180

19th June 1815

19th June 1815

Magistrate's proceedings only then were examined before the Court of Circuit.

Hence either the record of the trial is defective, as not containing all the evidence taken on the trial, or the Provincial Law Officer has brought forward as evidence the testimony of witnesses given before the Magistrate which had not been proved before the Court of Circuit, and which could not therefore be viewed in the light of evidence.

The late 3d Judge by whom the trial was Referred having left the Country the Record of the trial cannot be returned for amendment; but the Court deem it proper to direct that the Majesty of the Provincial Court, who assisted during the trial and by whom the future in case N.1 was delivered be called upon to state whether the witnesses from No. 11 to 17 inclusive, to whose depositions he refers in his future were examined before the Court of Circuit or whether when drawing up his future on the case he merely Referred to their depositions taken before the Magistrate as contained in the Magistrates proceedings.

Ordered that Extract of these Proceedings

19th June 1815.

Proceedings to be transmitted to the Court in the Northern Division by Precept to the Court to communicate to the Court of the Zilla of Vizagapatam for his information and future guidance. Such part thereof as may refer to the proceedings; and further call upon the Provincial Court for explanation on the foregoing point and submit the same in their return to the foregoing precept with as little delay as

Sent following Precept

/Here enter Ex/

Read return dated the 21st by the Court of Circuit in the Western Div to the Court's precept under date the 8th stating that consistently with the powers of the Court of Circuit in the said Division complainant in any instance with the 2nd and form adopted by the resolution of the 7th of January 1813 contained in the Precept will be found impracticable.

/Here enter No. 409/

Under the explanation stated by the Provincial Court in the Western Div the Court ordered to the magistrate that

For Mo.

19th June 1815.

paragraph
in the last [illegible] of their letters, in the cases in which it may be impracticable to obey the letter of the Regulations; observing only that it will be proper that the Magistrate should in each case be directed to have the prisonier brought up before him, and to communicate the sentence passed upon him in the most public manner - and that the precept addressed to the Magistrate with the sentence, together with his return should be annexed to the Record of the trial -

Ordered that extract of these proceedings be transmitted to the Court of Circuit in the Western Division for their information and future guidance -

Sent following letter

/Here enter G/

Am

11

663

19th June 1815

Tuesday
20th June 1815

F 46

At a Court of the Zoujdaree Adalut

Present

Andrew Scott, Esqre.
Edward Croft Greenway Esqre. } Judges.
George Stratton, Esqre.

Read letter dated the 9th instant from the Secretary to Government in the Judicial Department authorizing the Magistrate of Salem to tender to the nine persons named in the Court's proceedings of the 16th ultimo the conditional pardon recommended by the Court, and to bring to trial the prisoners who being subjects of the British Government are charged with offences committed in Mysoor.

(Here enter No. 421)

Ordered that copy of the foregoing letter with extract of these proceedings be sent for the information and guidance of the Magistrate in the zillah of Salem.

Sent following letter.

(Here enter No. 1)

The Court direct that copy of the letter, dated the 21st July last, from the Magistrate of the Zillah of Salem, with extract from the Court's proceedings of the 16th ultimo be sent to the Courts of Circuit in the Southern and Centre Divisions of precept requiring

20th June 1815.

respect to the most mode of pu
for prisoners Clerks &c. &c.
declaring persons
from the different practice
Clerks &c. &c.

The letter to this
to be made to them
of the receipt thereof

Ent following Receipt

B. 16

P. 16.

At a Court of the Foujdaree Adaulut

Thursday
22nd June 1815.

Present

Andrew Scott Esqr
Edward Croft Greenway Esqr
George Stratton Esqr

} Judges

Read letter dated 3. December 1814 from the 1st Judge in Circuit in the Centre Division — enclosing copies of communication with the Magistrate of Chingulput on the subject of two prisoners Veerakerala Rajah and a Malay —

All

Vide enter No 709.

The above letter brings to the notice of the Court the cases of two persons in confinement in the jail of Chingleput — namely Cony Adichen Esqr otherwise called Veerakerala Rajah, and a Malay whose name is not given. These persons have been subjected to confinement without a Warrant, and continued in prison without a trial —

In explanatory of the case of the Malay the 1st Judge has transmitted a copy of a letter under date the 9th of July 1798 from the Town Major of Fort St George to the Collector of the Foujdary, in which that officer states that —

he

he is directed by the Noble the Governor to send to the collector in charge of a guard a Malay prisoner of war who has been convicted of several murders and that it is the Governor's wish that the Collector should employ the prisoner to work in chains on public work.

On the establishment of the Courts of Justice in the territories the above case would appear to have been one which having been already decided on for ever would not put upon the Court to have probably considered that to put her life in hazard after she had been for some years subjected to hard labour would be a too hard measure: the it certainly would have been the most merciful course, especially as the Governors orders on the conviction of the prisoner were communicated, not through the regular channel of Government, but thro' the Supreme Court of Judicature.

Viewing the condition of the prisoner with reference to the general principles of the legislature that a suffering object without a charge, without a prosecutor, and without a formal sentence passed according to law entitles her to relief that at the General Jail delivery of the station, and no evidence being produced against her, entitles her to her

trial for the offences charged against her, his case is not cognizable by the ordinary Courts — but there are considerations which may render such a measure inexpedient. On the one hand, it may be difficult, if not impossible, after so great a lapse of time, to bring forward sufficient evidence to convict the prisoner of the murders with which he is charged. - and on failure of proof he must be acquitted & obtain his release under circumstance which may ~~attach a feeling of injustice to his former imprisonment~~ - On the other hand, should the prisoner be capitally convicted on the fullest legal evidence, the consideration of his long imprisonment and suffering must operate against the infliction of the punishment of death. and the trial might have in the opinion of many, the appearance of an unmeaning formality —

minds in the minds of many a feeling that his former imprisonment was not consistent with justice

The only other mode which the Court can suggest for disposing of the case now under consideration, would be that the Right Noble the Governor in Council should be pleased to grant a pardon to the Malay, and order him to be taken back, by the first opportunity that may present itself, to the country from which he came

With respect to the prisoner Oony Adichen Erary

It appears from the documents annexed to the above letter of the 1st Judge on Circuit that he was sent from Travancore under the

Orders

22d June
1815

Order of Government to be placed under charge of the Magistrate
Chingleput — This order was communicated to the Magistrate in
a letter from the Chief Secretary — Reciting certain orders issued by the
Bd of Rs and copies of numerous papers relative to the case of the prisoner
at the same time sent, which are not before the Court —

On this case the Court first considered
on proving an offence — The Prisoner does not appear to have been
apprehended by a local Magistrate within the territories subject
to this presidency — which the offence with which he is charged
seem of that sort for the trial of which Regulation XI of 1809 was
enacted: — the protection which the prisoner seeks which the Court
establishes for the Government of the dependencies of Bengal
claim that protection as a subject of Great Britain — The Court
are not aware of the grounds on which this appeal can be made —
they beg leave respectfully to submit the case for the consideration
Orders of the Right Hon'ble the Governor in Council —

In the concluding part of his letter the Magistrate
admits his want of power over some of the apartments in the gaol —
Magistrate proposes that two sentries should be placed
side of the building — The Court resolve to recommend to the
Hon'ble the Governor

22d June
1815

suggested by the Magistrate —

Ordered that extract of these proceedings with
the foregoing letter be sent to the Secretary to Government in the
Judicial Department for the purpose of being laid before the
Right Hon'ble the Governor in Council —

Sent following letter

/ Here enter A /

JH

RK

CW

P. 116.

Saturday
24th June 1815.

At a Court of the Foujdaree Udalut

Present

Andrew Scott Esqr.
Edward Croft Greenway Esqr
George Stratton Esqr.

} Judges

Read return dated the 23d Instant from the Magistrate of Chingleput to the Courts precept of the 14th Instant, directing him to send to Madras the insane prisoners Seemen and Sonnen now in his custody in order to their being examined by the Medical Board for admission into the Lunatick hospital at Madras. The prisoners are sent down in obedience to the precept

/Hereunto N.o 451/

Ordered that copy of the above Precepts and return with extract of these proceedings be communicated to the Town Major of Fort St. George

Sent following letter

/Hereunto A/

Fr. Us.

At a Court of Fouydaree Adalut

Present

Monday
26th June 1815. Andrew Scott Esqr.
Edward Croft Greenway Esqr. } Judges
George Stratton Esqr.

Read letter dated the 12th April last
from the late 2d Judge of Circuit in the Centre
Division transmitting his proceedings held in case No. 72
of the Bellary Calendar in the 1st Sessions of 1815.

Here enter No. 278 of 1815.

The Court having maturely considered
the proceedings held before the Judge on Circuit
the futwa of the Provincial Law officer and the
futwa of the Sagee ool Coogat and Mooftees of
the Fouydaree Adalut do confirm the said futwa
of the Sagee ool Coogat and Mooftees aforesaid
and to acquitting the Prisoners.

1st Venkatakistniah
2d Kummutapah
3d Beemuppah.

do direct their release accordingly

Sent following letter

Here enter A.

Read letter dated the 17th Inst.
last from the 2d Judge on Circuit in the

Western Division transmitting his journal proceedings held on cases Nos 3 & 4 of additional Calendar of Causes for the 4th Sessions of 1814.

(Recorded in Book No 144 of 1815)

The Court having matured considered the Proceedings held before the Judge on Circuit (in case No 3) the Fiatum of the Provincial Law Officer and the Fiatum of the Barrister and Senior Proctor of the Court admitted to confirm the said Fiatum of Cases 3 & 4 and Proofs adduced on the Prisoners

4th Pettapondel Paran
5th Palapelly Pandaram
6th Kaatikaten Vinduan Pair
7 Amanikatan Pabo
15 Paalakel Illamen and
16 Talakalatingel Kelo

are declared liable to be dealt with under the provisions of 45 Geo III Cap XV 1803. to adjudge the Prisoners

5th Palapelly Pandaram
6th Kaatikaten Vinduan Pair
7th Amanikatan Pabo.

in irons on the public roads or other public works for and during the period of fourteen years from the 24th March 1814 the date of their commitment

The 4th Prisoner Pettaporakel Paran having been sentenced to suffer death in case No 4 — and the Prisoners 15th Paalakel Illamen and 16th Talakalatingel Kelo have been sentenced to imprisonment and transportation for life in the same number —

The Prisoners 1st Perovakatatil Nirapen, 2d Perovakatatil Kristnan, 3d Koando Kalangara Kelonnee & Nambiar alias Manioor 4th 5th, 10th Tangedetil Chanjoo & 14th Parambate alias Kannambate Parangoden having been convicted in other cases their release is not ordered.

And the Court do further direct that the remaining two Prisoners

8th Paykoota Ity Koaty &
9th Kolatoddil Koonhoo alias Koonjo

be set at liberty.

The Court having maturely considered the proceedings held before the Judge on Circuit (in case No 4) the Fiatum of the Provincial Law Officer and the

Western Division transmitting his proceedings held in case No. 3 & 4 of additional Calendar of Jaffna prisoners at the 4th Session of 1814.

(Vide entries No. 144 of 1815)

The Court having matured considered the Proceedings held before the Judge on Circuit (in case No. 3) the Fiatum of the Provincial Law officer and the Fiatum of the Queens Advocate and Senior Proctor of the Court of Admiralty to confirm the said Fiatum of Acquittal and Death as regards the Prisoners

4th Vetaporakel Paran
5th Malapelly Pandaw
6th Kanthiahatan Fiatum Nair
7 Amanikatan Vabo
15 Paalakalu Illamen and
16 Talakalatingel Kelo.

are declared liable to be dealt with under the provisions of Clause III Statute XV 1803. do adjudge the Prisoners

5th Malapelly Pandaw
6th Kanthiahatan Fiatum Nair
7th Amanikatan Vabo.

to be

in irons on the public roads or other public works for and during the period of fourteen years from the 24 March 1814 the date of their commitment

The 4th Prisoner Vetaporakel Paran having been sentenced to suffer death in case No. 4 and the Prisoners 15th Paalakel Illamen and 16th Talakolatingel Kelloo have been sentenced to imprisonment and transportation for life in the same number.—

The Prisoners 1st Perovakatatil Nirapen, 2d Perovakatatil Kristnan, 3d Koandoo Kalangara Kelonee a Nambiar alias Manioor do do, 10th Tangedetil Chanjoo & 14th Parambate alias Pannambate Paeangoden having been convicted in other cases their release is not ordered.

And the Court do further direct that the remaining two Prisoners

8th Paykoota Ity Kooty &
9th Kolatoddil Koonhoo alias Konjo

be set at liberty.

The Court having maturely considered the proceedings held before the Judge on Circuit (in case No. 4) the Fiatum of the Provincial Law officer and

26th June 1815.

the Fracture of the Cajeaul Cragal Bo
Mooftty of the Fanydaru Medaliat dow
the said Fracture of the Cajeaul bo
and Mooftty aforesaid, and under the p
of Clause I Section IV Regulation XV
1803. do adjudge the Prisoners

1st Paramakalakil Vaiyhoo
2d Paramakalakil Krishnan
3d Maniyayan Kidaaree Sood
4th Kattaparambal Paun

to suffer death by being hanged at the
limbs on a gibbet erected opposite to
prisoners House, wherein his father wa
tortured to death.

And the Court do adjudg

Aniamen

5th Poolickel Menaven
6th Talakulatool Kelo
7th Madambate Kunde Paroo
8th Kanakandie Kannay
9th Mallakal Mayen alias Boy
10th Pambanpalal a Nayer

to be imprisoned and transported to
of Wali Island, there to be imprison
and kept to hard labour in irons

Fo 11.

26th June 1815. public roads or other public works for

during the period of their natural lives
respectively

Sent following letter

Here enter B/

Read letter dated the 12th Instant,

from the 3d Judge of Circuit in the Centre Division
transmitting the proceedings held by the late 3d Judge
in case No 5 of the Chittoor Calendar in the
2d Quarterly Sessions of 1812.

Here enter No 429. of 1815.

Read letter dated the 13th Instant

from the 3d Judge of Circuit in the Centre
Division transmitting the Proceedings held by
the late 3d Judge in case No 2 of the Cuddapa
Calendar in the 2d Sessions of 1812.

/Here enter No 430. of 1815./

Read letter dated the 13th Instant,

from the 3d Judge of Circuit in the Centre Division
transmitting the proceedings held by the late
3d Judge in case No 4 of the Cuddapah
Calendar in the 2d Sessions of 1812..

/Here enter No 431. of 1815/

Read letter dated the 14th Instant,

from the 3d Judge of Circuit in the Centre
Division transmitting the proceedings held by

the

the late 3d Judge in case No 5 of the
Calendar in the 2d Sessions of 1812.

Recorder No 432 of 1815.

Read letter dated the 14th
from the 3d Judge of Circuit in the Centre
Division transmitting the Proceedings
by the late 3d Judge in case No 6 of the
Cuddapah Calendar in the 2d Sessions
Recorder No 433 of 1815.

The proceedings in the first
case not being attested by the 3d Judge
conducted the trial, the Court
to pass judgement therein, deem it requisite
to ascertain whether the original proceedings
the Court of Circuit, of which the foregoing
are certified by the Register of the Court of
to be true translations, severally bear the signa
of the late 3d Judge before whom they were

Ordered that extract of these
proceedings be transmitted to the Court of
in the Centre Division by Precept directing
them to attend the production of the
enquiring into the
information of the Court
original proceedings in the
to and severally certified by the late 3d

before whom they are purported to have been
held on or before the 15th "Proximo.
last following "Fourth" Time enter

The Register of the Foujdaree
Adalut lays before the Court the English and
Persian Records of the undermentioned trials

No. 27, 4, 373 of the Cuddapah Calendar in the 1st Sessions of 1814.

No. 8. of the Chittoor Calendar in the 1st Quarterly Sessions of 1814.

& No. 4, 4, 5 of the Chittoor Calendar in the 1st Quarterly Sessions of 1815.

which he states to have been found among the
papers of the late 3d Judge of Circuit in the
Centre Division and which he received from Mr
W. Gahagan, as he informed him that X

X they were found among the papers of the late 3d Judge of Court.

The foregoing Records not bearing
the signature of the late 3d Judge, the Court
direct that they be transmitted to the Court of
Circuit in the Centre Division by Precept directing
them to have the same carefully compared with the
original proceedings, and to certify the same as true
translations, if on being duly compared they be
found correct; or otherwise to transmit true
translations; and further to state for the information
of the Court whether the original proceedings in
the trials abovementioned severally bear the
signature of the late 3d Judge before whom they

are

26th June 1815.

were prefumed to have been held.

The Court further direct the Court of Circuit in the Centre Division instructed to make their return to this Court in the month of [illegible] following Month

(Vide Letter D)

F. 16

Adt Court of the Fouzdaree Udalut

Present

Tuesday 27 June 1815

Andrew Scott Esqr.
Edward Croft Greenway Esqr. } Judges
George Stratton Esqr.

Read letter, dated 22d Instant from the Secretary to Government in the Judicial Department with reference to the Courts recommendation of the 14th Instant permitting Veera Varma Rajah to take up his residence at Kallate Cotte

(Vide enter No 456)

Ordered that copy of the above letter with extract from these Proceedings and from the Courts proceedings of the 14th Instant be transmitted to the Provincial Court for the Western Division for their information and guidance—

Sent following letter

(Vide enter A)

Read letter dated 15th Ultimo from the 1st Judge on Circuit in the Northern Division— enclosing copy of the Vizagapatam calendar for 1st Sessions of 1815. and stating his intended departure to Ganjam from Vizagapatam—

(Vide enter No 382)

Read letter dated 22d Ultimo. from the 3d Judge of Circuit in the Western Division— with copy of the North Malabar calendar for 2d Quarterly Sessions of 1815—

(Vide enter No 395)

27th June 1815.

Read letter dated 22d ultimo from Mr. G. L. Travers. oath of office taken by him as Judge of Ganjam—

/Sereenter N. 400/

Read letter dated 23 ultimo from J. Sadgo on Circuit in the Western Division with the Warrant of execution in case N. 3 on the Circuit calendar of 1815—

/Sereenter N. 393/

Read letter dated 25th ultimo from the Magistrate of Chingleput reporting the good state of health of five convicts arrived at his Zillah from Cuddapah under sentence of transportation—

/Sereenter N. 390/

Read letter dated 25th ultimo from the Magistrate of Chingleput reporting the good state of health of a convict named Soorumpoody Sanpadee arrived at his Zillah from Rajahmundry under sentence of transportation and that another convict named Soorumpoody Doorgiah was left ill on his journey and detained at Nellore—

/Sereenter N. 391/

Read letter dated 26th instant from the 2d Judge on Circuit in the Centre Division reporting the receipt of the 8th March confirming that the Magistrate of Cuddapah has released the prisoner Dowal Rao from Jail and has called upon the prisoner Podda Iyyadoo to find security for good behaviour during one year which he will be released—

/Sereenter N. 398/

27th June 1815.

Read letter dated 1st ultimo from the Magistrate of Bellary with register of persons proclaimed in his Zilla in April—

/Sereenter N. 383/

Read letter dated 2d Instant from the Magistrate of Tinnevelly with report of presoners confined under sentence in his jail—

/Sereenter N. 404/

Read letter dated 3d Instant from the Magistrate of Salem with register of persons proclaimed in May in his Zilla—

/Sereenter N. 407/

Read letter dated 27th ultimo from the Magistrate of South Malabar reporting an affray between certain presoners under sentence of transportation on their way from North Malabar to Darapooram the escape of one prisoner and the measures pursued in consequence—

/Sereenter N. 402/

20

KL

GW

GHS

27th June 1815

F. U.

At a Court of Oyer and Terminer Adalut

Present

Andrew Scott Esquire
Edward Croft Greenway Esqre } Judges
George Stratton Esquire

Friday 30th June 1815

Read Letter dated 1st ultimo from the Magistrate of Vizagapatam with Report of persons proclaimed in his Zillah for May

Here enter No 113

Read Letter dated 1st ultimo from the 2d Judge of Circuit in the Centre Division with returned warrants of execution in cases No 378 & 80 on the Bellary calender 1st Session of 1815 Certified to have been duly executed

Here enter No 115

Read Letter dated 3d ultimo from the 2d Judge of Circuit in the Centre Division with returned warrants of execution in cases No 378 & 80 on the Bellary calender 1st Session of 1815 certified to have been duly executed

Here enter No 116

Read Letter dated 26th May 1815 from Wm Peter Cheny - oath of office taken by him as 3d Judge of the Provincial Court of Circuit for the Northern Division

Here enter No 117

Read Letter dated 1st ultimo from the 3d Judge on Circuit in the Southern Division with Copy of the Tinnevelly calendar 1st Session of 1815

Here enter No 118

Read Letter dated 6th Ultimo
from the 2d Judge of Circuit in the Northern Divn
inclosing Copies of the Sunk Malabar, Cabon,
and Sungpatam Calendar 2d Sessions of the
/Recd enter No 419./

Read Letter dated 10th Ultimo
from the acting Magistrate of Sungapatam with
Report of Prisoners confined under sentence in the
Zilla.—

Recd enter No 427.

Read Letter dated 19th Ultimo
from the Magistrate of Chingulpet with List
of convicts under sentence of Transportation
arrived at the A. Zilla.—

/Recd enter No 428/

Read Letter dated 19th Ultimo
from the Magistrate of Chingulpet reporting the
good state of health of the convicts named in the
and Bannemah, arrived at the Zilla from
Cuddapa, under sentence of Transportation.

/Recd enter No 429/

Read Letter dated 22d Ultimo
from the 2d Judge of Circuit in the Northern
Division reporting the arrival of the Boat of
Circuit at Tanjore from Sungapatam.—

/Recd enter No 430/—

F. C.

At a Court of Foujdaree Adalut

Present

Monday
3d July 1815. Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges
George Stratton Esqre

Read letter dated the January
last from the 2d Judge of Circuit in the Northern
Division transmitting his proceedings held in case
No 1 of the Gurjam Calendar in the 2d Sessions of
1814.

/Recd enter No 63 of 1815./

The Court having maturely
considered the proceedings held before the Judges
on Circuit the Futwa of the Provincial Law
Officer, and the Futwa of the Cazee ool Cozat &
Mooftee of the Foujdaree Adalut do confirm the
said Futwa of the Cazee ool Cozat and Mooftee
aforesaid, and acquitting the Prisoners.

1st Dauyanadee Acharevalu &
2d Pudmachee.

to direct their release accordingly

Read letter dated the 12th January
last from the 2d Judge of Circuit in the Northern
Division transmitting his proceedings held in
No 3 of the Gurjam Calendar in the

3d July 1815

2d Sessions of 1814

/Hereunto No 64 of 1815/

The Court having maturely considered the proceedings held before the Judges on Circuit the Petition of the Provincial Officer and the Petition of the Cagecool Coogar and Moosties of the Faujdaree Adawlut confirm the said Petitions of the Cagecool Coogar and Moosties aforesaid and acquitting the Prisoners

1st Henry Ling and
2d [illegible]
do direct their release accordingly

Sent following letter
/Hereunto A/

Read letter dated the 9th February last from the Judges of Circuit in the Northern Division transmitting the proceedings held in case No 10 of the Jail Calendar in the 1st Sessions of 1815.

/Hereunto No 160 of 1815/

The Court having maturely considered the proceedings held before the Judges on Circuit the Petition of the Provincial Civil Officer and the Petition of the Cagecool Coogar and Moosties of the Faujdaree Adawlut

3d July 1815

of the Cagecool Coogar and Moosties aforesaid and acquitting the Prisoners-

1st Pellakkhoola Teeramoolagadoo

2d Mullicketty Venkadauchellum

do direct their release accordingly

Sent following letter
/Hereunto B/

Read letter dated the 26th June, by the Magistrate in the Zilla of Chittoor to the Court's Precept under date the 22 May last, certifying that he has released the Cutwal of Ramapah, in conformity with the Judgment of the Court passed on the 4th (Hereunto No 150)

F. U.

At a Court of Foujdaree Udalut

Present

Monday
10th July 1815. Edward Croft Greenway Esqre
George Stratton Esqre } Judges

Read letter dated the 14th Ultimo
from the 3d Judge on Circuit in the Southern
Division, transmitting his proceedings held
in case No 1 of the Nerdachellum Calendar
in the 1st Sessions of 1815.

/ Here enter No 458. /

Read also remarks of the Cazee
and Moofftee of the Foujdaree Udalut
Shewing cause for revision of trial contained
in the foregoing letter

Here enter Remarks

Ordered that the Persian Record
of the trial abovementioned together with extract
of these proceedings be transmitted to the 3d Judge
of Circuit in the Southern Division by precept
directing him to cause the foregoing Record to be
certified as usual by the Mahommedan Law
officer assisting at the trial and to return the
same to the Court with the least possible delay

Sent following Precept

/ Here enter A /

Read

Read letter dated the 2d
from the 3d Judge of Circuit in the Centre
transmitting the proceedings held by the late
Judge in case No. 3 of the Cuddapah
in the 2d Sessions of 1812

/ Here enter No. 468. /

Read also letter dated the 2d
from the 3d Judge of Circuit in the Centre
transmitting the proceedings held by the late
3d Judge in case No. 26 of the Criminal
Calendar in the 2d Quarter Sessions of 1815

/ Here enter No. 469 /

The Records in the foregoing
not being certified by the Judges presiding
the trials, the Court require to know whether
the original proceedings in the Courts
of which the foregoing proceedings are stated
by the Register of the Court of Circuit to be
true translations, severally bear the Signa
of the late 3d Judge —

And the Court further
that the Court of Circuit, transmitting any
= manning trials held by the late 3d Judge
do certify for the information of the Court
whether or no the original proceedings in

cases are severally authenticated by the signature of
the late 3d Judge before whom they were held —

Ordered that extract of these
proceedings be transmitted to the Court of Circuit
in the Centre Division by Precept directing
them to afford the requisite information
in their return to the said Precept on or before
the 31st Instant.

Sent following Precept

/ Here enter B /

Ath

J. M.

At a Court of the Toungaree Adalut

Present

Andrew Scott Esquire
Edward Croft Greenway Esqre } Judges.
George Stratton Esquire

Wednesday 12th July 1815

Read Letter dated 3d May 1815. from the Magistrate of Salem, with register of persons proclaimed in his Zilla for April.

M

Here enter No 339.

Read Letter dated 5th May 1815 from the 3d Judge on Circuit in the Southern Division reporting the arrival of the Court of Circuit at Tondeatty from Madura.

Here enter No 340.

Read Letter dated 26th April 1815 from the Provincial Court of Circuit in the Southern Division, with returned Warrant of execution in case No 22 on the Darapooram Calender 2d Sessions of 1813 Certified to have been duly executed

Here enter No 347.

Read Letter dated 28th April 1815 from the Provincial Court of Circuit in the Southern Division, with returned warrant of execution in case No 1. on the Combaconum Calender 1st Session of 1815 - Certified to have been duly executed

Here enter No 348.

Read Letter dated 6th May 1815 from the Magistrate of Madura, with Report of prisoners confined under sentence

Here enter No 350

Read

11th July 1815.

Read Letter dated 7th July
from the Magistrate of Vizagapatam, with
Report of Prisoners confined under Sentence
in his Gaol.

Vide enter No 352

Read Letter dated 5th July
from the Magistrate of Cuddalore with Report of
Prisoners confined under Sentence of Transportation
in his Gaol.

Vide enter No 353

Read Letter dated 8th July
from the Magistrate of Ryacotah with Report of Prisoners
confined under Sentence of Transportation in
his Gaol.

Vide enter No 354

Read Letter dated 8th July
from the 3d Judge of Circuit in the Northern
Division, reporting the arrival of the Ship
Lord Keith at Penang from Bengal

Vide enter No 355

Read Letter dated 10th July
from the 3d Judge of Circuit in the Northern
Division reporting the arrival of the Ship
Hastings at Penang from Bengal

Vide enter No 356

Read Letter dated 13th July
from the Magistrate of Chingleput with Report of
the good state of health of Convicts
Transportation, under sentence of the Court

Vide enter No 357

Read

11th July 1815.

from the Provincial Court of Circuit in the
Southern Division, return to precept directing
them to communicate to the Magistrate of
Salem the Court's orders of the 15th February in
case No 32 of the Salem Calendar of Session of 1814

Vide enter No 370

Read Letter dated 15th May 1815
from the Provincial Court of Circuit in the
Western Division, return to precept directing
them to communicate to the several Magistrate
in their Division the Court's orders of the 1st instant
for their information and guidance certifying the
communication thereof.

Vide enter No 373

Read Letter dated 19th May 1815
from the Magistrate of Chingleput with List of
convicts under sentence of transportation, arrived
at that Zilla.

Vide enter No 374

Read Letter dated 18th May 1815
from the 1st Judge on Circuit in the Western
Division stating his intended departure
from Seringapatam to Tellicherry.

Vide enter No 375

Read Letter dated 16th May 1815
from the Magistrate of Vizagapatam with
Report of Prisoners confined under sentence
in his Jail

Vide enter No 380.

Read Letters from the
Magistrate of Combaconum and stating

11th July 1815 magistrate of Chittoor with Copies of prisoners for Search.

/Hereunto No 336 to 338/

Read the following Letters from the Magistrates of Cannanore Tellicherry Tanore Cherakel Angelpet Madura Dindigum Bellary Vizagapatam Cochin Salem Attur Malabar Salem Trichinopoly Tank Malabar Rajahmundry from the Acting Magistrate of Ganjam Cuddapah Masulipatam from Reports of prisoners for April —

/See No 365 366 367, 376, 377, 378, 379, 384, 385 387, 389, 392, 396, 397, 408, 369, 368, 25, 346 & 1407

F. C.

At a Court of Foujdaree Adaulut

Present

Monday 17th July 1815. Andrew Scott Esqre. . . . . } Judges.
Edward Croft Greenway Esqre. }

M Read letter dated the 15th May last,
from the 3d Judge on Circuit in the Southern
Division transmitting his proceedings held in
case No 5 of the Nundadellum Calendar in the
F. C. 1st Sessions of 1815.

/Hereunto No 371 of 1815/

The Court having maturely considered the proceedings held before the Judges on Circuit the Futwas of the provincial Law officer, and the Futwas of the Cazee ool Coozat and Mooftees of the Foujdaree Adaulut, do confirm the said Futwa of the Cazee ool Coozat & Mooftees aforesaid, and acquitting the Prisoner "Jyee."

do direct his Release accordingly —

Sent following Letter

/Hereunto A/

Read letter dated 10th February last from the late 3d Judge of Circuit in the Centre for Division transmitting the proceedings held in case No 7 of the Chittoor Calendar in the 1st Quarter Sessions

17th July 1815.

Sessions of 1815.

/Here enter No. 326 of 1815/

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law Officer the Futwa of the Cazee ool Coozat and Mooftees of the Fouzdaree Udalut, do confirm the said Futwa of the Cazee ool Coozat and Mooftees aforesaid, and acquitting the Prisoner

"Sooroo Moorto"

do direct his Release accordingly.

Sent following Letter

/Here enter B/

Read letter dated the 22nd May from the 3rd Judge on Circuit in the Western Division transmitting his proceedings held in case No. 6 of the Cochin Calendar in the 2nd Sessions of 1815.

/Here enter No. 302 of 1815/

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law Officer and the Futwa of the Cazee ool Coozat and Mooftees of the Fouzdaree Udalut do confirm the said Futwa of the Cazee ool Coozat and Mooftees aforesaid and acquitting the Prisoner

17th July 1815.

"Veneatasam Chitty"

do direct his Release accordingly

Sent following Letter

/Here enter C/

Read letter dated the 24th May last from the 3rd Judge of Circuit in the Western Division transmitting his proceedings held in case No. 2 of the Cochin Calendar in the 2nd Sessions of 1814.

/Here enter No. 398 of 1815/

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law officer and the Futwa of the Cazee ool Coozat & Mooftees of the Fouzdaree Udalut do confirm the said Futwa of the Cazee ool Coozat and Mooftees aforesaid, and acquitting the Prisoner

"Pootemporakel Kyd Thaw"

do direct his Release accordingly

Sent following letter

/Here enter D/

H

E.C.S

50

Fol 11,

At a Court of the Tay daree Cutchery

Present,

Andrew Scott Esquire
Edward Croft Greenway Esqre } Judges
George Stratton Esquire

Tuesday July 18th 1815

Read Letter dated 4th Instant from the Magistrate of Chungleput, Reporting the arrival of 2 Convicts for Transportation — Six convicts left Canara under a guard for Chungleput but in the Tulgaut Jungle they rose & killed one of the Peons one of the prisoners was killed in the affray and one made his escape two were left sick at Salem —

Vide entry 1st 1800

The Court have read with much concern the report contained in the above letter and they direct that the Magistrate in the Zilla of Canara do make every possible enquiry into all the circumstances of the case, and Report fully upon the subject to the Court — especially as to the Conduct of the party in charge of the prisoners which was more blameable than the convicts and provided with arms of defence —

Ordered that a Copy of these proceedings be sent to the Magistrate in the Zilla of Canara for his information & Guidance

Sent following letter
Vide entry A/

Read Letter dated 8th Instant from the Judicial Secretary to Government

concerning the orders of Government relative to the Malay Prisoners added to the pretended Right of the late Tyrahee Rajah in confinement at Chingleput and abstracting certain letters in the jail of that Zilla

/Here enter No 455/

The Court directed that Copy of the above letter, with the Extract from the Proceedings of the 27th ultimo be transmitted to the Magistrate in the Zilla of Chingleput to enable the Malay Prisoner in his custody from the Court of Circuit in the Centre Division by Receipt expiring then to issue instructions to the

labour, agreeably to the orders of Government communicated in the above letter, and to report the result of the enquiries directed to be made by him as to the nature and of the said Malay Prisoner; as well as to the general conduct of the said Malay and if they obtain any the other Prisoners after the above letter during the time that they have been in his custody.

Return to this Precept to be made within one Month from and after the Receipt

And the Court directed that the following Precept

/Here enter B/

Read Letter dated 4th Instant

from the Magistrate of Chingleput with a List of Convicts transferred to that Zilla by other Zillas under sentences of transportation

Here enter No 486

Read Letter dated 8th Instant from the 4th Judge of Circuit for the Centre Division

Read Letter dated 27th ultimo from the 2d Judge of Circuit for the Centre Division with returned Warrants of execution in cases No 80 on the Bellary Calendar 1st Session of 1815 the Court certified to have been duly executed.

Here enter No 462.

Read Letter dated 1st Instant from the Magistrate of Bellary with Register of persons proclaimed in his Zilla for home.

Here enter No 463

Read Letter dated 3d ultimo from the Magistrate of Chingleput enclosing a List of Convicts under sentence of transportation

Here enter No 470

Read Letter dated 22d ultimo from the 4th Judge in Circuit for the Northern Division enclosing a Copy of the Guntoor Calendar for the 2d Session of 1815

Here enter No 477.

Read Letter dated 4th Instant from the Magistrate of Chingleput reporting the arrival of a Convict named Kattayatta Joyan Menon sentenced to transportation

Here enter No 478.

Read Letter dated 5th Instant from the Magistrate of Salem with Register of proclaimed offenders for home.

Here enter No 482

Read Letter dated 4th Instant from the Magistrate of Vizagapatam with Register of persons proclaimed in his Zilla

/Here enter No 486/

18th July 1815.

Read the following Letter from the Judge of Zillah Tanjore with reports of prisoners for trial

/ Herewith No. 40 /

Read Letter dated 1st Instant from the Register of Provincial Adawlut with copy of Circular Letter suspending the superintendence of Police throughout the districts subject to the Government of Fort St George from the Magistrates & Collectors of Zillahs, and for the establishment of a new system of Police No. XII

/ Herewith No. 41 /

Ordered that the foregoing Letter do lie for consideration

F. C.

In Court of Foujdaree Adalut

Present

Monday 31st July 1815.

Andrew Scott Esqr.
Edward Croft Greenaway Esqr. } Judges
George Stratton Esqr.

Read letter dated the 7th April last from the 1st Judge 7th Circuit in the Northern Division transmitting his proceedings held in E.C.S case No. 23 of the Rogatory Calendar in the A 1st Sessions of 1815.

/ Herewith No. 281 of 1815. /

The Court having maturely considered the proceedings held before the Judge on Circuit the Fatwa of the Provincial Law officer and the Fatwa of the Sagaram Sudder & Mofussil of the Foujdaree Adalut do confirm the said Fatwa of the Sagaram Sudder and Mofussil aforesaid and under the provisions of Clause 1st Section IV. Regulation XV. of 1803. do adjudge the Prisoner

"Soonga Venkatramiah."

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

Sent following Letter

/ Herewith No. 41 /

18th July 1815.

Read the following Letter from the Judge of Jaffnapatam with reports of prisoners for April

/ Herewith No. 280 /

Read Letter dated 1st Instant from the Commissioners of Internal Administration with copy of Regulation transferring the superintendence of Police throughout the Island subject to the Government of Fort St George from the Office of Collector of Zillahs and for the establishment of a System of Police No. VIII

/ Herewith No. 282 /

Ordered that the foregoing Letter do lie for consideration

F. C.

Sitting Court of Fouzdaree Adalut

Present

Monday 31st July 1815.

Andrew Scott Esqre.
Edward Croft Greenway Esqre. } Judges
George Stratton Esqre.

E.C.S.

A.

G.W.

Read Letter dated the 7th April last from the 1st Judge on Circuit in the Northern Division transmitting his proceedings held in case No. 23 of the Rajahmundry Calendar in the 1st Sessions of 1815.

/ Herewith No. 281 of 1815 /

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law officer and the Futwa of the Sudder Court & Mooftees of the Fouzdaree Adalut do confirm the said Futwa of the Sudder Court and Mooftees aforesaid and under the provisions of Clause 1st Section IV. Regulation XV A.D. of 1803. do adjudge the Prisoner

"Soonga Venkatramiah"

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

Sent following Letter

/ Herewith No. 1 /

31st July 1815

Read again letter dated the 11th Instant from the Magistrate of Chingleput, enclosing List of convicts sentenced to transportation viz.

/ Here enter No 485 /

Read letter dated the 21st Instant from the Magistrate of the Zillah of Chingleput, reporting the arrival of 89 convicts for transportation from Salem & 1 convicted prisoner absconded, 1 dead, 1 been detained in the Jail at Tondaichelom & 1 sick in Jail.

/ Here enter No 520. /

The Court directs that the communication be made to the Judicial Secretary to Govt that it appears from the foregoing that up to the 21st Instant there were 487 in the Depot and that the Court expect shortly to be submitted that the Right Honble the Governor in Council may be pleased to direct that provisions be made for their embarkation on board the Hannah Campanys ships for to the Eastward.

Sent following letter.

/ Here enter A /

Fo 16

In the Court of the Fouzdaree Adalut

Present

Andrew Scott Esqr
Edward Croft Greenway Esqr } Judges
George Stratton Esqr

Friday 4 August 1815.

Read letter, dated 19th Ultimo from the Magistrate of South Malabar Recommending that a conditional pardon may be tendered to two of a gang of robbers

/ Here enter No 517. /

The crime charged on the prisoners mentioned in the foregoing letter being "of a heinous nature" and the two persons selected by the Magistrate as objects of conditional pardon appearing to have been less actively engaged in the alleged gang burglary than the rest of those who have been apprehended, the Court resolve to submit the foregoing communication to the Right Honble the Governor in Council with their request that the Magistrate in the Zillah of South Malabar may receive authority to tender a conditional pardon, under the provisions of Section XX Regulation VIII of 1802 to Moololy Parambata Imbeechy Ally and Walopil Amoly

Ordered the foregoing letter with extract of these proceedings be sent to the Secretary to Government in the Judicial Department for the purpose being laid before the Right Honble the Governor in Council

Sent following letter

/ Here enter A /

4th August 1815.

Read letter, dated 5th Ultimo from the Collr of Coimbatore — With list of Convicts under sentence of Transportation

/ Herewith N° 531 /

Read letter, dated 6th ultimo from the Magistrate of Bellary — With register of persons for transportation from his Zilla for Trial

/ Herewith N° 533 /

Read letter, dated 10th ultimo from the Magistrate of Cochin — Reporting the death of Pulloo Nyghan who was tried for the murder of Paroky

/ Herewith N° 538 /

Read letter, dated 10th ultimo from the Collr of Wynaad — With report of prisoners confined under sentence of Transportation

/ Herewith N° 542 /

Read letter, dated 12th ultimo from the Judge on Circuit in the Northern Division — Reporting his arrival of the Court of Circuit at Nellore

/ Herewith N° 491 /

Read letter, dated 11th ultimo from the Judge of Circuit for the Southern Division — With the Calendar of the Trichinopoly Criminal Calendar for the 3d Quarterly Sessions

/ Herewith N° 492 /

Read letter, dated 15th ultimo from the 1st Judge on Circuit in the Southern Division — With Calendar of Prisoners for trial at Combaconum for the 2d Sessions of 1815

/ Herewith N° 520 /

Read letter, dated 15th ultimo from the 1st Judge on Circuit in the Southern Division

4th August 1815.

Read letter, dated 17th Ultimo from the 2d Judge on Circuit in the Western Division — Reporting his arrival at Mangalore —

Herewith N° 511

Read letter, dated 24th Ultimo from the 3d Judge on Circuit in the Southern Division — With returned Warrant of execution in Case N° 58 in the Zillah of Salem 1st Session of 1815.

/ Herewith N° 526 /

Read letter, dated 24th Ultimo from the 3d Judge on Circuit in the Centre Division — Reporting his arrival at Caddapah

/ Herewith N° 523 /

Read letter, dated 24th Ultimo From the Magistrate of Chingleput — Reporting the arrival of the Prisoner Mullah who was detained by the Magistrate of Salem owing to illness —

/ Herewith N° 518 /

Read letter, dated 27th Ultimo from the 1st Judge on Circuit in the Southern Division — Reporting his departure from Verdachellum to Salem —

/ Herewith N° 535 /

Read letter, dated 27th Ultimo from the 1st Judge on Circuit in the Southern Division — With Calendar of prisoners tried at Verdachellum 2d Sessions of 1815

/ Herewith N° 534 /

Read letter, dated 25th Ultimo from the 1st Judge on Circuit in the Southern Division — Reporting his arrival at Verdachellum —

/ Herewith N° 519 /

4th August
1815

Read letter dated 1st instant from the Magistrate of Gaoler Recommending that a conditional pardon may be tendered to certain convicts —

Received No 516

The Court have maturely considered the contents of the foregoing communication & do not discover in the charges against the prisoners that character of turpitude which would bring the case under the provisions of Section XX Page of 1802, and consequently to entitle an application to the Right Honble the Governor in Council for authority to tender a conditional pardon to some of the accused in order to procure evidence against the remainder. The crimes contemplated in the Section above referred to are such as murder, manslaughter, arson and the like where a very grievous injury is committed and where the personal safety of some human being is exposed to danger. The robbery now under consideration does not appear to the Court to come within the meaning of the term gang robbery as applied in the Statute. The Court therefore do not deem it right to make the reference required by the Acting Magistrate in the Gaol of Gaoler

Ordered that extract of these proceedings be transmitted to the Acting Magistrate in the Gaol of Gaoler for his information

Sent following letter

Received B

E68

M

Fr. C.

At a Court of Vice Admiralty

Present

Friday
4th Augt 1815

Andrew Scott Esqre
Edward Repton Greenway Esqre
George Stratton Esqre
} Judges.

M

E68

Read letter dated the 3d Instant from the Judicial Secretary to Government requiring the necessary documents relative to the convicts under sentence of transportation to Prince of Wales Island to be forwarded immediately —

Received No 549

Ordered that the documents required by the foregoing letter be transmitted to the Judicial Secretary to Government with a request that he will submit the same for the consideration of the Right Honble the Governor in Council —

Sent following letter

Received A

M

E68

RR —

At a Court of the Foujdaree Udalut
Present
Andrew Scott Esqre
At Edward Croft Greenway Esqre } Judges
George Stratton Esqr

Tuesday
8th August
1815.
685

Read Letter dated 31st Ultimo
from the Judge of Circuit for the Southern Division
forwarding Masulipatam Calendar for 3rd quarterly
Session of 1815, & communicating his observation
on the state of the jails.

Here enter No 494.

The Court direct that the foregoing
Letter be transmitted to the Secretary to Government
in the Judicial Department with reference
to his Letter of the 2d of July 1813 and that he
be requested to submit it for the consideration
of the Right Honble the Governor in Council.

Subjoining Letter

Here enter No

Read Letter dated 29th Ultimo from
the Magistrate of Nedadelloom with a list
of Convicts sentenced to transportation, confined
in his jail.-

Here enter No 3745

Read Letter dated 5th Instant
from the 3d Judge of Circuit for the Western
Division, reporting the death of Poolumpooraket
Nyaken prisoner in Case No 2 on the Calendar
of Cochin for 2d Session of 1814.-

8th August 1815.

Read Letter dated 2d Inst. from the Magistrate of Cawnpore, communicating information concerning the escape of prisoners from that quarter while in march to Chinglepute—

/Vide enter No. 530/

Read Letter dated 4th Inst. from the Dy Judge in Council for the Northern Division South of the Soane River, with Report of prisoners for the Dy Sessions 4th—

/Vide enter No. 532/

Read the following Letters from the Magistrate of Cuddapah, Guntoor, Nellore, Tinnevelly, Coimbatore, Chinglepute, Tanjore, Trichinopoly, Madura, Salem, Coimbatore, Malabar, South Malabar, Salem, Coimbatore, Malabar, Canara, with Reports of prisoners for Disposal—

/Vide enter Nos. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627—/

Read Letter dated 26th Ultimo from Magistrate of Chittoor with Report of prisoners for Disposal—

/Vide enter No. 537/

Read Letter dated 26th Ultimo from Acting Collector of Tinnevelly with Report of prisoners for Disposal—

/Vide enter No. 538/

Read Letter dated 26th Ultimo from Magistrate of Canara with Report of prisoners for Disposal—

/Vide enter No. 539/

J. U.

At a Court of Fouzdaree Udalut

Present

Wednesday 9th August 1815.

Andrew Scott Esqre
Edward Croft Greenaway Esqre
George Stratton Esqre
} Judges

Read Letter dated the 5th Instant from the Magistrate in the Zilla of Chinglepute reporting for the information of the Court that in obedience to the Orders of Government he has forwarded to the Presidency twenty three convicts under Sentence of transportation and that a Convict named Bavah died in Jail on the 28th Ultimo—

The Magistrate further submits a copy of the Zilla Surgeon's certificate reporting the several Convicts to be in a state fit to be removed to the Presidency for embarkation.

/Vide enter No. 546/

It appearing from the foregoing List that three convicts not included in the Magistrates last Report have been dispatched to the Presidency, and that one of the Convicts named Bavah therein mentioned, copy of whose Sentence was transmitted to Government as called for by the Judicial Secretary's Letter of the 3d

Ditto

9th August
1815. Instant from the arrival of the last of the forwarded to the Residency died on the 28th ultimo

Ordered that a duplicate Report of the four additional convicts to be with copies of their sentences &c. be taken and transmitted to the Judicial Secretary Government with a request that he will the same for the consideration of the Right Honble the Governor in Council, and the Judicial Secretary to Government be informed of the death of the Convict ... Copy of whose sentence was forwarded with ... thereon in addition to his letter of the 3d ... prior to the arrival of the Magistrates ... of Convicts forwarded from this Depot ... embarkation.

Sent for the following letter
from Mr Secretary Mr

Fol.

Court of the Foujdaree Adawlut.

Present.

Thursday
17th August 1815.

Andrew Scott Esq.
Edward Lloyd Lowndes Esq. } Judges.
George Stratton Esq.

Read again return of the Court of Circuit in the Southern Division in the Court's precept of the 13th March last, commanding them to direct the Magistrate in the Zilla of Salem to furnish certain information and certain documents connected with the cases Nos 12. 13. 14. and 15. on the Salem Calendar for the 2d Sessions of 1814.—

(Vide ante No. 349.)

Read also return of the Court of Circuit in the Southern Division to the Court's precept of the 22d May last, commanding them to communicate to the Magistrate of Salem the Court's observations on his proceedings in cases Nos 1. 2. 3. and 4. on the Salem Calendar for the 1st Sessions of 1814.—

(Vide ante No. 471.)

In the foregoing return are enclosed remarks of the Magistrate in answer to the observations

17th August 1815

of the Court in his proceedings in
Nos 1. 2. 3. & 4. on the Salem
for the 1st Sessions of 1814. -

Read also return of the
of Circuit for the Southern Division
Court's further precept of the 27th
last, requiring them to commu
to the Magistrate in the Zilla of
the Court's observations relative
his proceedings in case No 60 on
Salem Calendar for the 1st Sessions
1814. -

(Here enter No 507.)

With the foregoing letter
Court of Circuit sent the remarks
the Magistrate in answer to
Court's observations contained in
proceedings of the Court of Zuj
Adalut under date the 22nd May
- with reference to case No 60 on
Salem Calendar for the 1st Sessions
of 1814. -

Read also letter dated
12th Ultimo, from the Register to
Provincial Court for the Southern
vision, - forwarding remarks
arguments of the Magistrate
case cited

17th August 1815.

under date the 5th June last, with
extract from which he was furnished
Order of the Court. -

(Here enter No 505.)

Read also return of the Court
of Circuit in the Southern Division to the
Court's precept of the 5th June last, requiring
them to communicate to the Magistrate
in the Zilla of Salem their observations
relative to his proceedings in cases
Nos 32. 46. 49. 53. 55. & 57. on the
Salem Calendar for the 1st Sessions of
1815. -

(Here enter No 512.)

Read also letter, dated the
24th July last, from the Court of Circuit
in the Southern Division, transmitting
copy of the return of the Magistrate of
Salem to that Court's precept of the
30th June, furnishing him with extract
from the proceedings of the Court of
Zujdaree Adalut under date the
5th June. -

(Here enter No 551.)

The Magistrate in his return
above mentioned comments upon
the proceedings of the Court of Zujdaree
Adalut, which had been transmitted

17th August 1815

to him by their order, and also the proceedings of the Court under the 16th May last, which were sent to Government for the purpose of obtaining authority for tendering a conditional pardon to Broadbent and eight other informers. -

Also record return of the Court in the Northern Division of Circuit for the 5th June last, requiring them to furnish the Magistrate in the Zillah of Salem with extract from the Court's proceedings of that date relative to cases Nos 12. 13. 14. 15. on the Salem Calendar for the Sessions of 1814. -

(Enclosure No 576)

The Court in their letter of the 15th March last, and 22nd May, and 5th June last, having found it necessary to point out several irregularities in the manner which the Magistrate of Salem had pursued for the apprehension and examination of certain persons charged with heinous offences, took occasion to direct his attention to the mode

17th August 1815. -

of the Regulations and under the circumstances detailed in the documents submitted by him, it was his duty to follow. - The Court in their remarks endeavoured to convince the Magistrate of the evil tendency of the measures which he had taken, and of the danger to be apprehended from a deviation from the prescribed mode of proceeding. -

In the foregoing returns the Magistrate indicates the correctness of his conduct, on which the Court had found it necessary to animadvert, he calls in question the opinions of the Court were founded, although that information was furnished by the Magistrate himself; and commenting upon the observations of the Court in language questionable and disrespectful he declares the enactments of the judicial code to be ill-adapted to the circumstances of the country, and to the nature of transactions in life. -

Under these circumstances the Court deem it incumbent upon

them to submit the whole of the
for the consideration of the Right
Honorable the Governor in
in order that such measures
be taken for maintaining the
city of the Court as may
be expedient.—

The Court therefore
that extract of their proceedings
with the papers to which they
be sent to the Secretary
ment in the Judicial Depart
with a request that he would
the same for the consideration
the Right Honorable the Gov
in Council.—

I have the following letter
(Then enter No.)

I have also received a letter
District, from the 1st Judge of
Western Division, requesting
informed whether certain
Okkan the Mysoreans in the
Salem have been committed
directed to

Mysore, should be brought to trial
at Salem, or sent to Seringapatam
to be tried by the Court of Circuit
for the Western Division &c.—

(There enter No. 562.)

The Court, in their proceedings
of the 16th May last, recommended to Govern-
ment that the Magistrate in the Zilla
of Salem might receive authority to
bring to trial before the Court of
Circuit,—obviously meaning thereby the
Court of Circuit for the Southern Divi-
sion,—such of the Prisoners,
sion,—such of the Prisoners,
subjects of the British Government,
as might appear to have committed
offences in the Mysore country, authority for this measure having been
conveyed in the letter from the Secretary
to Government in the Judicial Depart-
ment, dated the 5th June,—which was
which was communicated to the Ma-
gistrate of Salem under date the 20th
June last,—the Prisoners in question
cannot be sent to take their trial
before the Court of Circuit in the
Western Division without a special
reference for the orders of the Right
Honorable the Governor in Council.

† With reference to Regulation XI. of 1805,

17. August 1815.

It does not appear to the Court to be expedient to make the reference in question, inasmuch as it would be productive of considerable delay; and the proposed mode of transferring the trials to Lexington would occasion great inconvenience to the Witnesses, who, it is presumed, are now in attendance at Salem. —

In these proceedings of the 5th June last the Court pointed out for the information and guidance of the Magistrate of Salem the irregularity of his committing for trial in his Gaol persons charged with offences committed in districts not within his jurisdiction. If there be any cases of this description on the Salem Calendar, it will be the duty of the Judge on Circuit to ~~point~~ notice the error in the Magistrates proceedings; and to direct that the prisoners be sent to the Magistrate of the jurisdiction in which the crimes charged against them respectively shall appear to have been committed.

(2) F. A.

17th August. 1815. — Ordered that extract of these proceedings be sent for the information and guidance of the Judge on Circuit in the Southern Division. —

(Ejt
E.D.S. N Sent following letter.

(Here enter B.)

Read return, dated the 1st Ultimo, from the Judge of Circuit in the Centre Division, to the Court's precept of the 16th June last, whereby he was required to specify whether, as stated in the record of the trial N. 36. on the Caledonia Calendar for the 2d Session of 1814, the Witnesses, who attested the confessions of the prisoners before the Magistrate, were examined before the prosecution was closed; or whether as stated in his return of the 6th June last, they were examined after the prisoners had made their defence.

(Here enter N. 473.)

In his return of the 6th June to the Court's Precept of the 8th May, the Judge of Circuit stated that as the defence of the prisoners did not state matter contained in their

"confessions to Anspach Surg. or to the
"Magistrate, it was thought necessary to
"examine the Witnesses to those confessions.
From this passage it was to be inferred
that the Witnesses in question, eight in
number, were examined after the Prison-
ers had made their defence; and
the reason for taking their examination
stronger as it may seem, was to exhi-
bish against the Prisoners certain
facts which did not appear in the
declarations ~~which they~~ respectively made by them respectively when put
on their defence.

In the return now under con-
sideration is the following passage. "In
"addition to the above, on the
"conclusion of the prosecution, nine
"Witnesses were examined. Two of them
"were those who proved the confession
"to Anspach Surg. This evidence was
"taken lest the Prisoners should after-
"wards deny any of the several circumstan-
"ces which attended their confession, and
"which would influence the construc-
"tion the Prisoners then had their confessions
"to Anspach Surg. were to them."

"they all, except Chinna Kistnadoo,
"acknowledged their confessions. They
"were next put on their defence, and
"though they declared they had com-
"mitted the robbery, they denied having
"been armed, and having wounded the
"~~prosecutor~~ son-in-law of the
"prosecutor. As this was partly a
"recantation of their confessions to
"the Magistrate, four Witnesses to
"those confessions were examined
"after the defence, but the depositions
"were copied into the record before
"it." From this passage it is to be
inferred that of the eight Witnesses
in question four were examined
~~in anticipation of the defence~~
~~and to obviate the consequences which~~
to obviate the consequences which
might result from a denial on the
part of the prisoners, when they should be put on
their defence, of the several circum-
stances which attended the commission
of the crimes charged against them;
and that the remaining four Witnesses
were examined after the defence,
for the purpose of doing away the effect
of that defence so far as it related
to the recantation, which

17th August 1815.

it contained, of a part of the confession made to the Magistrates.—

It is obvious that the return made by the 1st Judge of Circuit in the Centre Division to the Court's precept of the 8th May, and 19th June last, are utterly irreconcileable with each other. [redacted]. And as the contents of the eight Returns in question are entered in the record, before the defence, it is equally obvious that the record of the trial is incumbered with either of the returns above mentioned.— The record of the trial, however so far as it relates to the time when the examinations of the eight Witnesses & the confessions were taken,— whether before or after the defence,— is affected by the general terms of the letter [redacted] accompanying it.—

It cannot be necessary to point out to the Judge the mischief of making a false return, or of entering at large records of proceedings which he knows to be incorrect. The Court

(4) F. U.

17th August. 1815.

observation; and they direct that the letter from the Judge, dated the 5th October last, together with the papers which accompanied it, be returned to him, and that he by whom he is commanded to certify to this Court a true record of this the proceedings held in case No 39. on the Criminal Calendar for the 2nd Sessions of 1816.

Return to this precept to be made within fifteen days from the receipt thereof.— and after the receipt of the following precept.

(Here enter C.)

M

17th August 1815.

F. U.

At a Court of Foujdaree Udalut.

Present

Monday 21st August 1815. Edward Roft Greenway Esqr. } Judges.
George Stratton Esqr. }

Read return dated the 19th June last from the Court of Circuit in the Southern Division transmitting the additional evidence required by the Courts Precept under date the 30th January last

(Vide entry No. 96 of 1814)

E.C.S.
C.P.

Read again letter dated the 15th December last from the 2d Judge on Circuit in the Southern Division transmitting his proceedings held in case No. 4 of the Jurisdiction (Calendar) the 2d Sessions of 1814.

(Vide entry No. 736 of 1814)

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law Officer, and the Futwa of the Cazee o'al Bogat Dua Mooftee of the Foujdaree Udalut, do confirm the said Futwa of the Cazee o'al Bogat and Mooftees of aforesaid, and do direct that the Prisoner Omrey Doss Bungoo be confined in prison until he shall procure the use of his right eye.

Sent following letter

(Vide entry No. A of

21st August 1815

Declared that the Judge in the foregoing case No 4 of the Tinnevelly Calendar in the 2d Sessions of 1815 has by Report recommended to instruct the Magistrate in the Zilla of Tinnevelly aforesaid to refer from time to time to the Court of Circuit upon the state of mind of the prisoner Mayavaraiyan sentenced under this date to be confined in irons until he shall recover the use of his reason — and that the Magistrate be charged on no account to release the said prisoner without the especial permission of the Faujdaree Adawlut obtained through the Court of Circuit.

Sent following Report

/ Recorded B /

Remarks upon the proceedings of the Court of Circuit in the Central Division to the Court's Report under the 26th June last forwarding the English and Persian records of the trials therewith submitted and certifying that the Original of the Calendar duly bear the signature of the late 3d Judge and that the aforesaid Records on being compared with the Originals are found correct (and are accordingly attested) either by translation by order of the Court of Circuit.

/ Recorded No 638 of 1815 /

The Court having maturely considered the proceedings held before the late 3d Judge on Circuit in each of the undermentioned Talooks in the 1st & 2d Sessions of 1815 the Futwa of the Provincial Law officer and the Futwa of the Cazee al Cazaat and Mooftees of the Faujdaree Adawlut do confirm the said Futwas of the Cazee al Cazaat and Mooftees aforesaid & do direct that the Prisoners

21st August 1815. do direct that the Prisoner.

Teckarama

be set at liberty

Sent following letter

/ Recorded /

Read letter dated the 24th April last from the 1st Judge of Circuit in the Central Division transmitting his proceedings held in case No 26 of the Chittoor Calendar in the 2d Quarter Sessions of 1815

/ Recorded No 393 of 1815 /

The Court having maturely considered the proceedings held before the 1st Judge of Circuit the Futwa of the Provincial Law officer and the Futwa of the Cazee al Cazaat and Mooftees of the Faujdaree Adawlut do confirm the said Futwas of the Cazee al Cazaat and Mooftees aforesaid & do direct that the Prisoner

1. Ganitham Vencatasadoo

be imprisoned and kept to hard labor in irons on the public roads or at the public works for and during the period of one year & at the expiration thereof to be released on producing security for his future good behaviour and a Sheerance when required for and during the further period of one year

And the Court do direct that the Prisoners

2. Nullapareddy &

3. Cattamreu Pauperaddy

be released on producing security for their future good behaviour and a Sheerance when required for & during the

21st August 1815. period of Inquiry

Sent forthcoming Letter
/ Here enter D /

From the Sentence passed by the Judge of Circuit in the foregoing case No 286 of the Chittoor Calendar 2d Quarter Sessions 1815 / it appears that the Prisoners

1st Pootiah
5th Nursingadoo
6th Chendrah Siddapah &
7th Maaty Rangaiah.

were Ordered by the Court of Circuit to be detained in Custody until they should produce Security for favorable conduct towards the Prosecutor.

This circumstance should have been noticed at the foot of the Prison Record for the information of the Law Officers of the Faujdaree Adalut / and the Court do accordingly direct that this omission be pointed out to the 1st Judge.

Ordered that a Extract of these proceedings be transmitted to the 1st Judge of Circuit in the Southern Division for his information and future guidance.

Sent forthcoming Letter
/ Here enter D /

F. U.

At a Court of Foujdaree Adalut

Monday 28th August 1815.

Present
Andrew Scott Esqr.
Edward Croft Greenway Esqr. } Judges
George Stratton Esqre

Read letter dated ____ from the 1st Judge of Circuit in the Southern Division transmitting his proceedings held in case No 22 of the Rajahmundry Calendar in the 1st Sessions of 1815.

/ Reference No 286 of 1815 /

The Court having maturely considered the proceedings held before the Judge on Circuit the Futwa of the Provincial Law Officer and the Futwa of the Sagar ool Casgat and Mooftee of the Foujdaree Adalut do confirm the said Futwa of the Sagar ool Casgat & Mooftees aforesaid and do direct that the Prisoners

1st Earla Singareddy
2d Gumapilly Venkatareddy
3d Cammara Ramdoo
4th Mutthipilly Somia
5th Merryala Ramasawmy

be released on producing Security for their future good Behaviour and appearance when required.

Sent forthcoming Letter
/ Reference No 4 /

28th August 1815

In the foregoing trial No. 22 of the Rajahmundry Calendar no Prosecutor appears to have conducted the Prosecution either in person or by Vakeels

In No. 1 of the Magistrates proceedings it stated that the Sirkar being the Prosecutor no petition of complaint was necessary — so that the Magistrate in the Zilla of Rajahmundry commits the persons to take their trial before the Court of Circuit, without considering it necessary to submit with his Proceedings any and without furnishing the Government Pleader with a Vakeelnamah & instructing him to conduct the prosecution on behalf of the Sirkar —

The Court deem it necessary to call the attention of the Magistrate to the impropriety as well as irregularity of such a proceeding, & to direct that in future he will submit with his proceedings an indictment agreeably to the usual form; and that in cases where the Sirkar is Prosecutor he will furnish the Government Pleader with a Vakeelnamah and instruct him to conduct the prosecutions on the arrival of the Court of Circuit

Neither the letter of the 1st Judge of Circuit referring the trial, nor the heading of the Proceedings sets forth the Zilla in which the prisoners were committed and brought to trial — The Name of the Magistrate and copy of the process annexed to the Proceedings should state the Court

28th August 1815

Some of the examinations of the Prisoners the signatures of not of the Witnesses are attested by any Witnesses — attended with the proceedings — This omission might have been of a serious nature had the prisoners during their examinations before the Magistrate made any confessions of the crimes laid to their charge; since in case of the prisoners refusing to acknowledge them, — they could not have been proved in Court and the Prisoners made in consequence of have escaped the hands of justice —

In No. 3 of the Magistrates Proceedings, as also in the Report of Prisoners committed in the Zilla of Rajahmundry during the month of March 1815, the Report of Prisoners tried in that and in the Zilla and whose cases have been referred to the Foujdaree Adalut, six Prisoners are stated to have been committed to take their trial — Whereas only five were included in the Calendar laid before the Court of Circuit, & only five put on their trial. It does not appear what has become of the sixth prisoner Zilla Gungalooroo who was not brought to trial with the other prisoners in the Proceedings held before the 1st Judge on Circuit in the foregoing case; as yet included in a subsequent Report for the Month of May of Prisoners tried and whose cases are under reference to the Foujdaree Adalut —

The

The Court accordingly direct that the Magistrate in the Zilla of Rajahmundry be called upon to account for the above irregularity respecting the Prisoner Tulia for

Ordered that extract of these Proceedings be transmitted to the 1st Judge of Circuit in the Northern Division by precept directing him to communicate the same to the Magistrate in the Zillah of Rajahmundry for his information and future guidance and to require him to afford the requisite explanation and to transmit the Records on this subject mentioned in the foregoing precept within three weeks of the date of the receipt thereof

Sent for standing Records

Received

Read letter dated the 15th from the Magistrate in the Zillah of Rajahmundry forwarding his report of Prisoners for the Month of June last

Remembrancer &c

From the Report of Prisoners tried and whose cases have been referred to the Foujdaree Adaulut for confirmation the sentences of the Court have not

Monday
28th August 1815.

not been received, as contained in the foregoing letter it appears that a Prisoner named Kalapah was committed by the Magistrate on a charge of wounding; that he was tried before the Judge on Circuit in case No. 93. of the Cuddapah Calendar on the 26th April 1814; but the date of its reference to the Foujdaree Adaulut is unknown to the Magistrate

Also that a Prisoner named Lingah alias Rummah was committed by the Magistrate on the 15th July 1814 on a charge of having returned from Prince of Wales's Island whither he had been banished by Order of the Court that his trial was completed on the 15th September Cast, but that the date of its reference to the Foujdaree Adaulut is also unknown

The foregoing trials No. 93 of the Cuddapah Calendar in the 1st Sessions of 1814 & No. 43 of the Cuddapah Calendar in the 2d Sessions of 1814 not having been received by the Foujdaree Adaulut,

The Court direct that extract of these Proceedings be transmitted to the 1st Judge of Circuit in the Centre Division by Precept requiring him to state for the information of the Court why the aforesaid trial No. 43. of the Cuddapa Calendar in the 2d Sessions of 1814 has not been duly referred, & to transmit his proceedings held

in the foregoing case within one month from
date of the receipt of the foregoing precept.

Sent following Precept.

Vide Entry C/

And the Court do further direct
that extract of these Proceedings be also transmitted
to the Court of Circuit in the Centre Division by
Precept directing them to transmit attested copies
the proceedings held before the late 3d Judge on
Circuit in case No. 93 of the Cuddapah Calendar
in the 1st Sessions of 1814, and to state for the
information of the Court whether the original
proceedings are duly certified by the signature of
the late 3d Judge before whom they were held.
The Court do further direct that return to the foregoing
Precept be made within one month from the date of
this receipt thereof.

Sent following Precept

Vide entry D/

Read letter dated the 1st July last
from the Chief Secretary to Government signifying the
Court to submit their final proceedings in the trial
Shund & others No. 5 of the additional Calendar for
the Zilla of South Malabar in the 1st Sessions of 1815

Vide entry No. 493

In reference to the Calendar for

Zilla of South Malabar transmitted by the 1st Judge on
Circuit in the Western Division it appears that the
proceedings on the foregoing case commenced on the 21st
continued by adjournment to the 29th March last &
that the trial is preparing for reference—

The proceedings in the foregoing
case not having been received the Court directed
that the 1st Judge of Circuit in the Western Division
be by Precept called upon to account for the delay
occasioned in the transmission of the aforesaid trial &
to submit his proceedings held therein with his
return to the Precept abovementioned.

Ordered that extract of these
Proceedings be transmitted to the 1st Judge of Circuit
in the Western Division by Precept directing him
to make return thereto within the period of ten days
from the date of the receipt thereof.

Sent following Precept

Vide entry C/

Read letter dated the 31st ultimo from
the Magistrate in the Zilla of Nellore submitting for
the consideration of the Court what a conditional pardon
be granted to a person named Sengunnah implicated
with Seshunnah in a charge of forgery.

Vide entry No. 513.

The Magistrate states for the information
that the Collector

28th August 1815.

Government Cutcherry has preferred a complaint against N. Soabunnah for forging the names of Mungaldo Pauljiah & Nookalapandy a Sarcumah of [illegible] to a Nakalutchamah granted by Pinna Cannamah and Teynala Cerappa [illegible] to Rekaranga Singunnah [illegible] for the purpose of receiving on the account the Drawback on Tobacco lately sold by the Government.

The foregoing statement not being sufficiently explicit to enable the Court to form an opinion as to the merits of the case and to determine on the point submitted by the Magistrate for their consideration, the Court directed that the foregoing letter be returned to the Magistrate and that he be instructed to forward and transmit a more clear and distinct account of the case, relative to the point referred for the determination of the Court, to enable them to form a decision thereon.

Ordered that the foregoing letter be returned together with extract of these Proceedings to the Provincial Court to the Magistrate in the Zilla of Tellicherry by Perwanah Singunnah directing him to make his return within the space of one week from the date of the receipt thereof.

Sent following Precept

Hereunto F

Read letter dated the 26th ultimo from the Register to the Provincial Court

28th August 1815. the Western Division transmitting copy of a letter & its enclosure from the Magistrate in the Zilla of Canara and recommending that the offer of the Rewards proposed by the Magistrate be sanctioned.

Hereunto No 54.

Under the circumstances stated by the Magistrate in the foregoing letter the Court on the recommendation of the Court of Circuit deem it expedient to sanction the Rewards proposed to be offered by the Magistrate and under the provisions of Section X Regulation VI A. D. 1811. do accordingly authorize him to offer the sum of 250 Rupees for the apprehension of the leader & 50 Rupees for each of the inferior offenders concerned in the robbery of the outrage referred to in his letter above mentioned.

Ordered that extract of these Proceedings be transmitted to the Court of Circuit in the Western Division by Precept directing them to communicate the same to the Magistrate in the Zilla of Canara for his information and guidance.

Sent following Precept

Hereunto G

AM

Ordered that the Provincial Court be authorized to direct the Register of the Court of Circuit to receive the foregoing proceedings from the Magistrate in the Zilla of Canara

28th August 1815.

Read letter, dated 24 Ultimo from the 3d Judge on Circuit for the Southern Division — With returned Warrants to Issue on Cases Nos 32, 46, 49, 53, 55 and 57 on the Calendar of the Gaol of Malacca for the 2d Sessions 1815

Recorded No 561

Read letter, dated 14th Instant from the 3d Judge on Circuit on the Southern Division — With returned Warrant to Issue of Sentences of Transportation on case No 8 of Malacca Calendar on 2d Sessions of 1815 —

Recorded No 595

At a Court of the Toungdaree Adalut

Present

Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges
George Stratton Esqre

Tuesday 29 August 1815

Read Letter dated 26th July 1815 from the 2d Judge on Circuit for the Western Division enclosing certain Correspondence between him and the Magistrate of Canara

Recorded No 572

Read also Letter dated 29th July 1815 from the 2d Judge on Circuit for the Western Division forwarding further Correspondence between him and the Magistrate of Canara

Recorded No 582

The first of the above Letters brings to the notice of the Court two precepts issued by the 2d Judge on Circuit to the Western Division to the Magistrate of Canara, remarking upon certain late proceedings of the Magistrate, & conveying to him the Judges directions for his future conduct in the points therein adverted to: & likewise communicates the Magistrates return to the 1st of those precepts

It appears from the first precept, under date the 18th ulto, that certain persons had been committed by the Magistrate for trial before the Court of Circuit, in case No 9 on the Calendar of the present circuit, charged with Conspiracy and perjury in having exhibited

a

29th August 1815.

a false charge of Murder before the Magistrate against certain other persons, with intent to procure their eventual condemnation.

The Judge on circuit considered the Magistrate to have exceeded his authority when he committed the prisoners for conspiracy and perjury in as much as he thereby declared the persons accused before him of murder, to be innocent of that crime; whereas the Magistrate is not competent to receive by oath, determine upon, in the primary investigation by him in cases cognizable only by the Court of Circuit, the exculpatory evidence offered by parties accused. The Judge on Circuit under the impression that the persons charged with Murder should be committed for trial by the Magistrate on the oaths of the prisoners charged with perjury which last mentioned persons the Judge of Circuit declared his intention of discharging from the bar as soon as the trial for murder should be concluded in the result of that trial the Judge observed would naturally lead to the measures most proper to be adopted against those who might have been guilty of perjury or subornation thereof. In conclusion the Judge of Circuit directed the Magistrate to point out such other cases on the Calendar as might be similarly circumstanced with the case &c.

The Magistrate in his letter states his reasons

29th August 1815

of Circuit as to Courses of proceeding which it was his duty to follow, appealing to the Regulations as justifying him in discharging prisoners accused before him of heinous crimes, upon its appearing to him that the crimes were never committed or that the persons accused were not concerned in their commission. The Magistrate also states that he considers the Regulations as authorizing him to commit persons to be tried before the Court of Circuit for perjury before it. And he informs the Court of Circuit that the Calendar contains 8 Cases of fabricated accusations of Murder & one of false charge of burglary.

In his second precept the Judge of Circuit explains the principles on which the opinion he had given in regard to case 29 was founded and draws a strong distinction between that and many of the other cases mentioned by the Magistrate wherein persons were charged with perjury and conspiracy declaring the Magistrate authorized to commit for perjury only when the accusers or witnesses shall themselves acknowledge the charges to be groundless or the evidence false.

In the Letter to the Register the Judge of Circuit enters further upon the reasons which induced him to consider the Magistrate as not authorized to go into so full and complete an investigation as would justify the discharge of prisoners accused of perjury

29th August
1815.

If murder and he gives a Statement of a conspiracy false accusation of murder, which was brought before the Court of Circuit in 1814, in which that Court discovered the falsehood of the accusation and brought to trial and punished the accusers, man of considerable rank and influence in those parts - The object of his Statement is to rebut a supposed insinuation of the Magistrate that, till his apprehension, conspiracies against the lives and fame of individual were suffered to pass with impunity -

It remains for the Court to state their opinion -

1st as to the duty of the Magistrate

2d as to the [illegible] in the matters on which they are authorized to inquire -

Section V Regulation VI of 1814 directs that when a person charged with a crime is brought before the Magistrate he "shall enquire into the circumstances of the case and examine the prisoner and the complainant" and it positively enjoins that if after the enquiry "it shall appear to the Magistrate "that the crime charged against the prisoner "was never committed or that there is no "ground to suspect him to have been guilty "in the commission of it the Magistrate shall "cause him to be forthwith discharged" [illegible] "his reasons for so doing to be stated and entered

2/

29 Augt 1815

This enactment vests in the Magistrate a general discretional power of deciding, in each individual case brought before him, whether there is, or is not sufficient ground for committing the accused - The Magistrate is to examine the prisoner and that, not with a view to lead him to confession, but to enable the Magistrate the better to prosecute his enquiries into the circumstances of the charge & speedily, when the result of his enquiries shall satisfy the Magistrate that the crime has not been committed [illegible] as when the party stated to be murdered is [illegible] prove to be alive, as was the case in No 9 / that the accused was not concerned in the perpetration of the crime, the Magistrate would be unwarranted in committing the accused for trial before the Court of Circuit & the exercise of his discretion he is unfettered: as his function and as the Judge of Circuit has shewn on his letter to the Court is to be found in the Regulations - He is only bound to state the grounds on which he proceeds for the consideration of the Court of Circuit, the rule of whose procedure thereon will be noticed hereafter -

The Judge of Circuit has observed in his first precept that to obviate the danger of hardship and injustice in the commitment of the parties for trial & confinement on a charge of misdemeanor the Magistrate should not be warranted to commit [illegible] but [illegible] In his opinion the

Judge in Council is wholly unsupported by the Regulations so far as a charge of murder is concerned. It is indeed enacted by clause first section IX Regulation IV 1811 that no species of homicide except murder shall forbid the admission of persons to bail who are accused of murder but it is not questioned in the present case whether the crime charged did or did not amount to the crime of murder. the question is whether the Magistrate had authority to release a man charged with murder, the charge not being withdrawn the accuser or his testimony now on this point the language of the Regulations is positive — If the Magistrate declined the charge the case must be remanded for trial, murder not being a bailable offence. The Court of Circuit only authorized by clause second section IX Regulation IV of 1811 to admit to bail a person charged with an offence not bailable under the provisions of the Regulations —

The Court regret that they should have thought it necessary to introduce the history of a case almost wholly unconnected to the points at issue & to comments thereon all with the questions now under consideration it tends to confuse the statement of the groundless & unfounded charges of heinous crimes so frequently and for a long time preferred, by prisoners against persons residing in the part of the

possible objection against the mode of proceeding directed by the Judge in Council on the ground of humanity - a charge of wilful & corrupt perjury it may often be difficult to substantiate. It is a crime far more easily charged than proved - The swearing on any trial may have been false and may have been so clearly shewn to have been so before the Magistrate as to satisfy him that the crime was never committed, or if it was perpetrated that the accused was not a party to it, & yet on the trial for perjury there may be a want of legal proof that the false swearing was wilful and corrupt in such a case supposing the mode of proceeding directed by the Judge in Council to have been adopted with what additional weight would the first imprisonment fall on the innocent person who had been unable legally to commit his accuser, & what encouragement would not such a result afford to the malicious & false accusers?

As to the duty of the Court of Circuit, the Regulations direct that the Judge in Circuit shall have laid before him a Calendar of persons discharged from prison & Section XV Regulation IV 1811 enacts that when the Court of Circuit shall be of opinion that any person has been released on insufficient grounds (as is alleged on several instances against

29th August 1815

against the Magistrate of Canara) they shall direct additional enquiry to be made & the result to be communicated to the Judges of the Court of Circuit collectively for their orders on the case instead of reporting it in the first instance to the Zoujdaree Adawlut. Such is the course that should have been pursued in the cases now brought to the notice of this Court. Whenever accusations are preferred before the Magistrate he must in the first instance decide to the best of his discretion, and on the authority vested in him by the Legislature, whether there be sufficient grounds for committal. The superior Courts of Division collectively may exercise the control over those Courts in any particular instance in which the determination of the Magistrate shall appear to them to be erroneous.

On the subject of the second letter the Court observe that the proceeding which led to the drawing of the calendar now under consideration is unexceptionable, as the Regulations do not provide for the contingency of an exception now in the extract now forwarded; and, as the Judge disclaims all intention of disrespect, the Court are bound to believe that no disrespect was intended.

Ordered that a extract of this proceeding be sent to the Court of Circuit by precept commanding them to cause the same to be

3/

29 August 1815

Magistrate of Canara respectively. Return to the said precept to be made within one month from the receipt thereof.

And the following precept

(Here enter A.)

Read Letter dated 21st July 1815 from the D. Judge on Circuit in the Malcolm Division enclosing Correspondence between him and the Magistrate of Canara

(Here enter No. 322)

Read also Letter dated 22 July 1815 from the D. Judge on Circuit in the Malcolm Division referring further Correspondence between him and the Magistrate of Canara.

(Here enter No. 324.)

It appears from the foregoing communication that the prisoners in a certain case before the Court of Circuit in the present Session had made a confession before one of the Police Officers of the Sunda Talook, which had been attested by two persons, neither of whom had been examined by the Magistrate nor had any evidence whatever been taken by the Magistrate on the subject of the prisoners confession. The Judge on Circuit having by precept, dated 17th July, called the attention of the Magistrate to this omission, the Magistrate in his Letter says only that he did not consider it necessary to examine the subscribing witnesses to the prisoners confession before the Police Officers, because on the very strong circumstantial evidence

29th August 1815.

against the Magistrate of Banaras) to direct additional

[illegible]

[illegible] that any witness by Section VII Regulation VII of 1802 it is specifically directed that when a prisoner shall confess before the Magistrate or confirm a former confession, the Magistrate shall record such confession or confirmation of a former confession to be witnessed by as many of his officers or other creditable persons present at the time as the Mahometan Law requires to give it validity. In the case under trial by the Judge in Circuit a confession is alleged to have been made. It was the duty of the Magistrate to enquire of the prisoner when he examined him whether he meant to confirm before him his former confession and in the event either of his acknowledging or denying it to enquire into the circumstances under which it was given. This the Magistrate neglected to do, and he attempts to justify his neglect by asserting the sufficiency, in his opinion, of the circumstantial evidence he had taking which evidence, it appears by the record of the trial before the Court of Circuit, failed to bring home the crime to the accused who have thus escaped conviction which in the opinion of the Court of Circuit would have followed had the case been properly

7th August 1815.

The Judge in Circuit in his precept of the 20th July misadvertently and injudiciously in the very insufficient and improper return of the Magistrate of Banaras. It appears by this precept that the Magistrate had allowed the name of Ram Gaun Das of the Pitail who desired witness Bagala Gowla to put his mark of attestation to the prisoners confession to appear in the list of the Prisoners witnesses only and the prisoner not having desired his evidence, he was not examined, the Judge of Circuit not having been aware, till after the trial was concluded, of the importance of this man's testimony - Thus, owing to the neglect of the Magistrate, has an enquiry been prevented into the circumstances under which the confession of the prisoner was taken by the native officer of police, an enquiry which who probably have tended either to the confirmation of the confession or to the discovery of any evidence or means that might have been used had such evidence or means been used to obtain those confessions

The Court have only further to observe that the return of the Magistrate to the 2d precept of the Judge in Circuit is unsatisfactory - he adheres to a practice as a precedent, which had already been pronounced by the Judge in Circuit to be irregular - but fails to adduce any authority in support of such practice which the

29th August 1815.

Lab, Court are bound to pronounce to be in variance with the previous enactments of the Regulations —

The foregoing observations will be considered applicable to the Reference in the second of the two Letters now before the Court —

Ordered that Extracts of these proceedings be sent to the Court of Circuit by first Packet commanding them to communicate the same to the Judges of Circuit & Superior Courts of Canada respectively, Return to be made to be Laid before the Court within one Month from the date thereof —

Sent following Packet

Vide entry B

Read Letter dated 21st Inst. from the Hon. Judge of Circuit Enclosing further Correspondence between him & the Magistrates of Canada —

Vide entry No 356 A

The foregoing Letter does not convey sufficient information to enable the Court to form an opinion to what extent the proceedings of the Magistrate of Canada have been irregular, or how far he has interfered in matters originally only by the consent of the Parties —

The Magistrate in his letter of the 9th July brings to the notice of the Court the alleged misconduct of the Clerk of the Crown in allowing two persons committed for trial (the Court imagine this must be a mistake for "held to Bail") to enter the room occupied by the Circuit Court writers and to Copy certain papers

The Court are not in possession of any reason why this communication should be known, as it pronounced by the Judge of Circuit to be, officious and altogether unauthorized for the Judge of Circuit in his Communication of the 19th July states that he has been informed that the Magistrate called before him & interrogated on the occasion two of the servants of the Court of Circuit, and he desires the Magistrate not to interfere with his establishment in any respect whatever, under circumstances when the powers vested in him as Magistrate authorize him to do so —

The Magistrate disclaims all intentional disrespect which the Judge of Circuit has charged him with, & states that he thinks himself perfectly warranted in Communicating as he did with the Servants of the Court of Circuit —

By general grounds, the Court is inclined to think that the Magistrate has exceeded his authority — The Servants of the Court of Circuit are only amenable to those over them immediate superiors; it is that authority only that can punish them or recommend their removal but the suspension before them, the Court ap-

29th August 1815.

Lake, Count

[illegible] the Court [illegible] the Judge [illegible]
[illegible] Court shall [illegible] Sunday [illegible]
important [illegible] Judge [illegible] desire [illegible]
furnish the Court with a detailed account
of the Acts of the Magistrate of which he was
found to complain —

Ordered that extract of these
proceedings be sent to the Court of Circuit for
by precept commanding them to communicate
the same to the 2d Judge of Circuit & the Magistrate
of Canara respectively. Return to the said
precept to be paid within one Month from
the Receipt thereof —

/Here enter Cf

668

Read Letter dated 25th Instant
from the Secretary to Government in the
Judicial Department transmitting the terms
of a Conditional pardon agreable to the
Courts recommendation in their proceedings
of 4th Instant —

Here enter No. 668 —

Ordered that extract from the
Court's proceedings of the 4th Instant with Cf
the foregoing Letter and Extract of their proceedings
be sent from the information & endeavour of the
Magistrate in Rajahmundry Collector

August 1815

Read the following letters from the Magistrates
of Chingleput, Canara, Nellore, Verdachellum, Cuddapah, Cochen,
Tinnevelly, Guntoor, Seringapatam, Vizagapatam, Madura,
North Malabar, South Malabar, Trichinopoly, Coimbatore,
Ganjam, Masulipatam, Salem, Bellary, Rajahmundry,
Combaconum, and Chittoor, with Report of prisoners for the Month
of June —

/Accentus No. 489. 490. 497. 495. 502. 503. 504. 506.
507. 508. 521. 527. 522. 529. 530. 532. 539. 543. 544. 546. 550. 595/

Read return dated 12th Instant from the
Court of Circuit in the Northern Division — to the Courts precept of
9th June last transmitting the explanation of the Provincial Magistrate
upon the point referred to him —

/Accentus No. 535/

Ordered that the foregoing return do lie on the Table

F. U.

At a Court of Fouydaree Udalut

Present

Monday 4th September 1815. Andrew Scott Esqre

Edward Croft Greenway Esqre Judges

George Stratton Esqre

Read return dated the 7th July

E&S last from the Court of Circuit in the Western

Division transmitting the additional evidence

required by the Court's Precept under date the

29th May 1815.

(Reg entr No 468 of 1815)

Read again letter dated the 15th

February last from the 2d Judge on Circuit in

the Western Division transmitting his proceedings

held in case No 23 of the South Malabar

Calendar for the 2d Sessions of 1814.

(Reg entr No 161 of 1815)

The Court having maturely

considered the proceedings held before the

Judge on Circuit the Futwa of the Provincial

Law Officer and the Futwa of the Cazee ool Cozat

and Mooftee of the Fouydaree Udalut do confirm

the said Futwa of the Cazee ool Cozat and

Mooftee aforesaid, and do direct that the

Prisoner

4th September 1815

Prisoner

"Kattaporayambil Avaran"

to be confined in prison until he shall leave the use of his reason

Sent following letter

/ Recorder A /

Ordered that the Judge, who tried the foregoing case / No 23 of the South Malabar Calendar in the 2d Sessions of 1814 / be duly commanded to instruct the Magistrate in the Tillo of South Malabar aforesaid to report from time to time to the Court of Circuit upon the State of mind of the prisoner Kattaporayambil Avaran, sentenced under this date to be confined in prison until he shall recover the use of his reason — and that the Magistrate be charged no account to release the said prisoner without the official permission of the Foujdaree obtained through the Court of Circuit

Sent following Receipt

/ Recorder B /

Read letter dated the 4th Sept from the Court of Circuit in the Centre Division transmitting the Court's Precept under date the 26th June last for the information of the Court that the

4th Sept 1815

proceedings of the trials therein mentioned severally bear the signature of the late 3d Judge before whom they were held.

/ Recorder No 432 of 1815 /

Read again letter dated the 14th June last from the 3d Judge on Circuit in the Centre Division transmitting the proceedings held in case No 5 of the Cuddapah Calendar in the 2d Sessions of 1812.

/ Recorder No 513 of 1815 /

The Court having maturely considered the proceedings held before the late 3d Judge on Circuit / in case No 5 of the Cuddapah Calendar in the 2d Sessions of 1812 / the Futwa of the Provincial Law Officers of the Cazee ool Coozat and Mooftees of the Foujdaree Adaulut do confirm the said Futwa of the Cazee ool Coozat and Mooftees aforesaid and under the provisions of Clause III Section IV Regulation XV A. D. 1803. do adjudge the Prisoner

"Yanadee Tirroomaleegaudoo"

to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of fourteen years, from the 10th February 1812 the date of his commitment

And the Court do adjudge

the

4th September 1815

the Prisoner

1st Chinna Vengadoo.

to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of Seven Years from the 5th February 1812 the date of his commitment

2d Chinna Vengadoo.

to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of Seven Years from the 5th February 1812 the date of his commitment

Read again letter dated the 13th June last from the 3d Judge of Circuit in the Dimbula Division transmitting the proceedings held before the late 3d Judge on Circuit in case No 4 of the Cuddapah Calendar in the 2d Sessions of 1812.

Vide enter No 31 of 1815

The Court having maturely considered the proceedings held before the late 3d Judge on Circuit (in case No 4 of the Cuddapah calendar in the 2d Sessions of 1812) the Fatwa of the Provincial Law Officer and the Fatwa of the Cagee al Cagat & Mooftees of the Fouzdaree Adalut do confirm the said Fatwa of the Cagee al Cagat & Mooftees aforesaid and under the provisions of Clause 2d Section IV Regulation XV A D 1813 do sentence the Prisoners

1st Chinnegandoo.

to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of Seven years from the 10th February 1812 the date of his commitment

The 2d Prisoner Tirroomalleygandoo having been sentenced to 14 years imprisonment & hard labour in case No 5. his release is not directed

Read again letter dated the 13th June last from the 3d Judge of Circuit in the Dimbula Division transmitting the proceedings held before the late 3d Judge on Circuit in case No 2 of the Cuddapah Calendar in the 2d Sessions of 1812

Vide enter No 31 of 1815

The Court having maturely considered the proceedings held before the late 3d Judge on Circuit (in case No 2 of the Cuddapah Calendar in the 2d Sessions of 1812) the Fatwa of the Provincial Law officer and the Fatwa of the Cagee al Cagat and Mooftees of the Fouzdaree Adalut do confirm the said Fatwa of the Cagee al Cagat & Mooftees aforesaid, whereby the Prisoners

1st Chinna Vengadoo

v

2d Tirroomalleygandoo

are

4th September 1815.

are acquitted of the crimes laid to their ch[arge] in this trial.

But the said Prisoners [illegible] the one to 7 & the [illegible] been found guilty & sentenced to [illegible] imprisonment & hard labour in case No. [illegible] of the Cuddapah Calendar their release is directed.

Read again letter dated the [illegible] June last from the 2d Judge of Circuit in the Centre Division transmitting the proceedings held before the late 2d Judge in regard to case No. 6 of the Cuddapah Calendar in the 2d Sessions of 1812.

/ Here enter No 433 of 1815 /

The Court having maturely considered the proceedings held before the late 2d Judge in Circuit (in case No. 6 of the Cuddapah Calendar in the 2d Sessions of 1812) the Clerk of the Provincial Law officer and the Fiscal of the Zillah do confirm the said Fiscal of the Zillah do confirm the said Fiscal of the Sessions and acquitting the Prisoner

No. Sungangadoo

do. direct his release accordingly.

4th September 1815.

The 2d Prisoner Tirrosmatteegadoo having been found guilty & sentenced to 14 years imprisonment and hard labour in case No. 5 of the Cuddapah Calendar his release is not ordered—

Sent following letter

/ Here enter 6 / FM

Read return dated the 10th May last from the 2d Judge on Circuit in the Centre Division to the Courts Receipt under date the 1st instant directing him to communicate to the Magistrate of Bellary such part of the Courts proceedings in case No. 86 of the Bellary Calendar in the 1st Sessions of 1815. as may be necessary for his information and guidance. The 2d Judge Certifies the same to have been duly com= =municated—

/ Here enter No 386 /

Read return dated the 13th May last from the Court of Circuit in the Southern Division to the Courts Precept under date the 1st May last commanding them to state the causes of the delay in making return to the Courts precept of the 19th March last— The Court certify that the return thereto was prepared within the period prescribed, but inadvertently not despatched till

4th September 1815

till the 4th instant—

(Recentier No 362)

Read Return dated the 2d last from the Court of Circuit in the Eastern Division to the Courts Precept of the 2d March last, stating that the Acting Mag[istrate] in the Talla of Cuddapah has instituted an enquiry relative to the Release of the Gungee accused of a Murder, and has sent two persons for being arraigned thereon trial before the Court of Circuit.

(Recentier No 403)

Read Return dated the 4th last from the Court of Circuit in the Eastern Division to the Courts Precept of the 8th instant commanding them to communicate to the several Magistrates in their Division such part of the Courts Proceedings in No 40 of the Cuddapah Calendar of 2d Sessions of 1814 as may be necessary for their information and guidance & to certify the same to have been duly

(Recentier No 405)

Read Return dated the 3d May last from the Court of Circuit in

3d F. M.

4th Sept. 1815

Western Division to the Courts Precept of the 8th instant directing them to communicate to the several Magistrates in their Division the Courts orders in case No 70 of the Bellary Calendar in the 1st Sessions of 1815. for their information and future guidance; the Court certify the same to have been duly communicated—

(Recentier No 406)

Read Return dated the 5th June last from the Court of Circuit in the Centre Division to the Courts Precept dated the 8th instant directing them to communicate to them the Courts orders in case No 35. of the Cuddapah Calendar in the 2d Sessions of 1814. the Court certify that they will conform to the directions transmitted to them.

(Recentier No 442)

Read return dated the 5th June last from the Court of Circuit in the Centre Division to the Courts Precept dated the 1st instant directing them to communicate the Courts Orders of the 8th May to the several Magistrates in their Division for their information and guidance the Court certify the same

4th September 1815

same to have been duly communicated -

(Here enter No. 422)

Read return dated the 5th June last from the Court of Circuit in the Centre Division to the Courts Precept of the 8th ultimo directing them to communicate to the several Magistrates in their Division the Courts Orders in case No. 10 of the Bellary Calendar in the 1st Sessions of 1815; for their information and guidance; the Court certify that the same has been duly communicated -

(Here enter No. 423)

Read return dated the 9th June last from the Court of Circuit in the Centre Division to the Courts Precept of the 8th ultimo commanding them to communicate to the several Magistrates in their Division such part of the Courts Orders in case No. 40 of the Cuddapah Calendar in the 2d Sessions of 1814 as may be necessary for their information and guidance; the Court certify that the same has been duly communicated -

(Here enter No. 424)

Read return dated the 9th June last from the Court of Circuit in the Southern Division to the Courts Precept of the 8th ultimo directing them to communicate to the several Magistrates in their Division the Courts Orders in case No. 10 of the Bellary Calendar in the 1st Sessions of 1815; for their information and guidance; the Court certify the same to have been duly communicated -

(Here enter No. 425)

Read return dated the 9th June last from the Court of Circuit in the Southern Division to the Courts Precept dated the 8th ultimo directing them to communicate to the several Magistrates in their Division the Courts Orders of the 5th May for their information and guidance; the Court certify the communi-

cation

4th September 1815.

=cation thereof.

(Here enter No. 425)

Read Return dated the 9th Jan last from the Court of Circuit in the Southern Division to the Courts Receipt dated the 8th Ultimo communicating to them the Courts Orders in case No. 35 of the Calendar for Cases in the 2d Sessions of 1814: the Court certify to the Circuit that they will conform to the directions transmitted to them.

(Here enter No. 426)

Read Letter, dated the 31st July last from the Magistrate in the Zilla of Canara transmitting a Letter from the Magistrate of South Arcot on the subject of the Courts Precept of the 18th October last

(Here enter No. 558)

Read Letter, dated the 6th Ultimo from the 2d Judge in Circuit in the Western Division Reporting the completion of the Jail at Chingleput

(Here enter No. 569)

Read Letter, dated the 4th Ultimo from the Magistrate in the Zilla of Canara, transmitting the Deposition of Mahomed Saeb, Court Peon who had charge of certain convicts

(Here enter No. 574)

4th No. 16.

4th Sept. 1815

Read Letter, dated the 15th Ultimo from the Magistrate in the Zilla of Chingleput reporting the arrival of 6 Pharaseegar convicts from Salem, with the orders of the Magistrates of Zillas Salem and Verdachellum, together with Surgeons certificates.

(Here enter No. 581)

Read Letter, dated the 17th Ultimo from the Magistrate in the Zilla of Chingleput stating that in consequence of the dispatch of prisoners under sentence of transportation on the 6th Instant, no report is furnished for the last month

(Here enter No. 584)

Read Letter, dated the 15th Ultimo from the Magistrate in the Zillah of Chingleput reporting the arrival of 2 convicts, formerly detained at Verdachellum on account of sickness, with the Surgeons certificate.

(Here enter No. 582)

At a Court of the Foujdaree Adalut

Present

Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges.
George Stratton Esqre

Wednesday 6th Septr 1815

Read Letter dated 1st ultimo from the Magistrate of Tryagapatam with Report of persons proclaimed in his Zilla.

/Here enter No 364/

Read Letter dated 26th ultimo, from the Magistrate, Reporting the arrival of a Convict from South Malabar.

/Here enter No 664/

Read Letter dated 10th ultimo from the 2d Judge in Circuit in the Northern Division Reporting the arrival of the Court of Circuit at Guntoor.

/Here enter No 380/

Read Letter dated 9th ultimo from the 2d Judge in Circuit in the Western Division with Calendar of prisoners in case No 4. on the Additional Calendar of South Malabar for Session of 1814.

/Here enter No 377/

Read Letter dated 1st ultimo from the Magistrate of Bellaree, with Register of persons detained in his Zillah for July 1815

/Here enter No 365/

Read Letter dated 26th July 1815 from the 1st Judge in Circuit in the Centre Division with Copies of Chittoor Calendar at the

6th September 1815.

3d quarter Session of 1815.—

/Here enter No 533/

Read Letter dated 2d ultimo from the Magistrate of Salem with Register of proclaimed in the Gazette for July 1815

/Here enter No 534/

Read Letter dated 3d ultimo from the 1st Judge on Circuit in the Southern Division, reporting his arrival at Salem

/Here enter No 535/

Read Letter dated 1st ultimo from the Magistrate of Combatoor with Report of Prisoners confined under sentence in his Jail.—

/Here enter No 542/

Read Letter dated 4th ultimo from the Magistrate of Tadaserry with Report of Prisoners confined under sentence in the Jail

Here enter No 573.

Read Letter dated 4th ultimo from the Magistrate of Tellicherry with Report of Prisoners confined under Sentence

/Here enter No 591/

Read Report dated 5th ultimo from the Magistrate of Cannanore, with Prisoners confined under sentence in the jail.—

Here enter No 580.—

8th Sep.

At a Court of the Foujdaree Adalut

Present

Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges
George Stratton Esqre

Tuesday Sep. 12th 1815.

Read Letter dated 8th instant from the Secretary to Government in the Judicial Department, communicating the sentiments of Government relative to the late Representations of the Commissioner being Mr Gregory.—

/Here enter No 620/

Ordered that an Extract from the Court's proceedings of the 17th ultimo with Copy of the foregoing Letter and Extract of those proceedings be sent for the information and guidance of the Magistrate in the Zillah of Salem

Sent following Letter

/Here enter No/

Read Letter dated 28th ultimo from the 2d Judge on Circuit in the Western Division reporting the arrival of the Court of Circuit at South Malabar.—

/Here enter No 618/

Read Letter dated 29th ultimo from the 1st Judge on Circuit in the Southern Division reporting his intention to leave Salem to Combatoor

/Here enter No 614/

Read Letter dated 25th ultimo from the Magistrate of Cannanore with Report of prisoners confined under sentence to the 25th ultimo.—

/Here enter No 617/

12th September 1815

Read Letter dated 29th ultimo from the 1st Judge on Circuit in the Southern Division with Copy of the Salem Calendar for 2d September 1815

/Here enter No 619/

Read Letter dated 25th ultimo from the 1st Judge on Circuit in the Northern Division with returned Warrant of execution in case No 2 on the Calendar of Rajahmundry for the 5th September

/Here enter No 620/

Read Letter dated 5th Instant from the Magistrate of Salem with Register of persons proclaimed in August last —

/Here enter No 636/

Read Letter dated 6th Instant from the Magistrate of Bellary with Register of persons proclaimed in August last —

/Here enter No 635/

Read Letter dated 2d Instant from the 3d Judge on Circuit in the Ceded Districts, advising his departure from Cuddapah to Bellary —

/Here enter No 634/

Read Letter dated 6th Instant from the Magistrate of Chingleput reporting the arrival of a prisoner under sentence of transportation

/Here enter No 632/

Read Letter dated 25th ultimo from the Magistrate of North Malabar, with Report of Prisoners confined under sentence —

/Here enter No 629/

12th September 1815

Read Letter dated 2d Instant from the 3d Judge on Circuit in the Centre Division with Copy of the Cuddapah Calendar for the 2d September 1815 —

Here enter No 628.

Read Report from the Magistrate of Nellore — Prisoners confined under Sentence up to 31st July —

Here enter No 611 —

Read Petition dated 5th ultimo from the Court of Circuit for the Centre Division to the Zillah Precept of 18th July 1815 Comdg them to instruct the Magistrate of Chingleput to release the Malay prisoner from hard labour & to report concerning his native Country his Conduct & that of Moray Aleachen Edray —

Here enter No 570.

Ordered that the foregoing return and the papers annexed thereto be transmitted to the Secretary to Government in the Judicial Department with reference to his Letter of the 8th of July last and that he be requested to submit the same for the consideration and orders of the Right Honble the Governor in Council —

Read following Letter

/Here enter 13/

F. U.

In the Court of Fouzdaree Adaulut

Present

Monday
18th Sept. 1815. Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges.
George Stratton Esqre

Read return dated the 12th instant from the Court of Circuit in the Centre Division to the Courts Precept under date the 26th June last forwarding the English and Persian Records of the trials therewith submitted and certifying that the Originals of the same severally bear the signature of the late 3d Judge and that the aforesaid Records on being compared with the Originals are found to be correct and are accordingly attested as true translations by Order of the Court of Circuit

(Mercenter No. 373)

Read again letter dated the 12th June last from the 3d Judge of Circuit in the Centre Division transmitting the Proceedings held before the late 3d Judge on Circuit in case No. 8 of the Chittoor Calendar in the 2d Quarter Sessions of 1812.

(Mercenter No. 429 of 1815)

The Court having maturely considered the proceedings held before the late 3d Judge of Circuit in case No. 8 of the Chittoor Calendar in the Second

F. Uc.

At a Court of Freyidarra Holden

Present

Monday
19th Sept 1815. Andrew Scott Esqre
Edward Croft Greenway Esqre } Judges.
George Stratton Esqre

Read return dated the 12th Ultimo from
the Court of Circuit in the Centre Division to the Courts
Precept under date the 26th June last forwarding the
English and Persian Records of the trials therewith
submitted and certifying that the Originals of the
same severally bear the signature of the late 3d Judges
and that the aforesaid Records on being compared with
the Originals are found to be correct and are accordingly
attested as true translations by Order of the Court of
Circuit

(Mercenter No 373)

Read again letter dated the 12th June
last from the 3d Judge of Circuit in the Centre Division
transmitting the Proceedings held before the late 3d Judge on
Circuit in case No 3 of the Chittoor Calendar in the
2d Quarter Sessions of 1812.

(Mercenter No 429 of 1815)

The Court having maturely considered
the proceedings held before the late 3d Judge of Circuit
in case No 3 of the Chittoor Calendar in the Second
Quarter

18th September 1815

Quarter Sessions of 1812 / the Future of the Provincial Law Officer and the Futwa of the Cazee ul Coogat & Mooftees of the Tanjore Adalut do confirm the said Futwa of the Cazee ul Coogat and Mooftees aforesaid, and do direct that the Prisoners

1st Rangoolagandoo,
2d Ankadoo,
3d Chinna Karoogandoo,
4th Siddoogandoo,
5th Pedda Venugandoo,
6th Mulloogandoo,
7th Ravanegandoo
8th Veeroogandoo
9th Yanadee Gungadoo,
10th Yanadee Lilakegandoo
11th Peracamalapah.
12th Yalamia Ramennah
13th Gagoola Ramegadoo
14th Yanadee Kistnadoo
15th Tandum Venugandoo,
16th Vengadoo,
17th Chinna Chendroogandoo
18th Kulla Paupdoo
19th Veeradegandoo
20th Cuttara Naidoo
21st Peddoogandoo
22d Ramegandoo
23d Paupadoo
24th Candadoo
25th Peroovalegandoo
26th Rama Chendragandoo

and

27th Chinna Veeregandoo

be set at liberty

Send following letter

(Here enter No 1

Read letter dated the 20th February last from the 3d Judge of Circuit in the Western Division transmitting his proceedings held in cause No 142 of the South Malabar additional Calendar in the

18th September 1815

the 2d Sessions of 1814.

(Here enter No 158 of 1815)

The Court having maturely considered the Proceedings held before the Judge on Circuit (in case No 1 of the South Malabar Calendar) the Futwa of the Provincial Law Officer and the Futwa of the Cazee ul Coogat & Mooftees of the Tanjore Adalut do confirm the said Futwa of the Cazee ul Coogat and Mooftees aforesaid, whereby the Prisoners

1st Tayte Asimbate Wenapalam Cokkanda Koorooppa
2d Tayangadoo Kurroota Ramen Nair alias Comeree

are acquitted of the crimes laid to their charge in this number

But the said prisoners being included in trial No 2 their release is not directed.

The Court having maturely considered the proceedings held before the Judge on Circuit (in case No 2 of the South Malabar Calendar) the Futwa of the Provincial Law officer and the Futwa of the Cazee ul Coogat and Mooftees of the Tanjore Adalut do confirm the said Futwa of the Cazee ul Coogat and Mooftees aforesaid & under the provisions of Clause II Section IV Regn XV A. D. 1803 do adjudge the Prisoners

1st Tayte Asimbate Wenapalam Cokkanda Koorooppa
3d Nadeate Kandy Kellon
4th Tayte Asimbat Chandoo.

to be imprisoned and transported to Prince of Wales Island there to be imprisoned and kept to hard labour in irons on the public roads or other public works for and during the period of their natural lives respectively.—

And the Court do further adjudge the Prisoner

2d Faragen alias Karadan Kamenkin alias Penuree.

to be released on producing security for his future good behaviour and appearance when required

Sent for Gaoler Letter

Here enter B/

Read letter dated the 6th Instant from the Magistrate in the Talla of Chittoor depositing the re-apprehension of several Reputed Shanargas on a strong suspicion of Murder & Robbery committed by them subsequent to their release from confinement on a former charge, and requesting authority to tender a conditional pardon to one or if necessary to two of the gang—

Here enter No 634/

In order to enable the Court to form an opinion as to the advantages likely to result from the offer of a conditional pardon to one or more of the gang by ascertaining how far the information afforded is calculated

19th September 1815. calculated to lead to the apprehension and conviction of the principal Offender or Offenders, and in submitting the case for the consideration of the Right Honble the Governor in Council to state the grounds on which the Opinion of the Court is founded, it was incumbent on the Magistrate to afford some information on the subject as also to state the names of the Persons to whom he proposed that the Offer of a conditional pardon should be made. This however the Magistrate has entirely omitted — and the Court are accordingly unable at present to comply with the Recommendation of the Magistrate contained in the foregoing Letter —

If on the examination of the several persons apprehended the Magistrate should be of opinion that the Offer of a pardon to one or more of the Gang would procure information of a nature to enable him to discover and convict the leaders it will remain for him to report the names of the persons to whom he may wish to tender the Offer of pardon & the reasons which may lead him to believe that the Offer will be attended with success

Ordered that extract of these proceedings

proceedings be transmitted to the Magistrate of the Zilla of Chittoor for his information & guidance

Sent following letter

/Reverter 6/ FM

M

664

W

At the Court of the Foujdaree Adalut

Present

Andrew Scott Esquire
Edward Croft Greenway Esqre } Judges
George Stratton Esquire

Friday 29th Sept 1815

Read Letter dated 15th Instant from the Magistrate of Chingleput reporting the arrival of a Convict from Masulipatam

/Reverter No 637/

M

Read Letter dated 15th Instant from the 1st Judge on Circuit in the Southern Division reporting his intention to leave Coimbatore for Madura

665

/Reverter No 660/

Read Letter dated 13th Instant from the Magistrate of Chingleput with Rost of Convicts under sentence of transportation arrived at that Zilla

/Reverter No 663/

Read Letter dated 2d Instant from the Magistrate of Nagapatam with Register of persons proclaimed in August last

/Reverter No 638/

Read Letter dated 6th Instant from the 1st Judge on Circuit in the Southern Division reporting his arrival at Coimbatore

/Reverter No 634/

Read Report from the Magistrate of Chittoor of Prisoners confined under sentence

29th September 1815.

Read Letter dated 12th Instant from the 2d Judge on Circuit in the Western Division With Copy of Calendar of Causes for 2d Sessions of 1815 —

/Here enter No 658/

Read Letter dated 8th Instant from the 1st Judge on Circuit in the Northern Division With Copy of the Calendar of Prisoners for 2d Session of 1815 —

/Here enter No 659/

Read Letter dated 9th Instant from the 2d Judge on Circuit in the Northern Division. With Copy of the Jail Calendar for the 2d Session of 1815 and stating his intention to leave this Station & Proceed on Duty —

/Here enter No 660/

Read Letter dated 8th Instant from the 3d Judge on Circuit, reporting the arrival of the Circuit Court at Bellary —

/Here enter No 661/

Read Letter dated 8th Instant from the Magistrate of Salem, With Report of Prisoners confined under sentence to the 29th August —

/Here enter No 165/

Read Return dated 8th Instant from the Court of Circuit for the Western Division commanding them to communicate Extract proceedings to the 2d Judge of Circuit & Magistrate of Canara respectively certifying thereof —

29th September 1815.

Read Return dated 12th Instant from the Court of Circuit for the Western Division Commanding them to communicate Extract of these proceedings to the 2d Judge of Circuit & Magistrate of Canara respectively — Certifying the Execution thereof —

/Here enter No 662/

Read Return dated 12th Instant from the Court of Circuit for the Western Division Commanding them to communicate Extract of these proceedings to the 2d Judge of Circuit & Magistrate of Canara respectively Certifying the Execution thereof —

/Here enter No 663/

663

Read

Read the following Letters from the Hon'ble Magistrates of Tondachellum, Chinglepet, Canara, Vizagapatam, Trichinopoly, Bellary, Seringapatam, Tinnevelly, Cochin, Masulipatam, Ganjam, Madura, South Malabar, Cuddapah, Nellore, Dharapooram, Ganjam, North Malabar, Chittoor, Combaconam, Salem, and Royalseemy — with Reports of Prisoners for the Months of July —

/Herein enter Nos 583. 587. 588. 589. 590. 592. 593. 594. 597. 600. 602. 605. 606. 607. 610. 613. 616. 627. 630. 633. 639. and 671/