen,

With reference to my letter dated 15th instant, I am directed by the Judges of the Foujdaree Adalut to transmit to you the annexed copy of a letter of this date, addressed to the Assistant Criminal Judge in charge of the Zillah Court



Court at Cuddapah, and to desire that you will furnish the Magistrate of Rajahmundry with a copy thereof for his information and guidance.—

29th December 1823. (Signed) W. Hudleston
Dy. Register

No. 510. To the Criminal Judge in the Zillah of
Chingleput

Sir,

The Honorable the Governor in Council having sanctioned the employment of from fifty to a hundred convicts on certain public works, under the charge of Captain Turner, commanding the depot at Cuddalore, I am directed by the Judges of the Court of Foujdaree Adalut to desire that you will ascertain from that officer the precise number of convicts required and in communication with the Magistrate in the Southern of Arcot transfer them to the custody of Captain Turner, so soon as arrangements may have been made for their accommodation. You will select the convicts for removal to Cuddalore from among those the expiration of whose term of imprisonment is most distant, and will transmit to this office a Calendar exhibiting their Names, Crimes, and Sentences.

A copy of this Calendar should be furnished

2.

Fouydaree Diary 31st December 1822.

furnished to Captain Turner, and he should be
requested to report to you for the information
of the Judges of the Fouydaree Wadut the proba-
period for which their services will be required.
31st December
1823

Signed W. Hudleston
Dy. Regt