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1162

1829

Journal
Diary for
1829 (9)

1162
Box 85

Foujdaree Diary 5th and 6th Jany 1829.

/No 1/

No 1 To the Secretary to Government in the
Judicial Department

Sir

With reference to my letter of the 2d Instant forwarding an application from Mr Lord the first Judge of the Provincial Court in the Northern Division for six months Leave of absence I am directed by the Judges of the Foujdaree Adalut to state that it falls to the turn of the first Judge of that Court to go on the Circuit for the first Sessions of the present year, which ought to commence early in this month, and that they consequently wait the orders of Government, as to the provision to be made for the execution of that duty.—

5th January 1829. I have &c A. D. Campbell Registr

/No 2/

No 2 To the Second Judge on Circuit in the
Centre Division

Sir

In reference to your letter under date the 4th August last on the subject of the prisoner Vapoo Gungaloo on the Cuddapah Calendar for the 2d Sessions 1828, I am directed by the Judges of the Foujdaree Adalut to observe that the evidence as taken by you is defective, for it does not prove the murder in question to have been committed by the prisoner, a fact absolutely necessary to be established before the Judge or Circuit whatever may be the prisoners state of mind at the period of the injury.—

The Judges also remark that the European Surgeon

Foujdaree Diary 5th and 6th Jan.y 1829.

No 1

No 1 To the Secretary to Government in the
Judicial Department

Sir

With reference to my letter of the 2d Instant forwarding an application from Mr. Lord the first Judge of the Provincial Court in the Northern Divisn for six months leave of absence. I am directed by the Judges of the Foujdaree Adalut to state that it falls to the turn of the first Judge of that Court to go on the Circuit for the first Sessions of the present year, which ought to commence early in this month and that they consequently wait the orders of Government, as to the provision to be made for the execution of that duty.—

5th January 1829. (signed) A. D. Campbell Registr

No 7 To the Second Judge on Circuit in the
Centre Division

Sir,

In reference to your letter under date the 4th August last, on the subject of the prisoner Vapoo Gungaloo on the Cuddapah Calendar for the 2d Sessions 1828, I am directed by the Judges of the Foujdaree Adalut to observe that the evidence as taken by you is defective, for it does not prove the murder in question to have been committed by the prisoner, a fact absolutely necessary to be established before the Judge or Circuit what ever may be the prisoners state of mind at the period of his injury.—

The Judge also remark that the European Surgeon

of the Jail should have been examined by you, as to the prisoner's state of mind, both at the period of his entering the Jail, and particularly of your investigating the case: for that, if save at the period of your investigation, the prisoner in conformity with their orders of the 27th April 1825. should have been put upon his trial

Under all the circumstances of the case the Judges desire that you will by warrant, require the Criminal Judge to detain the prisoner, until the arrival of the next Judge on Circuit, to whom you will furnish a copy of this letter, for his information and guedance; and you will instruct the Criminal to summon in attendance at the next Sessions all the evidence, both as to the murder, and the prisoner's state of mind at the time, and since, in order that the next Judge of Circuit may observe these instructions, and finally report on the case before he quits Cuddapah.—

6th January 1829. /Signed/ A. D. Campbell Register

No 3 To the third Judge late on Circuit in the Southern Division

Sir,

In reply to your letter of the 10th November last, I am directed by the Judges of the Foujdaree Adaulut to observe that, at the time the murder in question was committed, by the prisoner Ramasawmy Chitty in the case No 3 of the Calendar of the Joint Criminal Judge of Salem

Salem, for the 2d Sessions of 1828, it clearly appears he laboured under a total deprivation of reason, and as he still continued insane, you acted correctly in not placing him upon his trial.—

The Judges direct that you will, by warrant, require the Criminal Judges to continue him in confinement, under the circular orders of this Court, now in force, respecting dangerous lunatics.—

6th January 1829. /Signed/ A. D. Campbell Register,

No 4 To the third Judge late on Circuit in the Southern Division,

Sir,

I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter under date the 2d December last, with the Calendar of the prisoners tried at Coimbatore at the 2d Sessions for 1828.—

The fifth case on the calendar was one of the 5 unattended by wounding, for which the Regulations have denounced no specific punishment, and the first prisoner having been convicted on strong presumption thereof, under clause third section II Regulation XV 1803, a second futwa should have been taken, and the prisoner sentenced to 7 years imprisonment, unless you considered that punishment to severe in which case you should have proceeded as directed in section IX Regulation I of 1825.

7th January 1829. /Signed/ A. D. Campbell Register,

No 5 To the Criminal Judge of Nellore,

Sir,

With reference to the enclosed extract from

No 5 Para 3rd dated 25th October 1828.

a report of the 2d Judge on Circuit, I am directed by the J
of the Foujdaree Adalut to desire that the prisoners
alluded to may be sent back for the remaining period
sentences, to Cuddapa; if banishment formed no part of
sentence, and the purpose for which they were sent there
been answered.—

You will take into consideration the other sugge
of Mr. Lord.—

7th January 1829. A. D. Campbell Regr

No. 6. To the Criminal Judge of Masulipatam
at Rajahmundry

Sir,

Para 5. 25 October 1828. With reference to the enclosed extract from
report of the 2d Judge of Circuit I am directed by the
of the Foujdaree Adalut to desire that of banishment
no part of the sentences of the convicts alluded to by
no other circumstances exist to render the measure objec
-able, the prisoners belonging to Chicacole in prison
at Rajahmundry and at Masulipatam may be tran
to Chicacole, provided you ascertain from the Judge
that they can be commodated in his jail.—

On learning this, you will transmit copy of
to the joint Criminal Judge at Masulipatam, who will
direct to Chicacole the 7 prisoners under his charge
will adopt a similar proceeding as to the 22 confined

your jail.—

7th January 1829. (signed) A. D. Campbell Register

No. 7 To the Second Judge of Circuit for the
Western Division

Sir,

Previously to submitting to Government your
report of the 26th July last the Judges of the Foujdaree
Adalut are desirous that you should have an opportunity of
correcting any omissions or errors in it, and for this purpose direct
me to return it for your perusal, but you will be pleased to
transmit it back without delay with such amendments as you may
find requisite.—

7th January 1829. (signed) A. D. Campbell Register

No. 8 To the first Judge of Circuit for the
Centre Division

Sir,

The several Judges on Circuit for the first Ses-
sions of 1828 having transmitted their reports as directed in Section
38 Regulation 7 of 1802, with the exception of that due from you,
the Judges of the Foujdaree Adalut wait that communication, in
order that they may lay the whole before the Government. If
may perhaps find it convenient to include therein any remarks you
may have to offer on the 4th Quarterly Sessions recently held by
you at Chittoor.—

7th January 1829. (signed) A. D. Campbell Register

No. 9. To the 3d Judge of Circuit for the Northern Division

Sir,

I am directed by the Judges of the Foujdary
Adalut

No. 9. Same to the Judge for the 1st Div. & the Judge for the Ceded Dts.

Adalut to request that you will forward, with the least practicable delay, your report on the result of your Circuit for the 2d Sessions of 1828, that it may be laid before the Government with that of the 3d Judge for the Southern Division, which has already been received.—

7th January 1829. /signed/ A. D. Campbell Register

No 10. To the third Judge late on Circuit in the Northern Division

Sir,

In reply to your letter of the 16th December I am directed by the Judges of the Fouydaree Adalut to state that after considering the abstract of the evidence in the case in question both as given in the calendar, and in the fatwa of the Law Officer they are desirous to examine the trial itself before they pass a final order on the reference you have made, and desire that you will transmit the same accordingly.—

7th January 1829. /signed/ A. D. Campbell Register

No 11. To the third Judge of Circuit for the Northern Division

Sir,

1 I am directed by the Judges of the Fouydaree Adalut to acknowledge the receipt of your letter under date the 19th Ultimo and of the calendars which accompanied it.—

2 In the principal calendar of prisoners committed at Chicacole, the Judges observe that in No. 15 the prisoner was convicted of arson, a crime neither specially provided for by any Regulation nor

"nor by any stated penalty in the Mahommedan law" under clause seventh Section 1 Regulation XV. 1803, you were not competent to adjudge a greater punishment than 39 Stripes and 7 years imprisonment for this offence; you have erroneously sentenced the prisoner to 14 years imprisonment, and it is consequently necessary that you should amend the sentence you have passed, unless you deem it necessary under the concluding part of the clause before noted, to refer the trial for the final orders of this Court.—

7th January 1829. /signed/ A. D. Campbell Register

No 13. To the 4 Provincial Courts of Circuit

Gentlemen,

1 I am directed by the Judges of the Fouydaree Adalut to enclose, for your information and guidance, copies of the correspondence noted in the margin and to desire that you will circulate the same to the several Criminal Courts and Magistrates in your Division.—

2 In reference to the new law therein alluded to, which has been passed and will be speedily promulgated, you will call upon the several Criminal Courts to transmit, for the present and each subsequent month, a Statement similar to that prescribed by section XXXV. Regulation X of 1816.—and you will forward the same to me Monthly, instead of quarterly, as hitherto explaining in your proceedings to accompany the same any orders issued by you as before directed.—

3 With respect to the half yearly criminal Statements to

charge may require. In case of bail, the form of the bail bond shall be
pear before the Magistrate on a certain day assigned / leaving time for
receipt of the orders of Government /; and on such subsequent days as
Magistrate shall require. In case of commitment to safe custody
form of the warrant shall be until the orders of Government are re-
Sent by the Native Police third

If such accused person shall be brought in the first
before a Native Head of Village or district Police, he shall in all
be forwarded by the latter, to the Magistrate, instead of to the
Judge as directed by Clause fourth Section XXVII Regulation X
together with the witnesses and the proceedings held. The Magis-
shall then proceed as directed in the proceeding clause.

Government can direct the accused to be tried by any of the established Criminal courts. IV.

In cases referred to Government under the proceeding
tion, as well as in all cases of the like nature, which may in a
manner, come before the Governor in Council, if it appear proper
the prisoner should be brought to trial for the offence imputed
to him, the Governor in Council shall be competent to direct that
the prisoner be brought to trial before any of the established Courts
of Criminal Judicature within the British provinces, which he
may be pleased to appoint; and the special order of the Governor
in Council for the purpose shall be deemed full and sufficient
authority for the trial and punishment of such prisoner, by the
Court to appointed, as well as by the Court of Foujdaree Adalut
if the case be referible to them, under the general regulations in force.

Proceedings of Courts V.

Whenever a native subject of the British Government shall
be brought to trial before any of the established Courts of Criminal
Judicature under the provisions of this Regulation, the trial shall
be conducted and sentence thereupon passed, and carried into
execution, under the general regulations in force, in like manner in

as if the offence had been committed within the British Territories &
the case subject to the ordinary jurisdiction of those Courts.—

/ Signed / A. D. Campbell Register

No 31 / p. 18.

To The Secretary to Government in the Judicial Department

Sir,

Under clause 1st Section II Regulation III. 1827, I am directed by the Judges of the Foujdaree Adalut to request that you will submit to the Right Honble the Governor in Council the enclosed copy of a letter from the joint Magistrate of Canara, and to recommend that, with reference to the circumstances therein stated, the Government do authorize the Criminal Judge, instead of the Joint Criminal Judge of that province, to enquire into and eventually commit for trial, the case of rape therein alluded to.—

15th January 1829. / Signed / A. D. Campbell Register

No 19

Circular

To The Four Provincial Courts of Circuit

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the enclosed copy of a communication suggesting measures for the contract of goldsmiths in the exercise of their calling, and for preventing the existing facilities for disposing of stolen property.

enclosure in No. 473 of 1827.

Before addressing the Government on this subject, the Judges are desirous that it should be well considered by the several Criminal Judges, and Magistrates in your Division, and that after receiving from them their opinions on the subject, you should submit such suggestions as your own experience may dictate. The Judges will then lay the whole before the Government, with draft of a Regulation, containing such new enactments as may appear necessary on this important subject, to which the serious attention of the subordinate authorities is requested.

15th January 1829.

I have &c.

/ Signed / A. D. Campbell

Register

Tovydaree Diary 22d January 1829

No 23 To the Second Judge on Circuit on the Southern Division

Sir, In reply to your letter of the 17th Instant, I am directed by the Judges of the Court of Foujdaree Udalut to acquaint you that under clause third section III Regulation I 1825 they sanction the mitigation of punishment proposed by you in the case No 4 of Tinnevelly calendar in the prisoners Sinna Moolee and Marradun convicted of robbery on the high way.—

22d January 1829 (signed) A. D. Campbell Register,

No 24 To the Criminal Judge in the Zilla of Chicacole

Sir, I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter under date the 5th Instant, with the report of prisoners confined under sentence in the jail under your charge.—

2. Your remark on the case of the first prisoner Casuncottah Moodadoo, who has now been in confinement twenty years, has led the present Judges to review his case, and after the fullest consideration they are of opinion that he should be immediately set at liberty.

3. This man was tried at the 2d Sessions of 1808 for the Zilla of Vizagapatam for wounding his creditor, and murdering a peon who on the cry of the wounded man come to seize him: It would appear that he wounded his creditor with a Tavoy knife which was wrested from him, and that on the wounded man giving an alarm of the thief who had wounded him being in the house, the peon in question drawing his crise went into the room where he was, when the Prisoner, snatching up a sword of the wounded owner of the house which happened to be in the room instantly put him to death.—

4 This murder was certainly unpremeditated, and though the prisoner

prisoner seems to have wounded his creditor severely and cruelly, he immediately afterwards attemped to destroy himself and the Circuit Judge stated his opinion that the evidence taken by him established the prisoners insanity at the period when these crimes were perpetrated.—

5 His insanity was considered to be proved by the Law Officers of this Court, in whose futwa the Judges of this Court concurred on acquitting him of guilt, sentenced him to be confined, until he should recover the use of his reason.—

6 From the enclosures contained in the letter of your predecessor of the 21st. Janry. 1825 it appears that the sanity of the prisoner was reported to this Court on the 6th. Febry. 1817 by the Criminal Judge who observed that the Surgeon, notwithstanding the sanity of the prisoner and another had suggested their continuance in confinement, on account of their "savage and cruel disposition".—

7 Now in the certificate containing this opinion the Medical Officer most erroneously states that the prisoner in question, whilst confined, never had been insane which is quite at variance with recorded testimony. Mr. Paske Criminal Judge in transmitting the Surgeons opinion on against their release adds "I am not exactly informed on what ground "the Surgeon has formed this opinion of their but believe it to have originated "rather from a knowledge of the murders which they have committed "formerly than from any thing he has observed in their conduct whilst "in jail, their department indeed has been perfectly quiet and sober "for a long time past, so much so that, were it not for the decided "manner in which the propriety of detaining them is set forth, I should "have had no hesitation whatever in recommending the release of "Cajeemollah Moodiapoo."—

8 Without particularly adverting to these observations of the

Criminal Judge or to the original sentence passed on the prisoner, the former Judges of this Court, merely on the opinion thus submitted by Mr. Bruce the Medical Officer on the 2d. April 1827 required the prisoner to be continued under confinement. But from the other enclosures in your predecessors letter before noticed, it appears that his successors Messrs. Todd and Dessoumeaux considered the prisoner in question perfectly and were silent as to any to be apprehended from his release and your predecessor Mr. Mank adds "I have made inquiries of the officers "and persons attached to the Jail, and from all I can learn he has "never shewn any symptoms of a violent and savage disposition". But, as Mr. Bruce in 1817 had given so decided an opinion against the prisoner, Mr. Mank in 1825 does not purpose his release.—

9 On a full review of the whole case, the Judges are of opinion, that Mr. Bruces Judgment was not formed on sufficient grounds, he erroneously thought that the prisoner always had been sane, and the strong opinions of your predecessor Mr. Mank and his predecessor Mr. Paske as to the prisoners habits are entitled to greater consideration than that of Mr. Bruce on account of the superior advantages their situations gave them to acquire a correct opinion of the prisoners conduct.—

10 But admitting the correctness of Mr. Bruces opinion, the Judges think that it is unlawful to continue in indefinite imprisonment a person perfectly sane for the last eleven years, merely on the ground of a savage and cruel disposition. They accordingly direct that "the prisoner be released, according to the tenour of his original sentence, "which declared his imprisonment to terminate with his insanity, as in all such cases it ought.—

22d. January 1829 (Signed) A. D. Campbell Register

To

N:28 To the Criminal Judge in the Zilla of Nellore,—

Sir,

In reply to your letter of the 16th instant, respecting the prisoner Bolla Kristnah accused of murder when insane, I am ordered by the Judges of the Toydaree Udalat to observe that if it is understand to be the case, the crime was committed in a place under the jurisdiction of the Criminal Court of Guntoor, they authorize you to make over the case to the Criminal Judge there, forwarding for his information, copies of the correspondence which has taken place. If the crime was committed in a police not now within that officer's jurisdiction, you will report the same, in order that the authority of Government may be obtained under Regulation III of 1827 for his exercising it in the instance.—

26th January 1829.

/ Signed / A. D. Campbell Register

N:29 To the Joint Magistrate in Charge Canara,

Sir,

I am directed by the Court of Toydaree Udalat to acknowledge the receipt of your letter of the 2d Instant and to transmit to you, for the information and guidance of the Criminal Judge of Canara, the accompanying copy of a letter to the Secretary to Government in the Judicial Department dated the 15th and of the reply thereto dated the 23d Instant. you will forward these papers to the Criminal Judge with the case alluded to in your letter.

26th January 1829 / Signed / A. D. Campbell Register

/ N:5 /

N:31 To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Court of Toydaree Udalat to transmit for the orders of the Right Honorable the Governor in Council the accompanying correspondence with the Provincial Court of Circuit for the Centre Division.—

From P.C. 6 Dec. 31st 19th Dec. In Dy. 31st Jo. 4th 1828. 31st Dec. 1829

From 5th 7th July 1829 — 12th Jany. 1829 — To 5th 5th 12th Jany. 1829

From 5th 4th 1828 Jany. 2d July 1829

There are only 3 prisoners on the Calendar of the Joint Criminal Judge at Cumbum the Judges therefore think that there may be a general jail delivery of the whole Zilla of Cuddapah at the Sudder Station for the present Sessions, and solicit early orders on the subject as the Circuit Judge has already arrived at Cuddapa.

2d February 1829 / Signed / A. D. Campbell Register

N:33 To the 3d Judge in Circuit in the Centre Division

Transmitting copy of a letter to Government and reply thereto authorizing a general Jail delivery of the whole Zilla Cuddapa at the Sudder Station for the present Sessions.—

10th February 1829 / Sent usual letter /

N:34 To the Secretary to Government in the Judicial Department N:6

Sir,

1. I am directed by the Court of Toydaree Udalat to acknowledge the receipt of your letter under date the 22d July No: 522, requiring the opinion of the Judges on the points submitted by the Principal Collector of Cuddapah respecting the operation of certain provisions in Regulation IX 1822.

2. If the Judges rightly understand Mr. Daniell's letter he wishes to know whether, when persons have acknowledged

or

or are suspected of having given bribes to the parties specified in clause
3. Section II of the Regulation above mentioned a Collector may exam-
ine such persons without oath, to establish the guilt of the parties who
received the bribe, because of the provisions of clause second
Section XVII Regulation IX of 1822, which empower Criminal Judges
to take cognizance of charges against all persons for giving bribes to
any public Officer.—

3. Under Regulation IX 1822, the Collector and Magis-
trate conducting the enquiry may proceed either against the parties
receiving money corruptly, or against the party who has given the
bribe, or against both.—

4. In the former case the witnesses are required by
Section IX. to be examined upon oath, unless of a rank or caste exempt-
ing them from it,- and the evidence of a person giving money
corruptly, must therefore, in such case, be taken upon oath.—
The Collector then proceeds to pass his Judgment in the Civil
Department for the recovery of the money or he may under clause
first Section XVII, forward the accused to the Criminal Court.

5 On the other hand, if the party who gives the bribe is
proceeded against, the whole of the proceedings must be distinct and
separate, clause second Section XVII requiring them to be kept exclusive-
ly in the Criminal Department, and clause first Section XVI of
Regulation IX 1816 expressly forbidding the accused being examined
upon oath.—

6 The Judges are of opinion that, in neither case, can evidence
be admitted, except under the sanction of an oath or of a solemn
declaration tantamount to it. At the same time, there can be no doubt that

that a Collector is at perfect liberty to proceed against either or both
of the parties; but if either comes forward as the voluntary accuser of
the other, or if either is admitted as a witness against the other, it
would be obviously improper to subject him to a prosecution for
his share in the corrupt transaction. In the first case, such
a proceeding would be repugnant to public policy, as discouraging,
if not entirely preventing, parties from giving information: In the
second case, the admission of an accomplice as a witness invari-
ably implies at least a promise of indemnity, provided the whole
truth is told.—

10.th February 1829 (signed) A. D. Campbell Register

No.37 To the Provincial Court of Circuit for
Southern Division.

Transmitting Copy of a letter to Government and its reply sanc-
tioning an increase of pay from 3 to 4 Rupees to the Jail Peons
under the Joint Criminal Judge Salem and authorizing him to
employ 10 additional Peons in consequence of the Number of Prisoners
in his Jail.—

12.th February 1829.— (sent usual letter)

No.38 To the Criminal Judge in the Zilla of Nellore

Sir I am directed to acknowledge the receipt of your
letter of the 30.th Ultimo and to inform you that under the circumstances
therein stated and with reference to the previous correspondence
on the subject the Judges of the Foujdaree Adalut authorise
the examination of the Case of the Prisoner Bollah Kristniah
being proceeded with by the Judge presiding at the present Sessi-
ons of Jail Delivery at Nellore.—

12.th February 1829 (signed) A. D. Campbell Register

To

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

N.8

Sir

I am directed by the Court of Foujdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the enclosed copy of a letter from the Criminal Judge of Nellore, and under the circumstances therein stated to recommend that, according to section III Regulation II 1827, the prisoners specified by him be sent for commitment to the Criminal Judge of Guntoor —

18th February 1829

/ signed/ A. D. Campbell Registr

N.43 To the first Judge of the Provincial Court of Circuit Centre Division

Sir

In acknowledging the receipt of your letter under date the 2d Instant, with the Chittoor calendars for the first quarterly Sessions of 1829 I am directed by the Court of Foujdaree Adalut to observe that in the case N.1. the futwa having convicted the prisoner of Surka and declared him liable to discretionary punishment in consequence of Kud being barred by a scrupulous destinction such as is alluded to in clause 4th Section II Regulation XV 1803, a second futwa should have been taken, and under it sentence to the effect stated should have been passed. In the case N.4 also, the prisoner having been convicted only under strong presumptive proof, such as is alluded to in clause third of the section before quoted a second futwa should have been taken and the prisoner under it sentenced to 7 years imprisonment, unless there were grounds for your recommending a mitigation thereof under section IV Regulation I. 1825 but it is not now requisite to

to disturb the sentence you have passed —

18th February 1829 / signed/ A. D. Campbell Registr

N.44 To the Second Judge of the Court of Circuit in the Western Division

Sir,

1. In acknowledging the receipt of your letter under date the 17th Ultimo, with the calendars for the auxiliary Court of Malabar at the 4th quarterly Sessions of 1828 I am directed by the Court of Foujdaree Adalut to observe, with reference to the case N.11 in the Calendar, that they do not concur with you in opinion that "a single evidence to one fact would be of no avail to a prisoner - On the contrary a single witness whose testimony is clear and consistent, especially if his character is good may out weigh the evidence of many of the opposite description" The Judges accordingly direct that you will forward to them an English translation of that trial —

2. The Judges observe that under section XIII Regulation VI 1827, it was competent to you to direct the prisoner in that case to be worked in irons, but not specify the nature of his labour, which the law leaves to the discretion of the Criminal Judge —

3. You will explain whether the indictment in the case N.1 on the supplemental calendar was drawn up with form directed by this Courts orders of the 31st January 1820 for from the abstract given in the calendar this does not seem to have been the case —

You will state whether the first witness in the case N.11 may not still be committed for perjury —

18th Februy 1829 / signed A. D. Campbell Registr

N.46 To the Criminal Judge in the Zilla of Nellore.

Transmitting copy of a letter from the Secretary to Government in the Judicial Depart.t authorizing him to send certain prisoners to be tried at the ensuing Sessions at Guntoor for the Highway Robberies stated to have been committed by them.—
23. Febry 1829.

N.47 To the Secretary to Government N.9 / sent usual letter /
in the Judicial Department.

1 Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you, for the purpose of being laid before the Right Honble the Governor in Council, Copy of a letter dated 9th Instant from the Southern Provincial Court of Circuit submitting an application from the joint Criminal Judge of Salem for sanction of the levy of 6 Peons of the Jail Guard retrenched by the auditor from the 1st april last.—

2 Under the explanation afforded in the enclosed correspondence, the Judges recommend that the sanction of Government may be granted accordingly.—

3 Copy of the letter referred to by the joint Criminal Judge from this Court dated 27th December 1827, is also forwarded.—
23d February 1829.— / Signed A. D. Campbell Register.

N.48 Circular

the same to the Northern Div.n Southern Div.n & Western Division

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

Gentlemen,

The Government having in pursuance of orders from the Honble the Court of Directors called for information to "whether the Judicial Authorities take cognizance of immolations among the widows and female relatives of Hindoo Sepoys," I am directed by the Judges of the Foujdaree Adalut to request that you will communicate on the subject with the several Criminal Judges and Magistrates under Jurisdiction of your Court and submit the result of their reports, to enable the

the Judges to furnish the information required.—
23d February 1829 / Signed A. D. Campbell Registr.

Circular

N.49 To the 4 Provincial Courts of Circuit

1 With reference to my letter under date the 9th Instant last, I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you, for circulation to the several Magistrates in your Division, the enclosed printed forms for the half yearly Criminal Statements, to be filled up by them, and to communicate to you, for their information, the following remarks thereon, in consequence of a letter addressed to the Provincial Court in the Centre Division by the Magistrate of Cuddapah, and forwarded by them on the 13th Instant.—

2 The "false complaints of offences" specified in "which forms the 8th item in the first Statement, has reference to section XXXV Regulation IX 1816, and the blank is to be filled up by quoting either section XXXII or XXXIII, or both those sections of that law.—

3 In the Statement N.2 the Column 3 will contain all the cases specified in Column 2, because, if the person who committed a crime is not "discovered" or ascertained, he cannot be "apprehended", but it will also contain in addition, those who have been discovered, but have as yet eluded seizure by the Police.

4 Theft is distinguished from Robbery by it's being a secret taking away - whilst the other is open, by violence or dread. Any Robbery by more than one individual is a Gang-robbery & is to be classed as such. It is hardly necessary for the Judge to add that this explanation for the guidance of the

of the Magistracy in filling up the enclosed Statements
not affect, in any respect, the definition of the crime techni
known to the Judges of Circuit, by the name of "Robbery
"open violence" as explained in section III. Regulation IV
5.

By the term misdemeanour, the English
distinguishes all indictable offences which do not amount
felony from felony itself, but in the enclosed Statements
wounds" "Crimes and misdemeanours" are used as including
both of a higher and a less atrocious description punishable
Criminal and Superior Courts, as contradistinguished from
"petty offences" punishable by the Magistracy on the police
under them, specified in No. 1

23. February 1829 / signed A. D. Campbell
No. 50 To the Provincial Court of Circuit in the
Western Division

Transmitting Copy of a letter from the Secretary
Government in the Judicial Department authorizing the
employment of a translator with a salary of 70 Rupees per
on the establishment of the Zilla Court of Malabar.

23. Febry 1829. / sent usual letter /
No. 51 To the Criminal Judge in the Zillah of Sou
Returning the Notices which have been endorsed
the Nazir of this Court.—

23. February 1829
No. 56 To the 3d. Judge of Circuit in the Centre
Sir, Division

I have the honor to acknowledge the receipt
your letter under date the 21st instant and to apologize

the Judges of the Court of Foujdaree Adalut under the provi
sions of section III. Regulation I. of 1825 sanction your propose
tion to mitigate the punishment of the Prisoner Boodavaloo
convicted of Highway Robbery in Case No. 23. of the Cuddapah
Calendar for the 1st Sessions of 1829. to 4 years imprisonment
with hard labour in irons.—

28th February 1829. / signed A. D. Campbell Register
No. 57 To the 2d. Judge on Circuit in the Southern Division
Combaconum

Sir,

I am directed by the Judges of the Foujdaree
Adalut to acknowledge the receipt of your letter of the 21st Inst.
and to acquaint you that under the circumstances of the case,
they authorize you under the provisions of section III. Regula
tion I of 1825 to commute the punishment of the Prisoners
Chelemben & Airaum in Case No. 16. of the Combaconam
Calendar to 5 years imprisonment with hard labour in irons,
as proposed.—

28th February 1829 / signed A. D. Campbell Register
No. 58 To the Acting first Judge on Circuit in the
Northern Division

Sir,

In reply to your letter of the 24th Instant I am
directed by the Judges of the Foujdaree Adalut to inform
you that they are of opinion that two Cases alluded to in
your letter should be deferred until the next Sessions. It
is desirable that the other business of your Circuit should
not be impeded by your longer detention at Guntoor and
considerable delay would attend the necessary reference to
Government. Besides this, the Judges do not see the propriety

of

of the Magistracy in filling up the enclosed Statements not affect, in any respect, the definition of the crime technically known to the Judges of Circuit, by the name of "Robbery by open violence" as explained in Section III. Regulation XV

By the term "misdemeanour" the English Law distinguishes all indictable offences which do not amount to felony - from felony itself - but in the enclosed Statements "wounds" "Crimes and misdemeanours" are used as including offences both of a higher and a less atrocious description punishable by the Criminal and Superior Courts, as contradistinguished from "petty offences" punishable by the Magistracy or the police under them, specified in No. 1

23d. February 1829

No. 50 To the Provincial Court of Circuit in the Western Division

/ signed A. D. Campbell Register

Transmitting Copy of a letter from the Secretary to Government in the Judicial Department authorizing the employment of a translator with a salary of 70 Rupees per month on the establishment of the Zilla Court of Malabar.

23d. Febry 1829.

No. 51 To the Criminal Judge in the Zillah of Canara

/ sent usual letter /

Returning the notices which have been endorsed by the Nazir of this Court.—

23d. February 1829

No. 52 To the 3d. Judge of Circuit in the Centre Division

/ sent usual letter /

Sir,

I have the honor to acknowledge the receipt of your letter under date the 21st. instant and to advise you

the Judges of the Court of Foujdaree Adalut under the provisions of Section III. Regulation I. of 1825 sanction your proposition to mitigate the punishment of the Prisoner Boodavaboo convicted of Highway Robbery in Case No. 23. of the Cuddapah Calendar for the 1st Sessions of 1829 to 4 years imprisonment with hard labour in irons.—

28th. February 1829

/ signed A. D. Campbell Register

No. 57 To the 2d. Judge on Circuit in the Southern Division Combaconum

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 21st. Inst. and to acquaint you that under the circumstances of the case they authorize you under the provisions of Section III. Regulation I of 1825 to commute the punishment of the Prisoners Chelemben & Airavan in Case No. 16. of the Combaconum Calendar to 5 years imprisonment with hard labour in irons, as proposed.—

28th. February 1829

/ signed A. D. Campbell Register

No. 58 To the acting first Judge on Circuit in the Northern Division

Sir,

In reply to your letter of the 24th. Instant I am directed by the Judges of the Foujdaree Adalut to inform you that they are of opinion that two Cases alluded to in your letter should be deferred until the next Sessions. It is desirable that the other business of your Circuit should not be impeded by your longer detention at Guntoor and considerable delay would attend the necessary reference to Government. Besides this, the Judges do not see the propriety

of

of recommending a conditional pardon in this case if further evidence is forthcoming sufficient to convict the 1st prisoner in No 1 of which there appears some hope and they would require further information respecting the second Case before they would deem themselves justified in proposing that the pardon should extend to it also - you will therefore defer these trials; and if other evidence sufficient for conviction of the 1st prisoner in No 1 is not forthcoming you will direct the Criminal Judge to forward copies of the proceedings in both cases to this Court with his application for a conditional pardon to the accomplice.—

28th February 1829

(signed) A. D. Campbell
Registr

No 60 To the Judges of the Provincial Court in the Northern Division

Gentlemen,

1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your Register's letter dated 19th December last with Copy of a communication from the Magistrate of Masulipatam.—

2 The Magistrate requests instructions for his guidance in the Case of a Native Seaman named Buzoo who he had been desired to apprehend and send on board the Vessel from which he was said than deserted. He states that the man was not apprehended in time to send on board before the Vessel quitted Masulipatam, but had it been otherwise, as he quitted the ship at Ponany, on the Malabar Coast, on a former voyage, he the Magistrate was doubtful whether he possessed any authority to compel him to return on board. He goes on to say that in an ordinary Case he considers that, under the general instructions of Government, the Magistrate possesses authority to apprehend and send on board all persons deserting from ships, but he is not whether he can inflict any punishment for such offence. And concludes with stating that the man is under restraint, having a Peon over him.—

3. No provision being made in the Regulations for such a Case the Judges of the Foujdaree Adalut in reference to Section VII Regulation X 1826 consulted their Law officers as to whether a Seaman deserting from a Vessel in which he has engaged to serve is punishable under the Mohomedan Law, they have declared that he is not punishable.—

4 The Judges accordingly direct that the Magistrate of

Masulipatam

Rasulipatam be instructed forthwith to release the Seaman Burn from restraint.—

5 You will call on the Magistrate to transmit to you for the information of this Court copies of the orders of Government to which he refers.—

6th March 1829. (signed) A. D. Campbell Register

No 61 To the 4 Provincial Courts of Circuit

Circular

With reference to my letter under date the 8th Janry I am directed to transmit to you the accompanying 12 printed Copies of the Form No 4 for the half yearly Criminal Statements to be furnished by your own Court—as also 7 printed Copies of Form No 3 for each of the Courts within your division which I have to request you will forward to the several Criminal Courts within your jurisdiction.—

6th March 1829. (signed) A. D. Campbell Register

No 62 To the Criminal Judge in the Zillah of Guntoor

Sir,

I am directed by the Judges of the Toyjdaree Adalut to acknowledge the receipt of your letter of the 28th Ultimo, and to transmit two printed Copies of the Statement of Crimes and punishments for the use of your Court.

6th March 1829. (signed) W. B. Anderson Actg Senr Deputy Register

No 66 To the Judges of the Provincial Court of Circuit in the Western Division

Gentlemen,

1 In acknowledging the receipt of your letter under date the 6th Ultimo I am directed by the Judges of the Toyjdaree Adalut to state that public Officers in the sufficient branches of the same service ought ever with each other in the courtesy which should

distinguish all public correspondence—not intrude upon the more important avocations of their superiors with discussions on a subject so utterly unimportant as the style of address.—

2 Whatever may be the respective situations of the parties the most courteous must ever be the most proper mode of address—and though officers at the heads of departments may find it facilitate the public service to address their subordinates thro' the medium of the native languages when the officers of different departments address each other it is usual that the subject should be fully explained in English—any enclosure in the native language being only to elucidate details.—

3 The Judges will expect you to repress any attempt at making such a Subject the matter of further official discussion.—

10th March 1829 (signed) A. D. Campbell Register

No 68 To the Criminal Judge in the Zillah of Combaconum

Sir, With reference to the Acting Criminal Judge's letter of the 28th Ultimo and its enclosure from the Magistrate of Tanjore, I am directed to acquaint you that the Judges of the Toyjdaree Adalut approve of the Arrangement proposed for conveying the Convict* Herein mentioned to Chicacole Viz.th that the escort of Peons furnished by the Magistrate of Tanjore be relieved by Peons of the Magistrate of Chingleput who will conduct the Prisoner to Nellore the Magistrate of which Zillah will cause him to be conveyed to Rajahmundry whence the Prisoner will forwarded to Chicacole and will transmit the requisite instructions accordingly to the Magistrates in the several Zillas of Chingleput, Nellore & Rajahmundry.

*Vilasa Shravagar

13th March 1829. (signed) A. D. Campbell Register

No 69 To the Magistrate in the Zillah of Chingleput

Sir, I am directed by the Judges of the Toyjdaree Adalut to transmit for your information and guidance the annexed Copy of a letter under this date to the Criminal Judge in the Zillah of

The same to the Magistrate of Nellore & Rajahmundry

Masulipatam be instructed forthwith to release the Seaman Bowen from restraint.—

5 You will call on the Magistrate to transmit to you for the information of this Court copies of the orders of Government to which he refers.—

6th March 1829. (signed) A. D. Campbell Register

No 4. To the 4 Provincial Courts of Circuit

Circular

With reference to my letter under date the 8th Janry I am directed to transmit to you the accompanying 12 printed Copies of the Form No 4 for the half yearly Criminal Statements to be furnished by your own Court—as also 7 Printed Copies of Form No 3 for each of the Courts within your division which I have to request you will forward to the several Criminal Courts within your jurisdiction.—

6th March 1829. (signed) A. D. Campbell Register

No 62 To the Criminal Judge in the Zillah of Guntoor,

Sir, I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 28th Ultimo, and to transmit two printed Copies of the Statement of Crimes and punishments for the use of your Court.

6th March 1829. (signed) W. B. Anderson—Actg Senr Deputy Register

No 66. To The Judges of the Provincial Court of Circuit in the Western Division

Gentlemen, In acknowledging the receipt of your letter under date the 6th Ultimo I am directed by the Judges of the Foujdaree Adalut to state that public Officers in the Sufficient branches of the same service ought ever with each other in the courtesy which should

should distinguish all public correspondence—not intrude upon the more important avocations of their Superiors with discussions on a subject so utterly unimportant as the style of address.—

2. Whatever may be the respective situations of the parties the most courteous must ever be the most proper mode of address—and though officers at the heads of departments may find it facilitate the public service to address their subordinates thro' the medium of the native languages, when the officers of different departments address each other it is usual that the subject should be fully explained in English—any enclosure in the native language being only to elucidate details.—

3 The Judges will expect you to repress any attempt at making such a Subject the matter of further official discussion.

10th March 1829 (signed) A. D. Campbell—Register

No 68 To the Criminal Judge in the Zillah of Combaconum

Sir, With reference to the Acting Criminal Judge's letter of the 28th Ultimo and its enclosure from the Magistrate of Tanjore, I am directed to acquaint you that the Judges of the Foujdaree Adalut approve of the Arrangement proposed for conveying the Convict herein mentioned to Chicacole, Viz: that the escort of Peons furnished by the Magistrate of Tanjore be relieved by Peons of the Magistrate of Chingleput who will conduct the Prisoner to Nellore the Magistrate of which Zillah will cause him to be conveyed to Rajahmundry whence the Prisoner will forwarded to Chicacole and will transmit the requisite instructions accordingly to the Magtes in the several Zillas of Chingleput, Nellore & Rajahmundry.

Velasa Shravagar

12th March 1829. (signed) A. D. Campbell—Register

No 69. To the Magistrate in the Zillah of Chingleput

Sir, I am directed by the Judges of the Foujdaree Adalut to transmit for your information and guidance the annexed Copy of a letter under this date to the Criminal Judge in the Zillah of

The same to the Magistrate of Nellore & Rajahmundry

of Combaconum, respecting the conveyance of a Convict from the Jail of that Zilla to Chicacole.—

12th March 1829.

/signed/ A. D. Campbell Register

N.º 70

N.º 12

To the Acting Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for the purpose of being laid before the Right Honble the Governor in Council copy of a letter dated the 3d Instant from the acting First Judge on Circuit in the Northern Division on the subject of the Jails at Guntoor.

2 The Judges are of opinion that Mr Garrow's report is deserving of the early consideration of Government.—

12th March 1829.

/signed/ A. D. Campbell Register

N.º 71 To the Magistrate in the Zillah of Chingleput.

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that the Statement required by Section XX Regulation IX of 1816 from your Zillah for 1828 may be transmitted to this office with as little delay as possible; those from the other Zillahs having been all received.—

19th March 1829.

/signed/ A. D. Campbell Register

N.º 72 / N.º 13 /

To the Acting Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of Mr Secretary Maclean's letter of

of the 16th December last N.º 648, and to transmit to you for the purpose of being laid before the Right Honble the Governor in Council, Copies of the letters noted in the Margin, which have been received in answer to the reference it was deemed necessary to make on the subject to the Judges of the Northern and Western Provincial Courts.—

Letter from the Judges of the Western Prov.l Court dated 7th January 1829.
Letter from the Register to the Northern Prov.l Court dated 23d Jan.y 1829. with 1 enclosure.—

2. The Judges of the Western Provincial Court approve of the rule suggested by the Judges of the Provincial Court in the Southern Division that the rate of Batta to be allowed to any native servant of a Provincial Court, when on Circuit, should never exceed half his salary. The Judges of the Foujdaree Adalut are accordingly of opinion that this rule may be adopted as regards the Southern and Western Provincial Courts. They however do not consider it advisable to extend it to the other two Provincial Courts.—

3. It would appear indeed that the Commissioners for the revision of the Civil Establishment were satisfied of the inexpediency of adopting it in the Centre Division, for the reasons urged by the Judges of that Court.— See 3d Para of their Letter to Govt dated 29th Nov.r 1828.

4 By the Statement received from the Northern Court it will be seen that the Native establishment attached to a Judge on Circuit in that Division, is on a scale considerably less than in the Centre Division both as regards the number of persons and the amount of several of their salaries, also that the Batta paid at present to native servants while on Circuit in the Northern Division amounts to Rupees 150. 8. monthly or per annum Rupees 1806. and that if the rule suggested were to be adopted the monthly saving would be only Rs. 62. 6. 8, or per annum Rs. 749.—

5 It is true that according to this Statement there would be a saving of nearly one half of the present charges on account of Batta, but adverting to the moderate scale upon which both the salaries and the rates of Batta appear to have been fixed for the Native servants on the establishment of the Northern Court and

to

to the opinion of the Judges of that Court recorded in the 2d Para of their proceedings, that "it would be highly inexpedient to adopt "either generally or partially the rule referred to; the Judges of the Foujdaree Adalut are not disposed to recommend any reduction in the rates of Batta allowed to the native servants of that Court while on Circuit.—

23d March 1829.

/Signed/ A. D. Campbell Register

No. 73. To the Criminal Judge in the Zilla of Canara.

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 9th Instt. and to desire that the convict Sonagar Krishna may undergo the additional sentence of imprisonment in the same Jail to which he has been already ordered to be removed.—

26th March 1829.—

/Signed/ A. D. Campbell Register

No. 74

To the Acting Secretary to Government in the Judicial Department

No. 14

Sir,

With reference to the provisions of Section IV. Regulation II. of 1827 I am directed by the Judges of the Foujdaree Adalut to transmit to you, to be laid before the Right Honble the Governor in Council copies of a letter dated the 23d Instant and of its enclosure, from the second Judge on Circuit in the Southern Division, and to observe that the Judges do not consider it necessary that there should be a separate Jail delivery at Coimbatore, there appearing to be only 3 Cases, containing 6 Prisoners on the Calendar of the Joint Criminal Judge at that station for the first Sessions of 1829. They would therefore recommend that the Judge on Circuit be authorised to hold a general Jail delivery for the whole Zillah at station.—

30th March 1829.

/Signed/ A. D. Campbell

Register

No. 75 To The third Judge on Circuit in the Centre Division.

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 6th ultimo reporting on the case of Vapoo Gungoolee the Prisoner in No. 26 of the Cuddapah Calendar Second Sessions 1828.—

2 The Judges remark that on the insanity of the Prisoner at the time he committed the act with which he was charged being established, as it appears satisfactorily to have been, it was competent to you immediately to acquit him, recording his acquittal in the usual manner, agreeably to their orders of the 27th April 1825.—

3 Under the circumstances represented in your letter the Judges concur with you in opinion that notwithstanding the favorable change which has taken place in the Prisoner as regards the recovery of his reason, since he has been under the care of an European medical officer, it would not at present be advisable to release him from confinement, and they accordingly direct that the Criminal Judge may be instructed not to set him at liberty until they can be satisfied by future reports that his discharge will not be attended with danger to the community.—

2d April 1829. /Signed/ A. D. Campbell Register

No. 76. To the 2nd Judge on Circuit in the Southern Division.

Transmitting copy of a letter dated the 3d Instant, from the Judicial Secretary to Govt ordering that a General Jail Delivery for the whole Zillah of Salem be held at the Station of the Zilla Court on the occasion for the 1st Sessions of 1829.

6th April 1829.—

No. 77 A To the Acting Secretary to Government in the Judicial Department

No. 15

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you, to be laid before the Right Honble the Governor in Council the annexed copy of the letter dated the 1st Instant from the Criminal Judge in the Zilla of Cuddapah, and to recommend that authority may be granted, agreeably to his application for the investigation and disposal

in

in the Criminal Court of that Zillah of the case of the Prisoners Mullegaoos therein mentioned:—

6th April 1829.

No. 77 To the Criminal Judge in the Zillah of Combaconum

/Signed/ A. D. Campbell - Register

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 13th Ultimo to which you, that under circumstances therein represented they see no objection your defraying the travelling expences of the Garrison Assistant Surgeon at Nagapatam according to the established rates; the amount of the Bill being included in the Contingent charges of your Court.—

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

13th April 1829.—

/Signed/ A. D. Campbell - Register

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 17th Ultimo requesting instructions respecting three prisoners who have been forwarded to your Court by the Head Assistant Magistrate of Trichinopoly on a charge of Burglary committed in the Tondiman Country; and to inform you that if the Prisoners are subjects of the British Government, the Judges should proceed in the manner prescribed by Regulation a of 1827. If however they are subjects of Tondiman, the Judges observe that you should communicate with the British Resident at Tanjore regarding the disposal of them.—

No. 79 To the Magistrate in the Zillah of Salem.

13th April 1829.—

/Signed/ A. D. Campbell Register

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 23d February which was delivered on the 20th Ultimo by a Peon and to explain to you that the Circular orders of this Court under date the 4th August 1824 apply excluding to the process of Arrest by warrant and that in Cases like the present nothing further is necessary than that a summons drawn out in the prescribed form, would be enclosed in a letter to the Register, when the

the same will be served by the proper officer of the Court.—

2. The Summons however transmitted with your letter being irregular in not specifying the day fixed for the attendance of the Witness I am desired to return it to you.

13th April 1829. /Signed/ A. D. Campbell Register

No. 84 To the Secretary to the Military Board,

Transmitting an Indent for 6 new Cat of Nine tails from the Criminal Judge of Combaconum to be supplied.—

/ Sent usual Letter /

18th April 1829.

No. 85 To the Secretary to the Military Board,

Transmitting an Indent for 45 Cats of Nine tails from the Magistrate of Guntoor, to be supplied.—

/ Sent usual Letter /

18th April 1829

No. 86 To the Secretary to the Military Board,

Transmitting an Indent for a Supply of Cats of Nine tails from the Criminal Judge of Guntoor to be supplied.—

Circular

No. 87 To the Judges of the Provincial Court of Circuit

in the Centre Division

No. 2 Same to the North, South & Western Courts

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit to you the annexed copies of a letter dated the 17th Ultimo from the Acting Secretary to Government in the Judicial Department and of its accompaniment and to desire that the same may be circulated for the information and guidance of the several Criminal Judges and Magistrates within your jurisdiction, it being understood, to be the intention of Government that the Criminal Judges as well as the Magistrate should indent for Cats o' nine-tail in the manner pointed out to the Military Board.—

18th April 1829. /Signed/ A. D. Campbell - Register

(No 16)

No. 88 To The Secretary to the Government

in the Judicial Department.

Sir,

I am directed by the Foujdaree Adalut to acknowledge the

the receipt of the orders of Government under date the 29 July last.—

2 In conformity with the instructions therein contained the Judges called for the records of the trials of the Sixteen persons there in confinement whose cases were directed to be revised and on due consideration thereof — issued orders

on the 27th November 1828 for the release of ——— 2
" " 18. February 1829 for the release of ——— 10
and this day ——— for the release of ——— 2
making altogether ——— 14

directed to be released forthwith.—

The Provincial Court of Circuit in a letter of the 26th Jany 1829. have reported the death of ——— 1 15
and there accordingly remains only one person now in confinement.

3. The Judges have directed this mans case to be brought before the Judge on Circuit, in order that he may pass such order respecting him, as he may deem proper, under Regulation VI. 1827.

The causes which prevented his unconditional release are detailed in their proceedings of the 18 February extract from which is under / para 5 to 7 / for the information of Government and of the Honble Court of directors.—

18th April 1829.— / signed / A. D. Campbell — Register

No. 89 To the Second Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 10th Instant and to acquaint you that, under the circumstances of the Case, they authorize you under the provisions of section III Regulation I of 1829 to commute the punishment of the prisoners Chellunder, and Copagunda in Case No. 23. of the Salem Calendar, to three years imprisonment with hard labour in irons, as proposed.—

18th April 1829 / signed / A. D. Campbell Register

No. 90 To the Provincial Court of Circuit Northern Division for the Centre Division

Gentlemen,

The object which the Right Honble the Governor in Council had in view in directing the Statements of the Criminal Judges to be forwarded monthly, from the commencement of the present year, instead of quarterly as before, will be entirely frustrated unless the several Provincial Courts enforce the due and early transmission of these documents and submit them regularly to this Court within the month after they are due.—

2. It is therefore with great regret the Judges have perceived that the western Court alone has forwarded these documents for the months of January and February and that in the month of April, they are still due from the other three Provincial Courts for these two months.—

3. I am accordingly directed to bring this omission to your notice, and to desire that it be remedied and that effectual measures be adopted to ensure the prompt transmission of these returns.—

21st April 1829. / signed / A. D. Campbell. Register

No. 91 To the Judges of the Provincial Court of Circuit in the Northern Division

Gentlemen,

1. Besides the Statements due from you in the Civil Department, the Judges of the Foujdaree Adalut observe that the quarterly Criminal reports to the 31st December 1828 are three months due from your Court, and are due from it alone—

2 As the Criminal duties in your division are so much lighter than those elsewhere a different result might have been expected — the Judges therefore desire that the Statements in question be forwarded without delay.—

3. You will be pleased to acknowledge the receipt of this letter as soon as it reaches you.—

21st April 1829 — / signed / A. D. Campbell Register

No. 92 To the Criminal Judge in the Zillah of Cuddapah

Desiring them to send up to this Court the last Qr. Report prescribed by section XXXV Regulation X of 1816 up to 31st December 1828.—

23d April 1829 / sent usual letter /

To

No. 93 To the Secretary to Military Board

Sir,

I am directed by the Court of Foujdaree Adalut to transmit to you the accompanying copy of a letter from the Joint Criminal Judge in the Zillah of Malabar with a correspondence between that Officer and the Military Board and to request that the supply of Cats-of nine tails therein required may be furnished.—

23d April 1829.

No. 94 To the Secretary to the Military Board.

(signed) A. D. Campbell Register

Sir,

I am directed by the Foujdaree Adalut to transmit to you the accompanying Copy of a letter from the Criminal Judge of the Zillah of Salem and to request that the Supply to Cats of Nine tails therein required may be furnished.—

23d April 1829.

No. 95 To The Secretary to Government in the Judicial Department.

(signed) A. D. Campbell Register

No. 171

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you, for the information of Government the accompanying General Abstract Statement of the Criminal trials, in which Sentences were passed during the last year 1828. with a similar Statement shewing the cases, in which, notwithstanding acquittal by the law officers conviction by the Judges took place, under Regulation I. 1818.—

2. In the 20 cases in which acquittal by the law officers proceeded on mere personal objections to the evidence, arising from their station, profession, situation and other similar considerations repugnant to the principles of British justice, the Judges do not deem it necessary to enter into any detail of the grounds of their own convictions.— The causes and the Judges, in the 16 other cases over ruled the law officers acquittals founded upon different grounds are detailed in the following notes upon the several trials which under the orders of the Honorable Court of Directors, communicated by

by Government to this Court on the 15th April last, are now submitted, for their information.—

1st Consisting of 2 cases.

No. 6. Combaconum Calendar 1st Sessions of 1827.

Prisoners-1st Coony Cauler,
2d Nullatomby,
3d Vydenadum.

No. 12. Combaconum Calendar 2d Sessions of 1827.

Prisoners-1st Veeramalay alias Appoo
2d Pareemanum alias Cautan.

3. The prisoners in these two Cases were charges with an atrocious murder, committed at the village of Tripilatoray in the Conaud Talook of the Trichinopoly District. There were 5 witnesses who distinctly swore that they saw the prisoners taking an active part in the murder, but the Law officers considered their evidence not entitled to credit, on account of the discrepancy between their depositions before the Magistrate, the Criminal Judge, and the Court of Circuit respectively. There were several other witnesses who deposed to circumstances corroborative of the charge against the prisoners, but the Law officers considered their evidence of no avail to the prosecution, and they acquitted the prisoners.

4. The principal witnesses in both these trials were the same. In the opinion of the Court it would not possibly expected that the eye witness of a scene like that which was the subject of these trials should agree in their detail of all the occurrences, and their evidence before the Magistrate, the Criminal Judge and the Court of Circuit, though varying in some particulars, appeared to be as consistent with itself as could be expected from men in their class of life more especially considering the time which elapsed between their different examinations. as to the most material facts their relations was throughout substantially the same, and their contradiction of themselves and of each other, under all the circumstances, did not appear to the Court to be such as to affect the general credibility of their testimony

more—

more particularly as it was corroborated by strong collateral evidence
The Court therefore overruled the Fatwa in these cases, and sentenced
all the prisoners to suffer death.—

3d Case

No 7 Chittoor Calendar 4th Quarterly Sessions 1827.

Prisoners 1st Beemun,

2d Poongan,

5. The two prisoners in this case stood charged with
robbery and murder committed on the person of a female who went
6. to gather fruit in the jungle of which they were inhabitants.—
The Law Officers convicted the first prisoner on his
confession before the Criminal Court, but acquitted the 2d prisoner
on the ground that his confession before the police, attested by two
7. witnesses, and confirmed by two others, was insufficient evidence.—
But besides this confession which was fully proved,
to have been voluntary and which coincided with that of the first
prisoner, it was proved in evidence by the two witnesses last alluded
to that part of the stolen property, consisting of a brass ring was found
upon, and produced by the 2d Prisoner and it appeared that, on the
occurrence of the crime he had absconded from his hut.— On these
grounds the 1st and 3d Judges concurred in his conviction, and
sentence of death was passed and executed on both of the prisoners.

4th Case.

No 11 Calendar of the Malabar Auxiliary Court,
4th Quarterly Sessions of 1827.

Prisoner, Payen Coonhy Cheeken

8. The prisoner in this case was charged with having
stabbed the prosecutor with a knife.— In addition to the prosecu-
tor there were two witnesses who distinctly swore to the prisoner's
commission of the crime charged.— The evidence of one of them was
rejected by the Law Officers, because in answer to one question
he said he saw the prisoner come from East to West and that the
prosecutor

prosecutor and in answer to another he said the prisoner came from West to
East, and they acquitted the prisoner, the testimony of the other witness alone
being insufficient for conviction.—

9. It appeared to the Court that the alleged contra-
diction, which most probably was a mistake of the writer who took
down the deposition, or at all events admitted of easy explanation, if
it had struck the Judge who presided at the trial, was quite insuffi-
cient to discredit the evidence. They therefore overruled the Fatwa, &
sentenced the prisoner to imprisonment and hard labor for two years.—

5th Case

No 21 Bellaree Calendar 2d Sessions 1827.

Prisoner Tippoogaudoo.

10. This prisoners was charged with the murder of a female
with whom he cohabited.—

11. The Law officers acquitted him, because his confession
of the crime was before the police uncorroborated by evidence in their
opinion sufficient for conviction. But on the trial, in addition to
ample proof of the voluntary nature of his Talook confession,
in which he stated her connexion with others to have been the cause
of the crime, it appeared that he had been convicted of theft &
forbidden by the police to associate with her. Her sister swore
that he notwithstanding came after a lapse of several days at midnight
when, on the deceased consenting to pass the night with him, she left
him alone, and next morning the deceased was found strangled. another
witness deposed that before day light, when she went out to seek a
light. the prisoner was coming out of the house of the deceased.
but on seeing her retired. a third deposed that on the evening of
the murder, before it was dark, the prisoner asked him for some
flax to make a rope. and that the flax of the rope found
round the neck of the deceased corresponded therewith, and a fourth
deposed that on the same evening he saw the prisoner making the
very rope which in the morning was found loose round the neck

of

of the deceased, whom their evidence proved to have been strangled by it-
On these grounds, the Judges convicted the prisoner, on whom sentence
of death was passed and executed.—

6th Case,

No. 23. Bellaree Calendar 2d Sessions 1827.

Prisoner, Venkatasawmy.

12. The prisoner in this case, a native Shoemaker of the lowest cast, stood charged with the crime of rape, on the person of a female only nine years of age, of European parents- the father being a Serjant in His Majestys 41st Regiment. The Mussulman Law Officers acquitted him, because there were no eye witnesses to the crime, as required by their law- But it was clearly proved by the testimony of the child herself- her parents- and the European Medical officers of the Regiment, who examined her person, as well as that of the prisoner that the Crime had been committed, but not so as to cause permanent injury- It was aggravated, however, by the communication to the child of a dis-graceful disease, under which the prisoner at the time labored- and as this appeared a case of peculiar atrocity, the Judges sentenced the prisoner to transportation for life.—

7th Case.

No. 18. Cuddapah Calendar 2d Sessions 1827.

13. Of the 15th prisoners tried in this case 9 were released by the Judge on Circuit, and the cases of the remaining six were referred to the Foujdaree Adalut. Their names were.—

1st Gows Khan
2d Yasem Khan
3d Mohummud Sheriff.
6th Sheik Boodeen
10th Karroocoity Shaik Nasar,
14th Sheik allee

14th The charge against the prisoners was that they assault-ed as Lance Naik and a party of recruits belonging to the 8th Regiment of

of Native cavalry, while halting in a travellers house at Akbul in the Gooramconda Talook, that they wounded the Naik, and killed a Merchant, who was halting with the recruits at the same place.—

15. There were 20 witnesses examined for the prosecution in this case, but the law Officers rejected the evidence of 10 who were all eye witnesses of the assault, both because they stood in the light of prosecutors, and because on their different examinations they con-tradicted themselves and each other, and they considered the evidence of the remaining witnesses, which was chiefly of a circumstantial nature, as of no avail to the prosecution- the Futwa therefore acquitted the prisoners.—

16. It appeared to the Court that the evidence of the eye witnesses referred to was as clear and consistent, and exhibited as few contradictions as could reasonably be expected considering the tumult and confusion of the scene described by them;- It was moreover corroborated by circumstantial evidence of great weight and importance in the judg-ment of the Court, though disregarded by the law officers; and the Futwa was therefore over-ruled. Two of the prisoners were sentenced to be transported for life, one was sentenced to imprisonment and hard labor for ten, and another for eight years and the remaining two were ordered to be released on finding two sureties in 50 Rupees each for their good behaviour and appearance when required for three years.—

8th Case

No. 28. Malabar Calendar 2d Sessions 1827

Prisoner- Valia paramtiala Ummun Chatoo

17. The prisoner in this case was accused of murder by stabbing the deceased below the navel, and inflicting a wound which in 4 days caused his death- He was acquitted by the law officers, because there were no witnesses either to his commission, or confession, of the crime- But the deceased, before his death, in a deposition given under apprehension of his approaching end, clearly described the wound to have been inflicted by the prisoner. Two witnesses declared

declared they heard him make such declarations. One witness who saw the quarrel deposed to the abusive term used stated by the deceased, and though he passed on and did not see the blow, he heard the deceased call out "I am stabbed to death" and declared that he instantly came staggering up wounded, declaring that it has been inflicted by the prisoner, of which caste the prisoner was. — In the house also of the prisoner there was found concealed a Knife, stained with blood, attempted to be rubbed off with lime, by which the wound seemed to have been inflicted. — Under these circumstances, the Judges convicted him of the murder, and sentence of death was accordingly passed and executed.

9th Case

Nos 2 Salem Calendar 2d Sessions of 1827.

Prisoners 1st Sugana.

2d Moota.

18. These prisoners were accused of having, with others, in a grang, attacked and plundered the prosecutor's temple situated on a hill in the Dungarecottah Talook of the Salem Zilla. The robbery was attended with acts of great violence and cruelty. —

19. The evidence against the prisoners was chiefly of a circumstantial nature to which the Mahomedan law attaches little weight, one witness, however, swore positively that the 1st prisoner was in the gang, holding a torch, but he was wounded with a sword, burnt, and otherwise ill-treated, and on this account as well as her sex her evidence was rejected by the Law Officers. The evidence of three other material witnesses was rejected, of one because there was an alleged contradiction in his testimony, of another because he was one of those who took the prisoners into custody, and of the third because he stood in the light of a prosecutor and the alleged confessions of the prisoners after they were apprehended were rejected as inadmissible having been made before. therefore acquitted the prisoners. —

The

20. The Court considered the evidence against the prisoners to be such as to be such as to leave no rational doubt of their guilt. The robbers were pursued and overtaken, and a part of their booty was recovered from them. They however made resistance, and two of them were shot. One witness swore that he saw the two prisoners leave their huts in company with two other persons, that they returned alone about 8 days afterwards, and that he heard upon inquiry that the other two had been shot. Two other witnesses swore distinctly that they saw the two prisoners in the gang when the conflict with them took place. It further appeared in evidence that the Police Peons who continued the pursuit were directed to the huts of the prisoners in consequence of the description which they gave of their persons, and in the hut of the 1st prisoner was found one of the articles plundered from the temple. In consideration of all these circumstances, coupled with the evidence of the woman who swore to the 1st prisoner is being a party concerned in the robbery, and with the confession made by the prisoners, the Court over ruled the Futwa and sentenced the prisoners each to receive 39 Stripes, and to be transported for life.

10th Case

Nos 10, 11, and 12 Chittoor Calendar 1st Quarterly Sessions 1829.

Prisoners 1st Davood Khan

2d Mootien.

21. These prisoners were charged with breaking into the hut of three Sepoys, and thence stealing property to the value of Rupees 58. The case came before the Court of Circuit, in consequence of the first prisoner having been formerly convicted of horse-stealing. The Law Officers acquitted both, because though part of the stolen property was recovered from each of the two prisoners stated that received it from the other, — and the persons to whom it was sold were not considered intitled to credit, because they exculpated themselves, nor did the law officers admit the evidence of the prosecutors as sufficient to prove that the recovered property was theirs. —

22. The Judges concurred in the acquittal of the 2d prisoner, yet as strong suspicion attached to him, they held him to security for future good behaviour. But the recovered property having been clearly identified by

two

two of the prosecutors, in the absence of the third with his corps, and one witness swearing that the first prisoner had offered it for sale as his own they convicted the first prisoner; and as an old offender, sentenced him to 7 years imprisonment and hard labour.—

11th Case

No. 2 Caddapah Calendar 1st Sessions of 1828.

Prisoners 1st Golla Bodegaudoo.

2d Golla Yerroogaudoo

25. The 1st prisoner in this case was charged with the murder of a woman with whom he cohabited and the 2d was charged with having assisted him in disposing of the dead body.—

26. It appeared in evidence that the deceased had had various intercourse with the first prisoner but that as her husband was still alive though long separated from her, she declined the solicitations of her paramour to reside openly with him, repeated on the night when he carried her away from her mother, on pretence of sending her back with a supply of lamp oil. This he failed to do, and absconded. On the third day afterwards the deceased was found murdered, with marks of great violence in a well. The first prisoner returned on the morning of that day and was observed by the mother to have changed his drawers. She immediately accused him; and on search, those he had worn when he carried away the deceased were found marked with blood, concealed in his house. One witness saw the first prisoner dragging the deceased forcibly by the hair on the night he took her away another saw both prisoners conceal the corps of the deceased, which he recognized by a mark spoken to by others, in a heap of straw; and a third saw them subsequently take the corpse thence, to the well where that of the deceased was found. The was confessed by the second prisoner. But because his confession was given before the police, and because the first witness who saw them bearing the corpse, has stated before the police that it was then dark, and that he asked the prisoners who they were, and what they were carrying, and the other did not clearly identify the corpse as that

of the deceased, the Mussulman Law officers acquitted both prisoners. The evidence in this case was chiefly that of females, to which the Mussulman law attaches little credit. But the Judges were of opinion that the proof above recited went to establish the crimes charged against the prisoners respectively. There was no doubt in their minds that the corpse carried away from the straw to the well was the identical one of the deceased, proved to have been concealed there and afterwards to have been found in the well. They therefore overruled the futwa, and passed sentence of death on the first prisoner, but as the second prisoner, who was his brother, had no part in the murder, but merely aided him subsequently in concealing the body, he was sentenced to only one years imprisonment.—

12th Case

No. 4 Masulipatam Calendar 1st Sessions 1828.

Prisoner. Audoortee Naugoo alias Lutchmee.

25. This was a female accused of inflicting several wounds on a child about six years of age, with a spear. She was acquitted by the Law officers, because her confession, that she did this when intoxicated, was given before the police, and in their opinion was not confirmed by other evidence. But the Judges differed from them, in thinking it fully corroborated by witnesses who spoke to the appearance of the wounds, to the child being found wounded in the prisoner's house, and, to the prisoners immediate confession that she had inflicted the wounds in question. They therefore sentenced her to five years imprisonment.—

13th Case

No. 1 Chittoor Calendar 3d Quarterly Sessions of 1828.

Prisoner Vencatarayador.

26. This prisoner was charged with cutting off the hand of another, who died of the wound in nineteen days. He originally confessed that he did so with a sword, but was acquitted by the Mussulman Law officers, on the ground that this confession was made before the native police, and was not sufficiently corroborated. The Judges dissented from this opinion. Besides proof of the confession having been voluntary one witness clearly deposed to his attention being called off from his work by an uproar in the street, when he saw the deceased wounded with his right hand cut

off

off lying on the ground - the prisoner standing with dishevelled hair and inflamed eyes, a fathom or two from the deceased, and a drawn sword, which was acknowledged by the prisoner to have been his, on the ground - and that the deceased told him, in the presence of the prisoner, that the latter had wounded him - And spoke to the prisoner having previously complained to him of the provocation he received from the deceased, which was proved by other evidence. The prisoner in his defence admitted that he had gone out intoxicated with the sword - as he appeared to have acted without previous malice, the Judges, satisfied that he had inflicted the wounds which caused death convicted him of culpable homicide and sentenced him to two years imprisonment, with hard labour. —

14th Case.

No. 19. Caddapah Calendar 2d Sessions of 1828.

Prisoner Parempullee Timadoo.

27. This prisoner stood charged with theft accompanied by wounding. He was acquitted by the law officers on the ground that, though he acknowledged before the Criminal Court the correctness of his Talook deposition, in which he confessed the theft and that his bill book might have struck the prosecutor the confession in the Criminal Court only and not in the Talook also was read over to the attesting witnesses who deposed to his confirmation of it, and that the other evidence was insufficient. But, besides this objection to the confessions being merely technical, several witnesses deposed to the prisoners promise to restore the stolen property and the witness who accompanied the prosecutor deposed that at the time of the wounding to which the prosecutor swore, he was a little in advance, and the prisoner alone behind the prosecutor, who instantly ran up wounded and complained of the prisoners attack on him. — The Judges accordingly convicted him of the crime charged, and sentenced him to three years imprisonment and hard labour. —

15 Case

No. 18. Madura Calendar 2d Sessions 1828. -

Prisoner Sanasey.

28. In this case the prosecutor had seduced the prisoners wife away from him - and the prisoner stood charged with wounding him severely in consequence -

29. The prisoner admitted in his defence that he went to the prosecutors

prosecutors house, whilst he was sleeping with his (the prisoners) wife, to ask the latter for his child - but stated that the prosecutor threw him down, and urged that his wife, on the mistaken belief that the prisoner had thrown the prosecutor down, inflicted the wounds in question on the prosecutor, believing he was the prisoner - One witness clearly proved that on an alarm given by the prisoners wife he seized the prisoner in the prosecutors house with a hatchet in his hand stained with blood - and a second, who aided him in securing the prisoner, that the prisoner then confessed the crime - The latter deposed to the same effect before the Criminal Judge, though he previously said that, at the instant of his apprehension, the prisoner said nothing - Deeming this a contradiction which in reality was not, and considering the evidence of the other witness alone insufficient, the law officers acquitted him. But the Judges being of a contrary opinion, convicted him of the crime charged, but under the circumstances of provocation sentenced him to only three years imprisonment. —

16th Case

No. 13. Madura Calendar 2d Sessions 1828.

Prisoner Sevalingum

30. This prisoner was accused of the murder of one named Camarandy. —

31. The prisoner confessed before the police that he murdered the deceased on suspicion of adultery with his wife - and three witnesses deposed that he pointed out the cloth of the deceased which had been buried and the corpse also - But the law Officers acquitted him because his confession and their declarations were given before the native police - On the trial before the Criminal Court it was clearly proved by the prosecutor, that the prisoner had taken away the deceased - who never returned - Two witnesses proved him to have been subsequently seen in his company on the road to wards the place where his corpse was found and three others that, in their presence and in that of many others the prisoner, after confessing the murder, proceeded publicly to point out, first the cloth proved by others to have been worn by the deceased, buried in the bed of a river, and 2dly the corpse recognized by a leathern thong round it's leg, it's club-foot, and peculiar teeth though then reduced to Skeleton - Under these corroborations of his Talook confession the Judges convicted him of the crime laid to his charge, but as he has been led to it's perpetration by the adultery of the deceased with his wife, capital punishment was waved, and sentence of transportation for life was passed on him -

23d April 1829.

/Signed/ A. D. Campbell

Register,

General

A

General abstract of Criminal Trials on which Sentences were passed by the Foujdaree Adalut from 1st January to 31st December 1828.

Divisions	Zillahs	Number of Trials 1827	1828	Total	Number of Prisoners on whom Sentence has been passed. 1827	1828	Total Death	Transportation	Imprisonment	Release	Release on Security	Total
Centre Division	Bellaree	14	5	19	32	5	5	2	1	28	1	37
	Chingleput	10	1	11	52	2	"	8	7	37	2	54
	Chittoor	6	4	10	21	3	2	.	12	8	2	24
	Cuddapah	15	9	24	45	17	7	13	8	28	6	62
	Ditto Auxiliary Court	.	1	1	.	2	"	"	"	2	"	2
Northern Division	Masulipatam & Rajahmundry	4	3	7	10	4	"	"	3	9	2	14
	Ditto Auxiliary Court	"	"	"	"	"	"	"	"	"	"	"
	Nellore	1	2	3	1	2	1	.	"	2	"	3
	Chicacole	2	4	6	2	4	"	1	1	3	1	6
Southern Division	Combaconum	5	4	9	9	14	5	1	13	1	3	23
	Madura	. 1	4	5	1	9	.	1	2	6	1	10
	Dº — Auxiliary Court	"	"	"	"	"	"	"	"	"	"	"
	Salem	2	.	2	3	"	"	2	"	1	"	3
	Dº — Auxiliary Court	1	.	1	1	"	"	"	1	"	"	1
	Collegaul	"	"	"	"	"	"	"	"	"	"	"
Western Division	Canara	2	1	3	7	3	.	1	2	6	1	10
	Dº Auxiliary Court	1	.	1	1	"	.	"	"	"	1	1
	Malabar	7	4	11	17	4	5	2	1	13	"	21
	Dº — Auxiliary Court	4	3	7	8	9	1	"	3	13	"	17
	Total	75	45	120	210	78	26	31	54	157	20	288.

Foujdaree Adalut Register's Office
23. April 1829

E E[xcepted] Signed A. D. Campbell Register

Foujdaree Adalut Dated 23. April 1829

B

Report of Criminal Cases disposed of by the Foujdaree Adalut under Section 11 Regulation 1 of 1818 from 1st Jany. to 31st Dec. 1828.

Total Number of Criminal Cases disposed of by the Foujdaree Adalut.	Total Number of prisoners on whom sentence was passed	Number of Criminal cases disposed of under Section 11 Regulation 1 of 1818.	Number of prisoners on whom sentence was passed under Section 11 Regulation 1 of 1818.	For Murder with sentence of Death	For Manslaughter with sentence of imprisonment and hard labour.	For Robbery by open violence with sentence of imprisonment for life & with transportation and for less terms.	For maiming and wounding with sentence of Imprisonment for 5 years and under	For Rape, with sentence of imprisonment for life	For Perjury, Subornation of Perjury & knowingly & wilfully giving false evidence with sentence of imprisonment for 5 years and upwards	For Rape with transportation for life	For forfeiting evidence & false coin, with sentence of 7 years imprisonment and under	Number of Cases in which the Prisoners were acquitted on the ground of personal exemption from the Jurisdiction of the Adalut under the Mahommadan Law	Number of cases in which such exemption was not the ground of the Judgment
120	222	36	75	16	15	4	4	1	10	16	1	3	1	2	1	1	20	16

Foujdaree Adalut Register's Office
23. April 1829

Signed A. D. Campbell Register

No. 96 To,

Circular

The 4 Provincial Courts of Circuit.—

Transmitting for their information Copy of an Order of Government under date the 21st Instant, Confirming the proposition of the Judges of the Foujdaree Adalut with respect to the rates of Batta to be allowed to the Native Servants of the Provincial Court when on Circuit.

27th April 1829.

To,

No. 97. To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

1. I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a Petition which has been referred to them by the Governor in Council for enquiry and report, and to desire that you will communicate for their information copies and translations if any returns or other proceedings on the records of your Court connected with the Receipt which appears to have been issued by the Judge there on Circuit under date 7th May 1828 Agreeably to an enclosure in the said Petition copy whereof is also furnished.—

2. Should this information not be procurable from your records you will be pleased call upon the Criminal Judge in the Zillah of Salem for such explanation as it may be in his power to afford on the subject.—

27th April 1829. (signed) A. D. Campbell Register

No. 98. To the Secretary to the Military Board

Transmitting copy of a letter from the Criminal Judge in the Zilla of Cuddapah and desiring them to furnish one dozen of Cats nine tails for his use.—

27th April 1829. (sent usual letter)

Circular

No. 102. To the 4 Provincial Courts of Circuit

Gentlemen,

1. The Judges of the Court of Foujdaree Adalut having observed in several Cases that prisoners have been required by the Judges on Circuit the Criminal Courts and the Magistrates to give Security for their appearance or good behaviour for a much longer period than that for which they are required to be detained in Jail in default of finding such Security and vide Versâ that prisoners have been required to give Security for their good behaviour and appearance for a much shorter period than that for which in default of

of finding such security, they are returned to be detained in Jail — have directed me to bring to your notice their Circular orders under date the 31st of October 1828 - which declare that "the intent of Regulation V of 1827 is "clearly that the term which security whether by personal recognizance "or by the responsibility of Sureties, is to be given, and the term for which "a prisoners may be detained in confinement in default of giving security "should be the same".—

2. In the event of this order not having been before Circulated to the Judges on Circuit, the Criminal Courts and Magistrates in your division the Judges desire that you will transmit a Copy of it to them in order that these Officers, in all cases in which they may deem it necessary to require security may demand it in Strict conformity to these instructions—

30th April 1829.

No. 103 To the Secretary to the Military Board

/ signed A. D. Campbell - Register

Transmitting an Indent of Cats of Nine tails from the Magistrate of Salem and desiring them to supply the same.—

30th April 1829. / sent usual letter

No. 104 To the Judges of the Provincial Court in the Western Division

Gentlemen,

With reference to the annexed extract from a letter dated the 25th Instant from the Acting Secretary to Government in the Judicial Department, I am directed by the Judges of the Foujdaree Adalut to desire that you will without delay submit to them the Report called for in Mr. Secretary Chamiers letter of the 2d November 1827 on the subject of the Jail and Hospital proposed to be provided for the Auxiliary Court at Honore—

30th April 1829.

No. 105 To the 2d Judge on Circuit in the Southern Division

/ signed A. D. Campbell Register

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 15th Instant,

and

and to acquaint you that, under the circumstances of the Case, they authorize you to mitigate the punishment of the Prisoners Palaneevalen, Killeyen & Moottoopyel. in Case No. 16. of the Salem Calendar, to two years imprisonment with hard labour in irons, as proposed by you.—

30th April 1829. A. D. Campbell Register.

No. 106 To the Judge on Circuit in the Western Division

Sir,

I am directed by the Foujdaree Adalut to acknowledge the receipt of your letter of the 16th Instant.—

It would have been more strictly regular had the officer on whom temporary charge of the joint Criminal Court devolved during the illness of the joint Criminal Judge, without any appointment from the Government, abstained from any commitment - But of those made by him have since been examined and approved by the joint Criminal Judge, the Court are aware of one legal objection against your proceeding with the trial of the prisoners as usual.—

The Judges are of opinion that a reference to Govt is not requisite under Regulation II 1827 Section IV except when it is proposed to try prisoners at a place different from that of their commitment.—

30th April 1829. / signed A. D. Campbell Register

No. 108 To the Secretary to Government in the Judicial Department

[No. 181]

Sir,

I am directed by the Judges of the Foujdaree Adalut to submit, for the consideration of the Right Honorable the Governor in Council, the enclosed copy of a letter from the 3d Judge on Circuit in the Centre Division, enclosing a communication from the Criminal Judge of Bellaree, regarding a convict named Dowling, late a private soldier in His Majestys 46th Regiment of foot.

2. This man being a foreigner, before the late act of the 9th of the present King was passed, was necessarily amenable only to the Company Courts, and having been convicted of murder, was sentenced to imprisonment for life - The correspondence with Government which has already taken place respecting him is for the sake of more easy reference noted in the margin -

3. The Criminal Judge at Bellari, under whose custody he is confined, represents this person as labouring under liver & bowel complaints and emaciated from long confinement in a close cell, after the previously active life he had led. He is stated by all the authorities who have visited him to have evinced great repentance since his first apprehension - and to have behaved since his sentence with much propriety - His present petition is to be removed to some place where he can associate with his own country men. - The Criminal Judge proposes that he should be transported for life to Benecoolen, and the Circuit Judge recommends his case to favorable consideration. -

4. The accompanying extract from the report of the Judge who tried the prisoner will shew that the proposed "transportation for "life would be granting him the very thing the prospect of which induced "him to convict the offence" - It would be further objectionable on account "of the inducement it would hold out to the European Soldiers to commit similar crimes, and it might be considered to enhance not to mitigate the sentenced punishment. - The Judges on these grounds deem it

it inadmissible -

5. But the favorable reports made of the prisoners conduct induce the Judges to recommend that he be removed to such station under this Presidency as may be considered most congenial to his health - at the Presidency - Bengalore or even the Neelgherry Hills he would still continue to be a useful to his fellow soldiers, and might perhaps with advantage be placed in their custody to their benefit, as well as to his personal relief - His present confinement, with Natives alone, operating in some degree as solitary imprisonment -

6th May 1829. [Signed] A. D. Campbell Register

No. 120 - To the First Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowlege the receipt of your letter dated the 25th Ultimo reporting on the Case of Koonjy Namoor the Prisoner in No. 24 Malabar Calendar First Sessions 1828. -

2. Under the circumstances represented in your letter and its accompaniments, the Judges approve of your not arraigning the Prisoner when placed at the bar; and as from the nature of his insanity it does not appear that his release in the manner proposed by you; is likely to be production of any danger to the community, they authorize you to give orders accordingly for his being delivered to the charge of the person who is stated by you to have undertaken the responsibility of his safe keeping. -

11th May 1829. [Signed] A. D. Campbell

Register

No. 121. To the Criminal Judge in the Zilla of Cuddapah

Sir,

1. In your letter dated the 15th January last was reported the death, in the Zilla Jail of a prisoner named Chinna Vobegadoo in Case No. 329. of the Calendar at the 2d Sessions of the Court of Circuit at Cuddapah 1828. which has been referred "for the decision of the Foujdaree Adalut Court".-

2. The Case No. 32. was disposed of by the Judge on Circuit without being referred to this Court, but another Case has been referred, No. 17. on the same Calendar in which the name abovementioned appears as that of the 4th Prisoner.-

3. I am directed by the Judges of the Foujdaree Adalut to furnish you with extract from the Calendar received from the Judge on Circuit to which the particulars of the said two Cases are exhibited, and to desire you with report without delay when the error is of whether the deceased was the 4th Prisoner or No. 17.-

11th May 1829. (signed) A. D. Campbell Regr.

No. 122. To the Criminal Judge in the Zillah of Chittoor

Sir

I am directed to acquaint you that the Prisoner pauperaich, the circumstance of whose reapprehension was reported to this Court in your letter of the 28th Ultimo, should be without delay forwarded to Chingleput, there to be delivered over to the Criminal Judge, to be transported in conformity with his sentence.-

11th May 1829. (signed) A. D. Campbell Register

No. 19.

No. 123. To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for the purpose of being laid before the Right Honble the Governor in Council the enclosed Copy of a letter from the Magistrate of Guntoor, reporting an instance of courageous resistance to a Gang of Robbers by a person who has taken singly defend his property.-

The Judges considering the family of the deceased and it objects for the Bounty of Government recommend that the Right Honble the Governor in Council may be pleased to sanction the pension proposed by the Magistrate being Rupees 2½ per mensem to the distitute mother and widow of the deceased until the child born three days after his death shall attain the age of 18 years.-

11th May 1829. (signed) A. D. Campbell Register

No. 20.

No. 124. To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Court of Foujdaree Adalut to transmit to you to be laid before the Honble the Governor in Council the accompanying Copy of a letter from the Magistrate in the Zillah of Guntoor reporting the meritorious Conduct of a Police Peon who was killed, while in the execution of his duty, by a numerous Gang of Robbers.-

2. The Consideration of the circumstances of the case, the Judges deem it desirable that the pension proposed by the Magistrate should be granted to the family of the deceased, and recommend that the Right Honorable the Governor in Council may be pleased to sanction the payment of Rupees 3 per mensem accordingly.-

11th May 1829. (signed) A. D. Campbell Register

No. 125. To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the accompanying Copy of a letter to the Secretary to Government in the Judicial Department under date the 22d December 1828. respecting the Police powers it is competent for Magistrates to vest in Poligars Zemindars and Jaghiredars under them and to desire that the Magistrate in the Zilla of Salem be directed to modify his instructions

to

to the Land holders under him so as to correspond with the construction of the Law therein contained. —

11th May 1829. / Signed A. D. Campbell Register

No. 126 To the Judges of the Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Court of Fouydaree Adalut to transmit to you the accompanying copy of a letter to the Secretary to Government in the Judicial Department dated the 22d December 1828 respecting the Police powers which it is competent for Magistrates to vest in Poligars Zemindars and Jaghierdars under them, and to desire that the Magistrate in the Northern Division of Arcot, be directed to modify his instructions to the land holders under him so as to correspond with the construction of the law therein contained. —

11th May 1829. / Signed A. D. Campbell Register

No. 134 To the Joint Criminal Judge at Masulipatam

Sir,

In a letter from the late First Judge of the Provincial Court of Circuit in the Northern Division dated the 20th November last, accompanying the record of the trial in Case No. 2 Masulipatam Auxiliary Court Calendar 3d Quarterly Sessions 1828. it is stated in the 19th Para that the 1st Prisoner Mohomud Auzeem / or Baujeem / a Duffadar, has died in Jail. —

2

This being the only notice the Court have received of the said Prisoner's decease, the Judges, presuming it to be a fact that the man is dead desire you will inform them why the prescribed report was not made to this Court immediately on the occurrence of that event. —

14th May 1829. / Signed A. D. Campbell Register

No. 144 To the Judges of the Provincial Court of Circuit in the Western Division

Gentlemen,

The same to the Northern Provincial Court —

I am directed by the Court of Fouydaree Adalut to transmit to you the accompanying copy of a letter to the Secretary to Government in the Judicial Department under date the 22d December 1828 respecting the police powers which it is competent for Magistrates vest in Poligars, Zemindars and Jaghiredars under them, and to desire that the same be forwarded to the Magistrates within your Division for their guidance. —

18th May 1829. / Signed A. D. Campbell Register

No. 145 To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

The same to Provl. Court of Circuit in the Centre Division

With reference to my letter dated the 11th instant, I am directed by the Judges of the Court of Fouydaree Adalut to desire that a Copy of the letter to the Secretary to Government in the Judicial Department under date the 22d December 1828 respecting the police powers which it is competent for Magistrates to vest in Poligars, Zemindars and Jaghierdars under them, be furnished to the several Magistrates within your Division for their information and future guidance. —

18th May 1829. / Signed A. D. Campbell Register

To the First Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Fouydaree Adalut to acknowledge the receipt of your letter of the 16th Ultimo, reporting on the Case of Poonjolail Changaren the Prisoner in No. 27 Malabar Calendar First Sessions 1829.

The sanity of the Prisoner at the time of his being placed at the bar having appeared doubtful both to yourself and the law officer the Judges under the circumstance of the prosecutors declining to prosecute, and his evidence as well as that of others, to prove the wounds to have been inflicted by the prisoner when insane approve of his not having been arraigned.

The Judges desire that you will issue a warrant for the detention of the prisoner until the Criminal Judge, on the report of the Medical officer may consider that his release will not be attended by further inquiry to the community, or the prosecutor or his other relations

or

to the Land holders under him so as to correspond with the construction of the Law therein contained. —

11th May 1829.

(Signed) A. D. Campbell Register

No. 121. No. 126. To the Judges of the Provincial Court of Circuit in the Centre Division.

Gentlemen,

I am directed by the Court of Foujdaree Adaulut to transmit to you the accompanying copy of a letter to the Secretary to Government in the Judicial Department dated the 22d December 1828 respecting the Police powers which it is competent for Magistrates to vest in Poligars Zemindars and Jaghiredars under them, and to desire that the Magistrate in the Northern Division of Arcot be directed to modify his instructions to the Land holders under him so as to correspond with the construction of the law therein contained. —

11th May 1829.

(Signed) A. D. Campbell Register

No. 134 To the Joint Criminal Judge at Masulipatam

Sir,

No. 122. In a letter from the late First Judge of the Provincial Court of Circuit in the Northern Division dated 20th November last, accompanying the record of the trial in Case of Masulipatam Auxiliary Court Calendar 3d Quarterly Sessions 1828. it is stated in the 19th Para that the 1st Prisoner Mir Auzeem (or Hauzeem) a Duffadar, has died in Jail. —

This being the only notice the Court have received of the said Prisoner's decease, the Judges presuming it to be true that the man is dead desire you will inform them why the proper report was not made to this Court immediately on the occurrence of that event. —

No. 123. 14th May 1829.

No. 144 To the Judges of the Provincial Court of Circuit in the Western Division.

The same to the Northern Provincial Court —

Gentlemen,

I am directed by the Court of Foujdaree Adaulut to transmit to you the accompanying copy of a letter to the Secretary to

Government in the Judicial Department under date the 22d December 1828 respecting the police powers which it is competent for Magistrates vest in Poligars, Zemindars and Jaghiredars under them and to desire that the same be forwarded to the Magistrates within your Division for their guidance —

18th May 1829.

(Signed) A. D. Campbell Register

No. 145. To the Judges of the Provincial Court of Circuit in the Southern Division.

Gentlemen,

With reference to my letter dated the 11th instant I am directed by the Judges of the Court of Foujdaree Adaulut to desire that a Copy of the letter to the Secretary to Government in the Judicial Department under date the 22d December 1828 respecting the police powers which it is competent for Magistrates to vest in Poligars, Zemindars and Jaghiredars under them be furnished to the several Magistrates within your Division for their information and future guidance. —

Same to the Court of Circuit the Centre Division

18th May 1829.

(Signed) A. D. Campbell Register

To the First Judge on Circuit in the Western Division.

Sir,

I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter of the 16th Ultimo, reporting on the Case of Poonjolail Changaren the Prisoner in No. 27 Malabar Calendar First Sessions 1829. —

The sanity of the Prisoner at the time of his being placed at the bar having appeared doubtful both to yourself and the law officer the Judges under the circumstance of the prosecutors declining to prosecute, and his evidence as well as that of others, to prove the wounds to have been inflicted by the prisoner when insane approve of his not having been arraigned. —

The Judges desire that you will issue a warrant for the detention of the prisoner until the Criminal Judge on the report of the Medical officer may consider that his release will not be attended by further enquiry to the community, or the prosecutor or his other relations.

or

or friends will engage carefully to restrain him from mischief.—
18th May 1829.— / signed A. D. Campbell Register

No. 150 To the 2d Judge on Circuit in the Southern Division

Sir,

I am directed by the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated the 9th instant, and to inform you that under the circumstances therein stated, the Judges authorize you under the provisions of Section III. Regulation I of 1825. to Mitigate the punishment of the Prisoner Maurua, convicted of Highway Robbery in Case No. 1 of the Salem Supplemental Calendar, to 120 Stripes with a Cat of nine-tails and 7 years imprisonment with hard labour in irons.—

21st May 1829. / signed A. D. Campbell Register

No. 151 To the Magistrate in the Zillah of Canara

Sir,

I am directed to acknowledge the receipt of your letter dated the 2d instant and to state that the Judges of the Foujdaree Udalut under the provisions of section XXI. Regulation IX of 1816 authorize you to offer a reward of 200 Rupees for the discovery of the leader of the Gang concerned in the atrocious outrage committed in the Buntaval Talook of your District and a reward of 50 Rupees for each of the inferior members of the same.

23d May 1829. / signed A. D. Campbell Register.

No. 152 To the Secretary to the Military Board

Transmitting Copy of a letter from the Criminal Judge Salem and desiring to furnish the cats of nine tails.—

25th May 1829.— / sent usual letter / No. 21

No. 153 To the Acting Secretary to Government in the Judicial Department

Sir,

In obedience to the commands of the Governor in Council signified in the 11th Para of your letter dated 17th March 1826 that copies of all orders of Court laying down any general principle or rule for the guidance of inferior authorities, should be regularly furnished for the information of Government, I am directed by the Court of Foujdaree Udalut to transmit to you to be laid before the Right Honble the Governor in Council the enclosed extracts from their Proceedings of the 14th and 21st Instant which have been considered for general information.—

25th May 1829.— / signed A. D. Campbell Register

No. 176 To the Second Judge of the Court of Circuit in the Centre Division

Sir,

I have the honor to acknowledge the receipt of your letter dated 20th Instant and Am directed to acquaint you that the Judges of the Court of Foujdaree Udalut under the provisions of clause third section III. Regulation I of 1825. sanction the Mitigation of the punishment of the prisoners in Case No. 17 of the Chingleput Calendar for the 2d Sessions of 1828. as proposed by you.—

2 The Judges have remarked, consider delay in the transmission of this reference and desire that similar recommendations be made infuture as soon as practicable.—

27th May 1829.— / signed A. D. Campbell Register

No. 177 To the Magistrate of Guntoor,

Transmitting copy of a letter from Government sanctioning the grant of a pension of Rupees 2-8 to the family recommended in his Letter.—

27th May 1829 / sent usual letter /

No. 178 To the Secretary to the Military Board

Transmitting copy of a letter from the Magistrate Cuddapah and desiring the supply of cats of nine Tails may be made.—

27th May 1829. / sent usual letter /

No. 179 To the Secretary to the Military Board

Transmitting copy of a letter from the Magistrate Tinnevelly and desiring that the supply of Cats of Nine tails may be made.—

27th May 1829. / sent usual letter /

No. 180 To the Secretary to the Military Board,

Transmitting the Indent for Cats of Nine tails required by the Magistrate of Trichinopoly to be supplied.—

27th May 1829. / sent usual letter /

Foujdary Diary 1st June 1829.

No. 187 To the Magistrate of Guntoor

Transmitting copy of a letter from Government sanctioning the grant of a pension of 3 Rupees per month to the widow and 2 daughters of a Police peon Killed by Gang robbers while he was on duty. —

1st June 1829. / sent usual letter /

No. 188 To the First Judge of Circuit in the Centre Division

Sir,

In reply to your letter of the 25th January last, with your proceedings in the case No. 1 of the Supplemental calendar for the 1st Quarterly Sessions of 1829 at Chittoor, I am directed by the Court of Foujdaree Adalut to refer you to the concluding para of their circular orders under this date respecting insane prisoners. —

The Judges do not clearly understand what is intended by the arraignment being discharged there can be no acquittal without a trial and the trial in this case seem to have been defered in consequence of the prisoners insanity - he should accordingly be brought before the Judge holding the next quarterly Sessions, who ought to proceed as directed in the circular order above mentioned. —

1st June 1829. / signed A. D. Campbell Register

No. 189 To the Judges of the Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to call your attention to my letter of the 23d February last and to desire that the information therein called for may be furnished with as little delay as possible, the reports from the other Divisions having been for many weeks in this office. —

1st June 1829 / signed A. D. Campbell

No. 190 To the Secretary to the Military Board

Transmitting copy of a letter from the Joint Criminal Judge Tinnevelly and desiring that the supply of cuts of Nine tails may be made

1st June 1829. / sent usual letter /

To

Foujdaree Diary 1st to 8th June 1829.

No. 191 To the Secretary to the Military Board,

Transmitting copy of a letter from the Criminal Judge of Nellore and desiring that the supply of Cats of Nine tails may be made. —

1st June 1829. / signed A. D. Campbell Register

No. 199 To the Secretary to the Military Board,

Transmitting an Indent for cats of Nine tails to be supplied for the use of the Magistrate of Chingleput. —

8th June 1829. / sent usual letter / (No. 23)

No. 200 To the Secretary to Government in the Judicial Department.

Sir,

With reference to your letter of the 17th of March last, enclosing extract from a letter to the Military Board of the same date regarding the supply of cats of nine tails, I am directed by the Judges of the Court of Foujdaree Adalut to suggest the propriety of Modifying such part of the orders therein contained as directs the transmission thro' this Court of all indents for cats of nine tails. —

Very considerable public inconvenience and delay has been experienced from these indents and returned articles passing through the channel of this court the Judges therefore beg leave to submit that the Right Honble the Governor in Council be pleased to authorize the transmission of these Indents and returned cats direct by the Criminal Judges and Magistrates to the Military Board - to be complied with or repaired as usual. —

8th June 1829. / signed A. D. Campbell - Register

No. 201 To the Third Judge of the Court of Circuit in the Western Division

Sir,

I have the honor to acknowledge the receipt of your letter dated the 14th Ultimo together with its enclosures and am directed to desire that the Trial of the prisoner Tattan Nannen alias Koonjamboo, in cases No. 1 & 2 of the Calendar for the present Quarterly.

No. 187 To the Magistrate of Guntoor

Transmitting copy of a letter from Government sanctioning the grant of a pension of 3 Rupees per month to the Widow and 2 daughters of a Police peon Killed by Gang robbers while he was on duty.—

1st June 1829.

No. 188 To the First Judge of Circuit in the / sent usual letter /

Centre Division

Sir,

In reply to your letter of the 25th January last with your proceedings in the case No. 1 of the supplemental calendar for the 1st Quarterly Sessions of 1829 at Chittoor, I am directed by the Court of Foujdaree Udalut to refer you to the concluding para of their circular orders under this date respecting insane prisoners.—

The Judges do not clearly understand what is intended by the arraignment being discharged there can be no acquittal without a trial, and the trial in this case seem to have been deferred in consequence of the prisoners insanity - he should accordingly be brought before the Judge holding the next quarterly Sessions, who ought to proceed as directed in the circular order above mentioned.—

1st June 1829.

No. 189 To the Judges of the / Signed A. D. Campbell Register

Provincial Court of Circuit

on the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to call your attention to my letter of the 23d February last and to desire that the information therein called for may be furnished with as little delay as possible, the reports from the other Divisions having been for many weeks in this office.—

1st June 1829

No. 190 To the Secretary to the / Signed A. D. Campbell

Military Board

Transmitting copy of a letter from the Joint Criminal Judge Tinnevelly and desiring that the supply of cats of Nine tails may be made.—

1st June 1829.

/ sent usual letter /

To

No. 191 To the Secretary to the Military Board,

Transmitting copy of a letter from the Criminal Judge of Nellore and desiring that the supply of Cats of nine tails may be made.—

1st June 1829. / Signed A. D. Campbell Register

No. 199 To the Secretary to the Military Board,

Transmitting an Indent for Cats of Nine tails to be supplied for the use of the Magistrate of Chingleput.—

8th June 1829.— / sent usual letter / No. 23 /

No. 200 To the Secretary to Government in the

Judicial Department.

Sir,

With reference to your letter of the 17th of March last enclosing extract from a letter to the Military Board of the same date regarding the supply of cats of nine tails, I am directed by the Judges of the Court of Foujdaree Udalut to suggest the propriety of Modifying such part of the orders therein contained as directs the transmission thro' this Court of all indents for cats of nine tails.—

Very considerable public inconvenience and delay has been experienced from these indents and returned articles passing through the channel of this court the Judges therefore beg leave to submit that the Right Honble the Governor in Council be pleased to authorize the transmission of these Indents and returned Cats direct by the Criminal Judges and Magistrates to the Military Board - to be complied with or reported as usual.—

8th June 1829.— / Signed A. D. Campbell - Register

No. 201. To the Third Judge of the Court of Circuit in the

Western Division

Sir,

I have the honor to acknowledge the receipt of your letter dated the 14th Ultimo together with its enclosures and am directed to desire that the Trial of the prisoner Tattan Nonnen alias Koonjamboo, in cases No. 142 of the Calendar for the present

Quarterly

Quarterly Sessions at Tellicherry considered by you to be in an insane state of mind be postponed until the ensuing quarterly Sessions.

2. Various similar references having been recently made by the Judges on Circuit, an order explanatory of those formerly issued respecting insane prisoners, has been circulated for the guidance of the several Circuit Courts.—

8th June 1829. (signed) A. D. Campbell Register.

No. 202. Circular

To the 4 Provincial Courts.

Gentlemen,

Instances having come under the Notice of the Fouydaree Adalut of the omission on the part of the Zillah Judges to report to this Court the casualties of prisoners whose trials are under reference to them for sentence the Judges desire that you will instruct the several Criminal and Assistant Criminal Judges within your Division immediately to report the deaths of prisoners, whose trials are under reference to Madras to the Circuit Judges who tried them, who will instantly communicate the same to this Court. A copy of this letter should be communicated to the Judge on Circuit.—

8th June 1829. (signed) A. D. Campbell Register.

No. 203. To the Provincial Court of Circuit in the Centre Division.

Transmitting Copy of an Order of Government under date the 8th Instant, on the Report of the Judges of the Centre Division on the 2nd Sessions of 1826 and 2nd and 3rd Quaterly Sessions of 1827.

11th June 1829.

To

(No. 24)

No. 210. To The Acting Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Fouydaree Adalut to transmit to you for the purpose of being laid before the Right Honble the Governor in Council the enclosed Statements, the first shewing the Number of persons apprehended released and punished, together with the nature of all punishments inflicted by the several Heads of District Police Magistrates, Criminal Judges, Courts of Circuit and the Fouydaree Adalat from the 1st July to the 31st December 1828; and the second exhibiting the total number of crimes of every description reported in each Zilla during the same period.—

2 Subjoined is a general abstract of the second Statement for the last Nine half years, by which it appears that there was an increase in the six months ending 31st December last in the total number of crimes reported, beyond the Number for the six months ending 30th June, but in the latter period the number was less than that in any of the seven preceding half years:

In the half year ending	31st December	1824	12529
Do.	Do. 30th June	1825	8792
Do.	Do. 31st December	1825	8736
Do.	Do. 30th June	1826	7175
Do.	Do. 31st December	1826	6706
Do.	Do. 30th June	1827	6066
Do.	Do. 31st December	1827	7936
Do.	Do. 30th June	1828	6343
Do.	Do. 30th December	1828	6703

3. Of 12210 persons apprehended within the half year under review, 4840 were acquitted and released by the Magistracy and the Police, the rest having been either convicted and punished by them, or sent to the Criminal Judges. Of those acquitted, there were no less than 837 in Tinnevelly out of 1077 apprehended; and 551 in Chinglepat out of only 207 apprehended 138 were acquitted.—

4th

Tanjore Diary 15th June 1829.

4. Of 3441 persons received in the Criminal Courts within the same period, 1864 being more than one half, were acquitted and released.— Of these acquittals the most numerous were in Bellary being 155 out of 219 received, in Madura being 107 out of 137 received, in Tinnevelly being 104 out of 146 received and in Chicacole being 109 out of 198 received.

5. It is to be inferred from these results that in the Zillahs of Tinnevelly, Chingleput and Trichinopoly, proper precautions are not yet observed on the part of the Police to guard against the unnecessary privation of personal liberty, and to the two Districts first named the same remark was applied in the letter which accompanied the former half year's returns. In Bellary, Madura, Tinnevelly, and the Districts of Ganjam and Vizagapatam many of the Cases sent up to the Criminal Courts were unsupported by sufficient evidence.— The attention of the Magistrates in these Districts respectively has accordingly been called to these points.—

6. Within the last 8 half years, the punishments by Stripes inflicted by the native Heads of Police have been as follows.—

to June	1825	3021
" December	1825	2063
" June	1826	1558
" December	1826	1201
" June	1827	1168
" December	1827	1102
" June	1828	1232
" December	1828	1133

7. On this point the Judges have nothing to add to the observation contained in my letter of the 31st December last wherein they recommended "that, in conformity with the principle recognized in section VIII Regulation IV of 1821 Heads of Native Police be authorised to punish petty thefts, either by ten days imprisonments, or fifteen lashes by a cat of nine tails" except that they have not been honored with any orders upon that suggestion.—

8. The Judges hope to lay before the Government the next half yearly Statement of crimes in the improved forms recently sanctioned.—

15th June 1829.—

Signed J. D. Cahill C. J. C. Reg.

Statement shewing the Number of Persons apprehended by the Police Officers and Magistrates in the Provinces subject to the Judges of Circuit and Court of Appeal, and the Number of Cases disposed of by the Magistrates during the half year ending 30th June 1829.

No. 210.

	Total Number of Crimes & Misdemeanors of every description	Total Number of Persons suspected & the Commitments	Total Number of Persons apprehended by the Police	Number of Cases disposed of by the Magistrates: By the Police Officers	By the Magistrates	Total
Centre Division						
Bellary	807	1191	378	201	41	21
Chingleput	205	812	758	169	16	18
Virabachellum	127	283	124	38	8	4
Chittoor	439	1221	1106	251	87	33
Cuddapah & Dr. Auxy. Court	791	1728	714	658	68	72
Total	2089	5235	3220	1317	220	153
To the Preceding half year	1465	5810	3527	1771	194	96
Northern Division						
Masulipatam	94	368	220	48	14	6
Rajahmundry	200	657	191	53	15	6
Nellore	125	277	281	79	14	9
Guntoor	202	509	328	127	12	13
Vizagapatam	200	590	572	150	26	17
Ganjam & Chicacole	215	2152	298	60	32	9
Total	1076	4553	1890	517	113	62
To the Preceding half year	1034	4832	417	191	106	12
Southern Division						
Combaconeum	503	1686	991	228	80	36
Trichinopoly	118	438	207	39	45	8
Salem	429	990	835	294	42	33
Coimbatoor	345	796	513	270	25	29
Collegal	"	"	39	"	"	"
Madura	365	1475	1034	257	79	33
Tinnevelly	303	2131	1077	262	24	28
Total	2263	7516	4696	1350	295	164
To the Preceding half year	2126	7393	4457	1251	293	15
Western Division						
Canara & Dr. Auxy. Court	804	1335	1294	348	288	63
Malabar & Dr. Auxy. Court	471	1283	1110	192	67	22
Total	1275	2838	2404	540	355	89
To the Preceding half year	1274	2916	2481	437	358	32
Grand Total	6703	20142	12210	3724	983	47
To the Preceding half year	6349	21179	11535	2935	971	39

By the Magistrates

Apprehended 12210 — Acquitted and Released ——— 4840. Total
Convicted and Punished ——— 3940. the
Sent to the Criminal Judge ——— 3406 12195

Tanjore Cutcherry, Register's Office
15th June 1829

Tanjore Diary 15th June 1829.

4.

Of 3441. persons received in the Criminal Courts within the same period, 1864. being more than one half, were acquitted and released.— Of these acquittals the most numerous were in Bellary being 153 out of 219. received; in Madura, being 107 out of 137 received, in Tinnevelly being 104 out of 146. received, and in Chicacole, being 109 out of 198 received.

5.

It is to be inferred from these results, that in the Zillahs of Tinnevelly, Chingleput and Trichinopoly, proper precautions were not yet observed on the part of the Police to guard against the unnecessary privation of personal liberty; and to the two Districts first named the same remark was applied in the letter which accompanied the former half year's returns.— In Bellary, Madura, Tinnevelly and the Districts of Ganjam and Vizagapatam many of the Cases sent up to the Criminal Courts were unsupported by sufficient evidence.— The attention of the Magistrates in these Districts respectively has accordingly been called to these points.—

6.

Within the last 2 half years, the punishments by stripes inflicted by the native Heads of Police have been as follows.—

to June	1825	3021
" December	1825	2063
" June	1826	1558
" December	1826	1201
" June	1827	1168
" December	1827	1102
" June	1828	1232
" December	1828	1133

7.

On this point the Judges have nothing to add to the observation contained in my letter of the 31st December last wherein they recommended "that, in conformity with the principle recognized in Section VIII. Regulation IV of 1821 Heads of Native Police be authorized to punish petty thefts, either by ten days imprisonments, or fifteen lashes by a cat of Nine tails" except that they have not been honored with any reply upon that suggestion.—

8.

The Judges hope to lay before the Government the next half yearly Statement of crimes in the course of forms recently sanctioned.—

Tanjore 15th June 1829.—

Statement shewing the Number of Persons apprehended Tanjore Court of Magistrate

No. 210.

	Total Number of Crimes committed of every description	Total Number of persons supposed to be Concerned	Total Number of persons apprehended by the Police	Number of Cases Disposed of: By the Police Officers	By the Magistrates	Total
Centre Division						
Bellary	507	1191	318	201	41	21
Chingleput	205	812	758	169	16	18
Virachellum	127	283	124	38	8	4
Chittoor	459	1221	1106	251	87	33
Cuddapah & Dy. Auxy. Court	791	1728	714	658	63	72
Total	2089	5235	3220	1317	220	153
The Preceding half year	1475	3580	2327	771	190	90
Northern Division						
Masulipatam	94	368	220	48	14	6
Rajahmundry	240	657	191	53	15	6
Nellore	125	277	281	79	14	9
Guntoor	202	509	328	127	12	13
Vizagapatam	200	590	572	150	26	17
Ganjam Chicacole	215	2152	298	60	32	9
Total	1076	4553	1890	517	113	60
The Preceding half year	1048	4483	1895	496	106	61
Southern Division						
Combaconum	503	1686	991	228	80	30
Trichinopoly	118	438	207	39	15	8
Salem	429	990	835	294	42	33
Coimbatore	545	796	513	270	25	29
Collegal	"	"	39	"	"	"
Madura	365	1475	1034	257	79	33
Tinnevelly	303	2131	1077	262	24	28
Total	2263	7516	4696	1350	295	164
The Preceding half year	2126	7393	4457	1231	295	145
Western Division						
Canara & Dy. Auxy. Court	804	1335	1294	348	288	63
Malabar & Dy. Auxy. Court	471	1283	1110	192	67	23
Total	1275	2838	2404	540	355	89
The Preceding half year	1274	2916	2481	457	358	86
Grand Total	6703	20142	12210	3724	983	476
The Preceding half year	6363	17972	11535	2935	971	391

By the Magistrates

Apprehended	Acquitted and Released	Convicted and Punished	Sent to the Criminal Judge	Total
12210	4840	3940	3406	12195

Tanjore Circuit Court, Register's Office
15th June 1829

No. 25.

No. 211.

To The Acting Secretary to Government on the Judicial Department

Sir,

1 I am directed by the Judges of the Fouydaree Adalut to solicit the authority of the Right Honble the Governor in Council for the offer of a conditional pardon under the provisions of Section XX. Regulation VIII of 1802, to one Chinnapautee Narraidoo the 3d. Prisoner in Cases Nos. 1 & 2 on the Guntoor Calendar 1st Sessions of 1829 the trials in both of which Numbers have, under instructions from this Court & at the suggestion of the Judge on Circuit, been postponed to the next Sessions owing to a deficiency of evidence. —

2 In the first of these Cases, 4 Prisoners are charged with the murder of a Police Peon; and from the proceedings held before the Police Officer as well as by the Criminal Judge it appears that the accused formed part of a bold and daring gang who first murdered the Peon, who was suspicious of their conduct, and then committed a Gang robbery / the subject of the second case / shooting the Curnum of the Village, tho' not so as to cause his death — It also appears that they bound and forcibly took with them a man who has been in company with the Peon, and who thus became an eye-witness, but the only one, to each crime — The aforementioned 3d. Prisoner however has acknowledged that he saw the whole transaction, but that he was no party to the crime and has substantially confirmed the testimony of the said witness, who moreover states that he the 3d. Prisoner was not actively engaged in the Robbery — On these grounds the Judges of the Fouydaree Adalut beg to support the recommendation of both of the Circuit and Criminal Judges that an offer of pardon be tendered to the Prisoner in question to extend to both charges. —

3 It should be stated that pursuant to this Court's orders further evidence has been taken by the Criminal Judge, but no additional proof has been obtained as to who were the actual perpetrators of the Murder.

15th June 1829.

/ Signed / A. D. Campbell
Register.

To

1829 —

All punishments inflicted by the several Heads of Distinct Police Magistrates, Criminal

1st July to 31st December 1828. —

Number of persons tried	Number of persons acquitted	Number of persons convicted	Criminal Judges — Punishments inflicted by the Criminal Judges: Number of persons fined	Number of persons imprisoned	Number of persons flogged	Number of persons committed for trial before the Courts of Circuit	Number of persons acquitted	Number of persons convicted	Courts of Circuit — Punishments inflicted by the Courts of Circuit: Number of persons fined	Number of persons imprisoned	Number of persons sent to Penal Settlements	Number of persons sent to the Hulks	Number of persons committed	Number of persons acquitted	Foujdaree Adalut — Sentence: Number of persons committed	Death	Transportation	Imprisonment	Flogged
219	135	41	"	39	2	35	12	13	"	13	"	14	3	2	1	1	"	"	
208	130	59	1	58	"	139	97	22	"	22	"	11	34	15	"	8	7	"	
396	207	137	2	135	"	73	34	23	"	23	"	13	1	4	2	"	2		
316	174	35	4	29	2	92	56	21	"	27	"	22	23	15	2	11	2	"	
28	21	10	"	10	"	5	16	5	"	5	"	1	2	"	"	"	"	"	
1167	687	282	7	271	4	344	205	84	"	84	"	91	63	36	5	20	11	"	
120	80	40	11	12	4	345	127	106	"	106	"	24	51	29	4	3	17	"	
76	50	11	7	"	5	2	16	5	30	"	30	"	5	"	"	"	"	"	
103	134	77	14	2	12	"	46	42	1	"	1	"	"	"	"	"	"	"	
122	91	46	20	3	17	"	30	17	22	"	22	"	9	3	1	"	"	1	
139	155	93	42	18	21	3	19	"	"	"	"	"	7	1	1	1	"	"	
100													"	"	"	"	"	"	
117	198	109	11	1	10	"	115	73	31	"	31	"	7	2	2	"	1	1	
677	628	336	94	24	65	5	226	137	84	"	84	"	28	6	4	1	1	2	
241	183	41	1	38	2	143	81	16	"	15	"	24	11	2	"	"	2		
235																			
17	242	104	32	4	28	"	73	23	16	"	15	"	13	3	12	"	1	11	"
354																			
236	479	270	103	15	63	25	96	16	14	"	14	"	18	"	"	"	"	"	"
3	123	52	25	"	25	"	29	8	12	"	12	"	10	"	"	"	"	"	"
29	13	5	5	2	3	"	3	18	3	"	3	"	2	"	"	"	"	"	"
176	137	107	30	5	23	2	14	48	7	"	7	"	3	1	2	"	1	1	"
	146	104	18	9	9	"	24	66			"	"	"	"	"	"	"	"	
1130	1140	642	213	35	151	27	239	179	57	"	51	"	46	4	14	"	2	12	"
136	115	61	15	2	11	4	24	10	7	"	7	"	2	3	1	1	"	"	"
114	63	31	21	"	21	"	12	11	9										
	60	30	20	7	13	"	8	27	26	"	11	"	"	1	2	"	"	2	"
372	258	90	77	9	65	3	85	18	9	"	26	"	2	"	2	"	1	1	"
	125	48	26	3	23	"	37	8			9	"	10	8	1	1	"	"	"
486	506	199	144	19	122	3	142	64	55	"	55	"	12	9	5	1	1	3	"
31	14	3	1	"	1	"	2	1	30	"	30	"	1	"	"	"	"	"	"
406	3441	1864	733	85	609	39	951	585	274	"	274	"	177	82	59	7	24	28	"
84	231	183	127	38	139	16	140	109	31	"	24	"	80	40	32	19	7	26	

By the Courts of Circuit
Acquitted & Released — 585
Convicted & Punished — 274
Referred to the Foujdaree Adalut — 177
1036

Referred 177

By the Foujdaree Adalut
Acquitted and Released — 82
Convicted Punished — 59
141

Signed A. D. Campbell Register

211

Foujdaree Diary 15th June 1829.

No. 25.

To The Acting Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to solicit the authority of the Right Honble the Governor in Council for the offer of a conditional pardon under the provisions of Section XX. Regulation VIII of 1802, to one Chinnapautee Narraidoo the 3d Prisoner in Cases Nos 1.92 on the Guntoor Calendar 1st Sessions of 1829 the trials in both of which Numbers have, under instructions from this Court & at the suggestion of the Judge on Circuit, been postponed to the next Sessions owing to a deficiency of evidence. —

2 In the first of these Cases, 4 Prisoners are charged with the murder of a Police Peon; and from the proceedings held before the Police Officer as well as by the Criminal Judge it appears that the accused formed part of a bold and daring gang who first murdered the Peon, who was suspicious of their conduct, and then committed a Gang robbery / the subject of the second case / shooting the Curnum of the Village tho' not so as to cause his death — It also appears that they bound and forcibly took with them a man who had been in company with the Peon, and who thus became an eye-witness but the only one, to each crime. The aforementioned 3d Prisoner however has acknowledged that he saw the whole transaction, but that he was no party to the crime and has substantially confirmed the testimony of the said witness, who moreover states that he the 3d Prisoner was not actively engaged in the Robbery — On these grounds the Judges of the Foujdaree Adalut beg to support the recommendation of both of the Circuit and Criminal Judges that an offer of pardon be tendered to the Prisoner in question to extend to both charges. —

3 It should be stated that pursuant to this Courts orders further evidence has been taken by the Criminal Judge, but no additional proof has been obtained as to who were the actual perpetrators of the Murder. —

15th June 1829.

Signed A. D. Campbell
Register
To

Foujdaree Diary 15th June 1829.

No. 212 To the Acting Secretary to Government in the Judicial Department.

[No. 26]

Sir,

1. I am directed by the Judges of the Foujdaree Adaulut to request you to be laid before the Right Honorable the Governor in Council copies of a letter and of its enclosures from the acting Judge of the Court of Circuit in the Southern Division dated the 9th Instant.—

2. The acting Judge requests instructions as to whether the Jails of Madura and Tinnevelly are at the ensuing Sessions, to be separately delivered. The joint Criminal Judges list shews that 11 Cases containing 53 Prisoners, have been committed for trial before the Court of Circuit; but of these, the prisoners 17 in number, in only one Case are confined in the Jail at Tinnevelly; and with the exception of 2 Prisoners in another case who are at large on bail, the remaining 41 prisoners all appear to be confined in the Zilla Jail of Madura.—

3. Under these circumstances the Judges are of opinion that the Jail delivery for the whole Zillah has better be held at Madura, and they recommend that the same may be authorized accordingly under the provisions of Section IV. Regulation II. of 1827.—

15th June 1829.

(Signed) A. D. Campbell. Register

No. 213 To The Acting Secretary to Government in the Judicial Department.

No. 27

Sir,

With reference to your letter under date 17th March last, enclosing the two Petitions Nos. 377 & 404 of 1828 for enquiry and report, I am directed by the Judges of the Foujdaree Adaulut to submit for the information of the Right Honorable the Governor in Council the result of their enquiry on the subject of the Petition No. 404.

2. The purport of the Petition No. 404, in the names of Cona Gounden and others of the Zillah of Salem is a complaint that certain overs which has been issued by the Judge on Circuit in the Southern Division in a precept to the Criminal Judge of Salem under date the 7th May 1828 connected with case No. 284 of 1817 on the File of the Criminal Court, has not been duly conformed to; and its prayer is that the said Criminal Judge may be directed to act up to those overs accordingly.—

It appears that these Petitioners or some of them originally complained to the Provincial Court of Circuit in the Southern Division by Petition No. 1 of 1828, of having been unjustly sentenced to fine and imprisonment by the acting Criminal Judge of Salem in the case above mentioned, upon a charge of assembling in a Mob for the purpose of intimidating the Circar Officers, and they prayed for a remission of the sentence.

3. See enclosures A & B in Letter from the Provl Court dated 29th May 1829.

4. Upon that Petition the Provincial Court, under date the 28 January 1828 passed the following oven: "It is not denied that the "persons alluded to in this Petition were present at the time and place "charged, and there cannot be a doubt that a large Mob armed with Sticks "could not have assembled for any other than an improper purpose. Under "these circumstances and with reference to the grounds upon which the "sentence was passed by the Acting Criminal Judge the Court are "of opinion that their interference not requisite".—

5. After this the same parties appear to have made a similar appeal to the First Judge of the Provincial Court who was then on Circuit, and who having called for all the proceedings in the case in question, seems to have been of opinion that the whole matter had originated in a dispute between the right and left hand Castes, and that the Case, unless there was a breach of the peace, should properly have been decided by the Civil Courts agreeably to Section V Regulation II of 1802, but that at all events the accused ought not to have been punished without an examination of there witnesses the Criminal Judge was therefore instructed to examine witnesses on the part of the prisoners, and to report the result of such examination.

6. Enclosure C in the Provl Courts Letter

To this Precept a return appears to have been made by

by the Criminal Judge to the Collective Court under date 14th June
which he sets out with saying that "he has deligently and attentively
"through all the proceedings held in this Case by the late acting Cri
"Judge and represents respectfully to the Judges of the Provl Court
"that he is unable to discover how any further investigation would
"lead to the better ends of justice than have already been attained
"are to be attained when the sentence passed by the late acting crimin
"Judge shall have been fully carried into effect - It has been most
"proved that the Defendants and particularly the Defendants Cona Co
"and Veeramootoo podiachy Zemindar of Chickoorpuddy assembled
"together a mob of several hundred people of their Caste all armed
"with Clubs & Sticks, and so intimidated the Tahsildar that so far
"being able to make any enquiry into the Causes of a previous quarrel
"between the Castes and which has occurred a fortnight before, nor
"for which purpose he has proceeded to the spot, he was glad to esca
"with his life under the Casual escort of a treasure guard." The
Criminal Judge after there observing that the offence therefore com
mitted by the Defendants, was their thus assembling in a Mob, goes
on to say "They state in their defence that the Tahasildar by a Tahee
"which they produce, directed them to assemble, to decide a quarrel that
"had previously existed, and in which one man had, it was stated,
"lost his life during an affray - But a perusal of this Taheed
"it self disproves this statement - The Taheed directs that the princi
"pal men of the Caste accompanied by seven or eight others, should
"assemble, the Tahasildar intending to institute a quiet and peaceable
"enquiry after the manner of a Punchayet, and instead of this, he
"is filled with consternation naturally enough at finding a furious
"mob of several hundred people assembled round his dwelling house
"to intimidate and overwhelem any impartial investigation - another
"part of their defence is that they assembled to receive Succary from
"the Tahasildar, but this is utterly false - The facts of the case / the
"above / are so plain, and every thing alledged against the Defts is so

"so far admitted by themselves, that the Criminal Judge is unable to discern
"what end would be answered by calling witnesses on behalf of the Defendants,
"especially as it is distinctly stated by the late acting Criminal Judge
"that they never called any before him". Finally the Criminal Judge
"suggests the inexpediency receiving the investigation in a Case where so
"many are concerned, and of establishing a precedent which in a populous
"and turbulent Town will tend to produce appeals without end in the
"Criminal Jurisdiction of the Court, as well as in the Civil"

Upon the return the following order was passed by
the Provincial Court under date the 7th July 1828 "The Court are of opi
"nion that the reasons assigned by the Criminal Judge for not obeying
"the orders of the 1st Judge on Circuit are unsatisfactory - The Criminal
"Judge instead of questioning the orders, ought immediately to have obeyed
"them; as however the Collective Court of Circuit under date the 28th January
"last have already decided that there was no occasion to disturb the con
"Judgment passed by the late acting Criminal Judge of Salem in the
"Case in Question, the Court are of opinion that there is no necessity for
"the late acting Criminal Judge to take any further proceedings, but
"direct that the Sentence passed by the Actg Criminal Judge be fully
"executed". —

Enclosure D in the Provl Courts Letter 7.

8. This order, which the Judges of the Fouzdaree Adalut consider to be proper, was passed subsequently to the receipt of the Petn No 404 by the Government, and as it shews that the subject matter of that Petition has been regularly and finally disposed of by competent authority, the Judges recommend that the parties be referred to it. —

30th June 1828.

9. Although cast disputes are no doubt properly the subject of a civil suit, it is absolutely necessary for the peace of the Country, that illegal assemblies of large bodies of the people on such occasions, should be dissolved by the police, their very numbers on such occasions may constitute a breach of the peace, by causing dread to the peaceable inhabitants - and the institution of the right and left hand

caste

by the Criminal Judge to the Collective Court under date 14th June
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"it self disproves this Statement the Tahkeed directs that the princi
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"and turbulent Town will tend to produce appeals without end in the
"Criminal Jurisdiction of the Court, as well as in the Civil."

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"the late acting Criminal Judge to take any further proceedings, but
"direct that the Sentence passed by the acting Criminal Judge be fully
"executed". —

Enclosure D 7. the Provl Courts Letter

8. This order, which the Judges of the Tanjore Zillah Court consider to be proper, was passed subsequently to the receipt of the Petr No 404 by the Government, and as it shews that the subject matter of that Petition has been regularly and finally disposed of by competent authority, the Judges recommend that the parties be referred to it. —

30th June 1828.

9. Although cast disputes are no doubt properly the subject of a civil suit, it is absolutely necessary for the peace of the Country, that illegal assemblies of large bodies of the people on such occasions, should be dissolved by the police, their very numbers on such occasions may constitute a breach of the peace, by causing dread to the peaceable inhabitants - and the institution of the right and left hand co

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"and turbulent Town will tend to produce appeals without end in the
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30th June 1828. 8. This order, which the Judges of the Foujdaree Adawlut consider to be proper, was passed subsequently to the receipt of the Petn No 404 by the Government, and as it shews that the subject matter of that Petition has been regularly and finally disposed of by competent authority, the Judges recommend that the parties be referred to it. —

9. Although cast disputes are no doubt properly the subject of a civil suit, it is absolutely necessary for the peace of the Country, that illegal assemblies of large bodies of the people on such occasions, should be dissolved by the police, their very numbers on such occasions may constitute a breach of the peace by causing dread to the peaceable inhabitants - and the institution of the right and left hand

casts

casts is in itself one frequent with danger to the State - the most trifling disturbance, in such a cause, if not Judiciously suppressed at once may spread into the most serious danger - and the cause of dispute is one which connected with obvious political considerations should never be allowed to be discussed by a Mob and can be entrusted with safety to the Courts alone. —

15th June 1829.

No 213 To the Secretary to the Military Board,
/ Signed A. D. Campbell /
Transmitting an Indent for cats of nine tails required by the Magistrate of Trichinopoly to be supplied. —

15th June 1829.

No 222 To the Secretary to the Military Board,
/ Sent usual letter /
Transmitting Copy of a letter from the Magistrate of Tinnevelly and desiring to furnish the cats of nine tails required by him. —

20th June 1829.

No 223 To the Secretary to the Military Board,
/ Sent usual letter /
Transmitting an Indent for Cats of nine tails required by the Magistrate of Coimbatore to be furnished. —

20th June 1829.

224 To the Secretary to the Military Board,
/ Sent usual letter /
Transmitting copy of a letter from the Criminal Judge Nellore and desiring to furnish the cats of Nine tails required by him —

22d June 1829.

225 To the Criminal Judge in the Zilla of Chingleput
/ Sent usual letter /
Returning the Notice sent up on his letter of the 18th Instant with the endorsement of the Nazir. —

228 To the Acting Judge on Circuit in the Southern Division
Transmitting copy of a letter from Government authorizing general Jail Delivery of the whole Zillah Madura to be held at that Station for 2d Sessions 1829 —

25th June 1829. —

/ Sent usual letter /

No 229 To the Criminal Judge in the Zillah of Chittoor

Sir,

I am directed by the Court of Fouzdaree Adaulut to transmit to you copy of a letter from the Secretary to Government in the Judicial Department dated 19th Instant. and to desire you will furnish the Garrison Assistant Surgeon of Vellore with a copy of the same. —

25th June 1829. / Signed A. D. Campbell Register

No 230 To the Second Judge of Circuit in the Centre Division

Sir,

I am directed by the Judges of the Fouzdaree Adaulut to acknowledge the receipt of your letter under date the 1st Instant reporting on case No 19 of the Chingleput Calendar Second Sessions of 1828, and to convey to you their authority for the release of the female prisoners, Viz.t the 26th, 46th, 47th and 52d and also, of the 10th and 37th prisoners who are stated to be Children.

2. The Judges approve of the sentences proposed by you as hereunder. Viz.t of fourteen years imprisonment and hard labor on the 1st, 3d, 5th, 6th, 21st, 22d, seven years and hard labour on the 24th 33d 36th 41st 45th 48th 50th 54th 55th and 56th and of three years and hard labour on the 58th 62d 64th 65th 66th 68th 71st 73d 79th 80th 81st 82d 83d 84th 86th prisoners and to each to receive one hundred Stripes with a cat of Nine tails. —

3d The Judges remark with reference to the 9th Para of your letter, that the misconduct of the Cutwal of Cuddalore should have been brought to the notice of the Magistrate in the Southern Division of Arcot.

4 The suggest of the two last paras. of your letter is noticed in your report on your Circuit, and will be duly brought under the consideration of the Government.

25th June 1829. / Signed A. D. Campbell Register

To

No. 231. To the Criminal Judge in the Zillah of Guntoor,

Transmitting Copy of a letter from Government sanctioning the offer of a conditional pardon to certain person. —

25th June 1829.

/ sent usual letter /

No. 28 /

No. 237. To the Acting Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 21st April last No. 65 with reference to the 1st Para to transmit for the information of the Right Honble the Governor in Council the accompanying copies of a letter and its enclosures from the Judges of the Provincial Court of Circuit in the Western Division under date the 29th Ultimo. —

2. The Judges of the Provincial Court it would be seen, are decidedly of opinion that the plan of the jail proposed to be built at Honore is on too extensive a scale. They suggest as the Jail of the Zillah at Mangalore, appears to them to be on the best possible plan, that the one to be erected for the Auxiliary Court should be on the same principle, only on a scale not exceeding one third of the Zillah Jail, which is said to be capable of affording accommodation for 500 Prisoners, and to which therefore some of the Prisoners might be removed from Honore. And it was on this ground that as noticed in the concluding Para of their letter, the second Judge in his Circuit Report for the First Sessions of 1828, recorded his opinion that a new Jail was not necessary. —

3. That a suitable jail however should be attached to the Auxiliary Court, appears to the Judges of the Foujdaree Adalut to be too obvious to require further observation. —

4. With respect to an Hospital the Judges of the Provincial Court remark that it would appear, by Mr. Boileau's letter of the 17th May, that an appropriate building has of late been purchased by Government for the accommodation of the sick. —

5. In reference to the 2d Para of your letter, wherein the Judges of the Foujdaree Adalut are requested to communicate their sentiments generally on the nature and extent of the jail and Hospital accommodation which they may consider requisite to be provided for Auxiliary Courts, I am directed to observe that the Judges entirely concur in opinion with the Governor in Council that a much smaller and less expensive building than either of those which have been proposed for the Auxiliary Courts at Honore and Palamcottah, would be sufficient at those Stations which at present have none, as no prisoners need be confined in them but such as are either under examination, or committed for trial or are sentenced to imprisonment for short periods, for less than twelve months.

6. The plans and estimates are herewith returned and the Judges will be prepared if necessary to communicate personally with the Military Board, should the Government wish them to consult with that authority as to a general plan of a person for the Auxiliary Courts. —

29th June 1829.

/ Signed A. D Campbell Register /

No. 29.

No. 238. To the Acting Secretary to Government in the Judicial Department.

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter under date the 13th Feby. last No. 65 calling for the information required in a General from the Honble the Court of Directors in the Military Department dated the 23d July 1828 as to "whether the Judicial authorities take cognizance of immolations among the widows and female relatives of Hindoo Sepoys"

2. According to the answers which have been received from the Provincial Court of Circuit in the Centre, Southern, and Western Divisions, it appears that no case of this descriptions has ever come under the cognizance of any of the Criminal Judges or Magistrates in any of those Divisions.

3. From the Northern Division also a similar

reports

report has been made with the single exception of the Magistrate of Nellipalam, who mentions an instance as being on the records of his office of a Sepoy's widow who having been prevented by a former Magistrate from bringing himself with the corpse of her deceased husband in consequence destroyed herself by setting fire to the shed in which she was living.

4 Copies of the different reports are herewith furnished.

29th June 1829. /signed A. D. Campbell Register

A.239 To the Secretary to the Military Board

Transmitting copy of a letter from the Joint Criminal Judge & Auxiliary Court Tinnevelly and desiring to furnish the cats of nine tails required.—

29th June 1829. /sent usual letter/

No.242 To the Magistrate in the Zillah of Guntoor,

Sir,

I have the honor to acknowledge the receipt of your letter dated 20th Ultimo and in reply thereto am directed to inform you, that the pension of 3 Rupees per mensem granted by Government to the widow and two daughters of the Police Peon Canoopoola Guntaloo is to commence from the 29th of May last that of Rupees 2. 8. per mensem granted to the family of Autcoory Nagesetty who fell while singly defending his property to commence from the 22d of the same month.—the dates on which they were respectively sanctioned by Government:—

6th July 1829. /signed A. D. Campbell Register

/No.30./

No.243 To the Acting Secretary to Government on the Judicial Department

Sir,

I am directed by the Court of Fouydaree Adalut to transmit to you to be laid before the Right Honble the Governor in Council the accompanying copy of a letter and its enclosure from the Provincial Court of Circuit in the Centre Division, submitting a list of prisoners convicted by the Criminal Judge of Cuddapah for trial at the ensuing Sessions.—

2. Here being duly two cases on the joint Criminal Judge's Calendar, the Court are of opinion that at the ensuing Sessions a general Jail Delivery for the whole Zillah of Cuddapah may be held at the Sudr Station.—

6th July 1829. /signed A. D. Campbell Register

No.244 To the Criminal Judge in the Zilla of Chinglepat.

Transmitting Copy of a letter from the Secretary to the Marine Board requesting information of the number of convicts at present in or readiness to be transported.—

8th July 1829. /sent usual letter/

To

Fouzdaree Diary 10th June 1829.

No. 245 To the Secretary to the Marine Board

Sir, I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter of the 6th Instant and to transmit for your information the accompanying copy of a letter from the Criminal Judge in the Zilla of Chingleput dated the 9th Instant.

10th July 1829 / Signed A D. Campbell Registr

No. 246 To the Secretary to the Military Board

Transmitting Copy of a letter from the acting Joint Magistrate Nellore requesting the supply of 3 Cats of Nine tails.—

10th July 1829 / Sent usual letter /

No. 248 To The Judges of the Provincial Court of Circuit in the Western Division

Gentlemen I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter dated the 29th ultimo with a copy of the return from the Joint Criminal Judge in Canara to a Precept from your Court dated the 12th and submitting a question as to the construction to be put upon the provisions of Clause First Section XXI Regulation I of 1812 as applicable to Clause Third Section XIII of the same Regulation

2. This reference having led the Judges to reconsider the opinion conveyed in the latter part of the 5th Para of my predecessors letter of the 31st March 1828, they have seen reason to modify that opinion which went to declare that certain prisoners who had been punished by the Joint Criminal Judge for breaches of the Salt Regulations, should be proceeded against in the Civil Court under Section IV Regulation II of 1807 and Section XX Regulation I of 1805

3. The Judges are now satisfied that persons importing Salt into the Province of Canara from the territory of Goa by land without payment of the duty prescribed in Clause Third Section XIII Regulation I of 1812, are punishable under Clause First Section XXI of that Regulation, as being concerned in an attempt to defraud the Customs and as the provisions of the latter Clause have, by Section XLIV Regulation IX 1816 been declared applicable to Criminal Judges, and to them only, it follows that the Joint Criminal Judge had full authority to take cognizance of the case the subject of your correspondence with him

13th July 1829.

Fouzdaree Diary 13th 15th & 17th July 1829.

No. 249 To the Provincial Court Centre Division

Transmitting Copy of a letter from Government permitting that a general Jail Delivery for the whole Zilla Cuddapah be held at that Station for the ensuing Sessions.—

13th July 1829. / Sent usual letter /

No. 254 To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen With reference to the 14th Para of the Report of the Second Judge late on Circuit dated the 1st Instant I am directed by the Fouzdaree Udalut to acquaint you that an application has been received by this Court from the Magistrate of Trichinopoly for an increase to his Jail establishment in consequence of the transfer of 100 Prisoners from the Salem to the Trichinopoly Jail the Judges of the Fouzdaree Udalut desire that you will inform that officer that this communication should have been submitted thro' your Court and before they submit the same to Government for sanction they desire that you will acquaint them whether the additional Peons required as well as the Prisoners cannot be transferred from the Salem Jail are whether if an increase of Peons is made elsewhere proportionate to the increase of prisoners an equal a reduction corresponding to the diminution in the number of prisoners confined may now be effected at Salem. In that case, you will be pleased to issue orders accordingly and submit for sanction any new arrangement requiring to be specially authorized by Government.—

15th July 1829— / Signed A. D. Campbell Registr

No. 259 To The Criminal Judge in the Zilla of Chingleput

Sir, I am directed by the Judges of the Fouzdaree Udalut to transmit to you the accompanying copy of a Letter dated 16th Instant from the Secretary to the Marine Board and to desire that you will forward the Prisoners now in your charge under Sentence of transportation without delay to the Superintendent of Police.—

17th July 1829. / Signed A. D. Campbell Registr

Foujdaree Diary 17th & 20th July 1829.

No. 260. To the Secretary to the Military Board.

Transmitting an Indent for 6 Cats of Nine tails required by the Criminal Judge Chingleput to be supplied.—

17th July 1829. / Sent usual letter /

No. 261. To the Magistrate in the Zilla of Tinnevelly.

Paras 3 to 5 inclusive. The same to the Magistrates of Chingleput & Trichinopoly

Sir,

I am directed by the Judges of the Foujdaree Adalut to call your particular attention to the accompanying extracts from a report they have lately addressed to the Government with the Criminal return for the Half year ending 31st December last.—

To the Magistrate in the Zilla of Bellary

Sir,

I am directed by the Judges of the Foujdaree Adalut for your information the accompanying extracts from a report they have recently addressed to the Government with the Criminal Statements for the Half year ending 31st December last.—

Paras 4 & 5 The same to the Magistrates of Madura, Ganjam & Vizagapatam.

17th July 1829.

/ Signed A. D. Campbell Register

Circular

No. 262. To the 4 Provincial Courts

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the enclosed extract from the Minutes of consultation under the 10th Instant and to desire that copies of the same may be circulated to the Criminal and Joint Criminal Judges and to the Magistrates within your Division for their information and future Guidance. It will no longer be necessary to forward either Indents for cats of nine tails or the cats themselves to this Court. they should be transmitted to the Military Board or as directed.—

20th July 1829.

/ Signed A. D. Campbell Register

/ No. 34 /

No. 271. To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut

Foujdaree Diary 23d July 1829.

to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara recommending under Section XX Regulation VIII. of 1802. the tender of conditional pardon to Perranna an accessary to a Robbery committed on the Highway— which under the circumstances detailed by the local officer the Judges recommend be granted the evidence of this person being considered necessary for the conviction of the principal offender.—

23d July 1829. / Signed A. D. Campbell Register

/ No. 35 /

No. 272. To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 17th Instant and to transmit to you the accompanying copy of a letter from the Criminal Judge of Chingleput with a list of 28 convicts under sentence of transportation who have been forwarded by him to the Superintendant of Police at Madras.—

23d July 1829. / Signed A. D. Campbell Register

/ No. 37 /

No. 274. To the Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara enclosing copy of one from his Head assistant detailing the circumstances attending under committed in a Village in the vicinity of Mangalore and recommending under the provisions of Section XX Regulation VIII of 1802. the offer of conditional pardon to two persons who were apprehended as suspected of having committed the crime.—

2. Under the circumstances detailed by the Head assistant Magistrate the Judges recommend that a pardon be granted to the two prisoners Bunto and Tyaro who do not appear to have in any way participated

No. 260. To the Secretary to the Military Board.

Transmitting an Indent for 6 Cats of Nine tails required by the Criminal Judge Chingleput to be supplied.—

17th July 1829. / Sent usual letter /

No. 261. To the Magistrate in the Zilla of Tinnevelly.

Paras 3 to 5 inclusive. The same to the Magistrates of Chingleput & Trichinopoly

Sir,

I am directed by the Judges of the Foujdaree Adalut to call your particular attention to the accompanying extracts from a report they have lately addressed to the Government with the Criminal return for the Half year ending 31st December last.—

To the Magistrate in the Zilla of Bellary.

Sir,

I am directed by the Judges of the Foujdaree Adalut

Paras 4 & 5 for your information the accompanying extracts from a report they have recently addressed to the Government with the Criminal Statements for the Half year ending 31st December last.—

The same to the Magistrates of Madura, Ganjam & Vizagapatam.

17th July 1829.

/ Signed A. D. Campbell Register /

No. 262. To the 4 Provincial Courts. Circular

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the enclosed extract from the Minutes of consultation under the 10th Instant and to desire that copies of the same may be circulated to the Criminal and Joint Criminal Judges and to the Magistrates within your Decision for their information and future Guidance. It will no longer be necessary to forward either Indents for cats of nine tails or the cats themselves to this Court. they should be transmitted to the Military Board as directed.—

20th July 1829.

/ Signed A. D. Campbell Register /

No. 271 / No. 34 / To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut

to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara recommending under Section XX Regulation VIII. of 1802 the tender of conditional pardon to Perroonna an accessary to a Robbery committed on the Highway — which under the circumstances detailed by the local officer the Judges recommend be granted the evidence of this person being considered necessary for the conviction of the principal offender.—

23d July 1829. / Signed A. D. Campbell Register /

No. 272 / No. 35 / To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 17th Instant and to transmit to you the accompanying copy of a letter from the Criminal Judge of Chingleput with a list of 28 Convicts under sentence of transportation who have been forwarded by him to the Superintendant of Police at Madras.—

23d July 1829. / Signed A. D. Campbell Register /

No. 274 / No. 37 / To the Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara enclosing copy of one from his Head assistant detailing the circumstances attending under committed in a Village in the vicinity of Mangalore and recommending under the provisions of Section XX Regulation VIII of 1802. the offer of conditional pardon to two persons who were apprehended as suspected of having committed the crime.—

2. Under the circumstances detailed by the Head assistant Magistrate the Judges recommend that a pardon be granted to the two prisoners Bunto and Tyaro who do not appear to have in any way participated

No. 260. To the Secretary to the Military Board.

Transmitting an Indent for 6 Cats of Nine tails required by the Criminal Judge Chingleput to be supplied.—

17th July 1829. / Sent usual letter /

No. 261. To the Magistrate in the Zilla of Tinnevelly—

Paras 3 & 5 inclusive— The same to the magistrates of Chingleput & Trichinopoly

Sir,

I am directed by the Judges of the Foujdaree Adalut to call your particular attention to the accompanying extracts from a report they than lately addressed to the Government with the Criminal return for the Half year ending 31st December last.—

To the Magistrate in the Zilla of Bellary

Sir,

I am directed by the Judges of the Foujdaree Adalut

Paras 4 & 5 for your information the accompanying extracts from a report they have recently addressed to the Government with the Criminal Statements for the Half year ending 31st December last.—

The Same to the Magistrates of Madura, Ganjam & Vizagapatam.—

17th July 1829.

/ Signed / A. D. Campbell Registr

No. 262 Circular

To the 4 Provincial Courts

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the enclosed extract from the Minutes of consultation under the 10th Instant and to desire that copies of the same may be circulated to the Criminal and Joint on Criminal Judges and to the Magistrates within your Division for their information and future guidance. It will no longer be necessary to forward either Indents for cats of nine tails or the cats themselves to this Court they should be transmitted to the Military Board as direct.—

20th July 1829.

/ Signed / A. D. Campbell Registr

No. 271 / No. 34 /

To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to

to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara recommending under Section XX Regulation VIII. of 1802 the tender of conditional pardon to Perrooma an accessary to a Robbery committed on the Highway— which under the circumstances detailed by the local officer the Judges recommend be granted the evidence of this person being considered necessary for the conviction of the principal offender.—

23d July 1829. / Signed / A. D. Campbell Registr

No. 272 / No. 35 /

To the Secretary to the Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 17th Instant and to transmit to you the accompanying Copy of a letter from the Criminal Judge of Chingleput with a list of 28 Convicts under Sentence of transportation who have been forwarded by him to the Superintendant of Police at Madras.—

23d July 1829. / Signed / A. D. Campbell Registr

No. 274 / No. 37 /

To the Secretary to Government in the Judicial Department.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to submit for the information of the Right Honble the Governor in Council copy of a letter from the Magistrate in the Zilla of Canara enclosing copy of one from his Head assistant detailing the circumstances attending under committed in a Village in the vicinity of Mangalore and recommending under the provisions of Section XX Regulation VIII of 1802 the offer of conditional pardon to two persons who were apprehended as suspected of having committed the crime.—

2. Under the circumstances detailed by the Head assistant Magistrate the Judges recommend that a pardon be granted to the two prisoners Bonato and Tyaro who do not appear to have in any way participated

participated in the deed and whose evidence is considered necessary to the conviction of Buswapa and certain others who there is reason to believe were the actual perpetrators of the Murder.—

25th July 1829.

No. 275 To the Acting Judge in the Zilla of Cuddapah.

Sir,

I am directed by the Judges of the Court of Adalut to transmit to you Copy of a letter from the Secretary to Government in the Judicial Department and of its enclosures for your information and guidance.

2. With reference to the 3d para of the extract Minutes of Consultation, the Judges desire that you will direct the convicts, for transmission to the Officer commanding Arcot, the date of whole sentences are most nearly expired.—

25th July 1829.

No. 276 To the Provincial Court of Circuit Centre Division

Gentlemen,

I am directed to acknowledge the receipt of the Registers letter dated the 17th Instant forwarding one to my address from the acting Criminal Judge of Cuddapah.—

2. The Judges agreeing perfectly in the opinion expressed by the Court of Circuit desire you will issue instructions to the acting Criminal Judge to forward the prisoners to the Magistrate of Chittoor who, if he sees sufficient cause, will forward them to the Adawlut of Chittoor.—

3. The Judges desire that you will bring to the notice of the acting Criminal Judge the irregularity of addressing this communication direct to the Court of Foujdaree Adalut.

27th July 1829.

To the Criminal Judge in the Zilla of Chittoor

Returning the Summonses sent up in his letter of the 17th with the Nazir's report—

27th July 1829.

Sent usual letter.

No. 98.

No. 278. To The Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of Mr. Orr's letter under date the 3d Instant, and in conformity with the orders of Government contained in para 4 to submit the enclosed draft of a Regulation for modifying the enactments contained in section VIII Regulation I 1825.—

30th July 1829. Signed A. D. Campbell Register

A Regulation for Modifying the enactments contained in section VIII. Regulation I 1825.

Preamble. Whereas section VIII. Regulation I 1825 requires the Judges of Circuit to refer for the sentence of the Court of Foujdaree Adalut every trial in which the conviction of the prisoner depends exclusively or principally upon the evidence of witnesses objected to by the Mohammedan law officer; and whereas the intention of that enactment will be maintained, and the administration of Justice greatly accelerated by enabling the Judges of Circuit to pass sentence, without reference to the Court of Foujdaree Adalut, on persons convicted of crimes by law punishable by them, in which the objection taken to the evidence by the law officer consists exclusively of certain personal exceptions to the deponents, and is not founded on the insufficiency of the testimony given by them, or on other grounds separate and distinct from such personal exceptions, wherefore the Right Honorable the Governor in Council has been pleased to pass this Regulations, to be in force from the date of its promulgation.—

II. First In modification of Section VIII Regulation I 1825 it is hereby enacted that it shall be competent to a Judge of Circuit to pass sentence, without reference to the Court of Foujdaree Adalut, on all persons convicted before him of any crime by law punishable by a Judge of Circuit, notwithstanding any objection taken to the deponents by the law officer, provided such objection

objection consists of any of the following personal exceptions to the witness or prosecutor:- 1st. that they are officers of police, or in the service of Government, or the persons who took the prisoner into custody 2dly that they are persons not of the Mohommedan persuasion. 3dly that they are prosecutors, or stand in the situation of prosecutors, from having been injured, however slightly by the prisoner- 4thly that they are women- 5thly that they are near relations of the prosecutor- 6thly that they are masters, servants, or slaves of the prosecutor.—

If otherwise the trial must be referred as hereto fore.—

Second But if the law officer objects to the conviction of the prisoner, on the ground of the insufficiency to conviction of the testimony itself, or on any other ground separate and distinct from the personal exceptions specified in clause first, the trial shall be referred to the Court of Foujdaree Udalut as heretofore.—

30th July 1829.

No. 279 To the 2d Judge of the Court of Circuit in the Centre Division.

/Signed/ A. D. Campbell. Register

Sir,

I am directed to acknowledge the receipt of your letter dated the 23d Instant.—

2. The Judges of the Foujdaree Udalut are of opinion that the mere fact of your not having at that date disposed of half the cases in the Calendar for the present Quarterly Sessions, would not justify your returning the Supplemental Calendar- the prisoners being entitled to the speediest delivery of the Jail- They therefore desire you will try the additional cases which may have been sent up with it.—

30th July 1829.

No. 280. To the 3d Judge Provincial Court of Circuit in the Centre Division.

/Signed/ A. D. Campbell Register

Sir,

I am directed to acknowledge the receipt of your letter dated the 27th Ultimo requesting the opinion of this Court as to the construction to be put upon the

the provisions of Clause 3d Section V. Regulation VII of 1822

2. The Court of Foujdaree Udalut have in their Proceedings of the 13th Instant, lately circulated to the four Provincial Courts, ruled that Section V Regulation VII of 1822 "clearly applies both to convicts under sentence, and to prisoners "not convicted held to Security as well as to persons apprehended and detained in custody on a Criminal charge previously to trial, on whom a minor punishment is to be inflicted "It accordingly includes all criminal prisoners convicted, or "not, escaping either from Jail or from the custody of their "Guard and the Judges think that it also applies to accused "persons, under charge of the Police, who may escape from "their guards before they are delivered to the Criminal Court "or to the Majistracy"

I have &c

30th July 1829 /Signed/ W. Douglas.

Head Assistant to the Register

No. 284. To the First Judge late on Circuit in the Western Division

Sir,

I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter dated the 3d ultimo forwarding a correspondence with the Magistrate of Canara relative to a person named Autoo, whom the Magistrate is desirous to detain under particular orders at Mangalore instead of his being allowed to return to his home in the Talook in that zillah.

2. The Judges entirely concur in the view you have taken of this Case, and are decidedly of opinion that unless the Magistrate is proper to proceed against this person in the mode pointed out in Regn. II. 1822 or in the several Clauses of Section VIII Regulation VI of 1822 he must be unconditionally released.

3. August 1829.

/ signed / A. D. Campbell Regr.

No. 285. To the Joint Criminal Judge of the Auxiliary Court at Masulipatam

Sir,

I am directed by the Judges of the Foujdaree Adawlut to transmit to you the annexed copy of a letter addressed to Government and of the reply dated the 21st Ultimo from the Secretary to Government in the Judicial Department, and with reference to the concluding part of the latter to desire that you will report without delay whether the Jail under your charge contains suitable accommodation for a European convict named Rowling formerly a private in His majestys 46th Regiment of Foot.

3. August 1829.

/ signed / A. D. Campbell. Regr.

No. 286. To the Magistrate Canara

Transmitting copy of a letter from Government sanctioning the offer of a conditional pardon to Paroomah a supposed accessary to the Robbery committed in the Zilla of Canara.

3. August 1829.

No. 300. To the Judges of the Provincial Court of Circuit in the Eastern Division sent usual letter

Gentlemen,

I am directed by the Judges of the Foujdaree Adawlut

to acknowledge the receipt of your Registers letter of 3d Instant enclosing a reference from the acting Criminal Judge in the Zilla of Cuddapah on the subject of a remark contained in the proceedings of this Court under date the 19th September 1822.

2. It was observed in the 6th para of those proceedings that "the irregularity of taking the evidence against the Prisoner after his commitment for trial, is too obvious to require comment."

3. In the case in question it is presumed that all the evidence taken was taken after, instead of before the prisoners commitment and the plain meaning of there is that a prisoner cannot be committed until evidence has been taken against him, as it must be any the evidence that the committing Officer sees grounds for the commitment - It by no means follows however, that additional proof may not be adduced against a prisoner after his commitment, and if so, there can be no irregularity in taking it - Indeed Judges of Circuit often defer trials in order that further evidence may be taken -

The Judges do not clearly understand Mr Stombom's meaning when he says that on taking charge of the Criminal Judge's Court at Cuddapah, he "found a contrary practice was usual". We surely could not have intended to state that the usual practice of that Court is first to commit prisoners for trial without taking evidence and then to take the evidence against them. -

10th August 1829. -

/ signed / A. D Campbell Register

(No. 40)

No. 301. To the Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adawlut to transmit to you for the consideration of the Right Honorable the Governor in Council copy of a letter and its original english enclosures from the Magistrate in the zillah of Nellore, detailing the circumstances of the case of a person named Ramasawmy who was apprehended in his District on the 18th of January 1827 as a suspicious character, but who has, since his confinement, been labouring under mental derangement. -

The Judges are of opinion that his release would not be

be attended with any danger to the community but as his connexions and relatives are unknown, if now set at liberty he would become altogether destitute and helpless from the total deprivation of the use of his faculties. It is therefore desirable that the Magistrate of Nellore should circulate to the other Magistrates under this Presidency as correct a description as possible of his person, in order to discover he relatives. Mean time the Judges recommend that he be placed under the charge of the Cutwall of Nellore who should be directed to use as little restraint over his person as possible: and that his Bullocks and other necessary expences be charges to the account of Government.-

The Judges with the view of having time and expence have deemed it expedient to submit the original of the english enclosures in the Magistrates letter.-

10th August 1829.

/ signed / A. D. Campbell Registr

No. 302.

To The Secretary to Government in the Judicial Department

/ No. 311

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you, for the purpose of being laid before the Right Honorable the Governor, copy of a letter dated the 27th Ultimo, from the Northern Provincial Court of Circuit, with an application from the Circuit Judge of Guntoor for sanction of an increase in his jail establishment to the extent of Rupees 159: 4: per mensem as called in the Margin.-

This additional establishment is stated to have been entertained by order of the acting First Judge late on Circuit in the Northern Division in consequence, as Mr. Garrow reports, of his finding on his arrival at Guntoor, that not only the place where the prisoners were confined was in a very insecure state, but that there was not a sufficient power placed over them to put down any attempt they might make to escape.-

The State of this Jail was brought to the particular notice of Government in my acting Deputy's Letter of the 12th March last, but the Judges have no information with respect to the orders which may

may have been issued in consequence of Mr. Garrow's report therewith submitted.- In the present insecure state of the Jail, it appears highly advisable that there should be an efficient guard over the prisoners confined in it. The Judges accordingly recommend that the above increase of establishment may be sanctioned for the present as a temporary arrangement.-

10th August 1829. / Signed A. D. Campbell Registr

No. 303.

To The First Judge late on Circuit in the Western Division,

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter under date the 11th Ultimo on the subject of the appeal made to you while on Circuit in Canara by one Lajummah, a female, to obtain the reversal of an order passed by the joint Magistrate in that District.-

The Judges consider it both unnecessary and irregular to go into any consideration of the respective claims of the parties to the property in dispute in this instance, the question being simply whether the order complained of was, or was not, a proper one, under the circumstances; and there cannot be a doubt that if that order went to oust the Petitioner Lajummah of landed or other property of which she had been theretofore in full and undisturbed possession, the Magistracy exceeded its authority in issuing or maintaining it- their duty is clearly confined to preventing or punishing any breach of the peace, and to restoring possession on forcible ejection of which there was none in this case.-

As revenue officers the Magistracy could not interfere, one of the [illegible] parties having accidedly objected to the proposed reference to a Punchayet. The Judges therefore concur in the view you have taken of the proceedings in

in this case; and approve of your disposing of the Appeal accordingly, being of opinion that it is perfectly competent to you, and consistent with the orders lately circulated by this Court, to take cognizance of it in the manner you did, that is by referring the Petition to the Magistrate for explanation and on your then finding the proceedings complained of to have been illegal, remitting the case for the opinion and orders of the Foujdaree Adalut.-

I have &c.

/ Signed / A. D. Campbell Regr.

10th August 1829.-

To the Second Judge presiding at the Third Quarterly Sessions Chittoor.

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letters stated the 25th ultimo and 4th Instant Reporting on the case of Ramiasawmy the Prisoner in No. 14 of the Chittoor Calendar for the Third Quarterly Sessions of 1829.-

The circular orders of the 5th June last para 7 clearly provided that if a prisoner's insanity at the period of his being placed at the bar is only partial, he shall be remanded for trial. It is only in cases where it is absolute and permanent, that any enquiry into the state of his mind at the time of the offence charged is necessary. He has now been reported to be of sane mind and he should therefore be brought to trial in a regular manner when the state of his mind at the time he committed the offence will of course come under enquiry. In your former proceedings you should have confined yourself to the prisoners state of mind when brought before you.-

/ Signed / A. D. Campbell Regr.

10th August 1829.-

No 309. To the Magistrate of Canara

Transmitting copy of a letter from the Secretary to Government in the Judicial department authorizing the tender of a conditional pardon to Buntoo and Ayaroo, two persons who were apprehended in the Zillah of Mangalore on suspicion of having committed a murder.-

12th August 1829.- Sent usual letter.

No 316. To the Second Judge on Circuit in the Western Division

Sir,

In reply to your letter of the 24th July last, I am directed by the Judges of the Court of Foujdaree Adalut to inform you that, as you fully concur with the Law Officer in acquitting the prisoners in the case No 6 on the Calendar for the Zillah of Malabar at the 2d Sessions for 1829, of the murder laid to their charge and are of opinion that the homicide committed by the first prisoner was justifiable, under the peculiar circumstances attending the case, all the prisoners should be forthwith released and no reference to this Court is necessary

I have &c

17th August 1829. / Signed / A. D. Campbell Register

317 To Hold Pauls Courts

Inquisitions of the Futwa

Bluegrove

318

318 To the Sword Tillah Courts

Inquisitions of Futwa

Bluegrove

№320 To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

With reference to the extract from the proceedings of this Court dated the 10th instant furnished to your Court with a precept under the same date I am directed by the Judges of the Court of Toujdaree Udalut to state that upon further consideration of the Report №5 submitted by the Acting Criminal Judge of Madura, the sentence of "18 months "imprisonment with hard labour in irons" passed "by the Assistant Criminal Judge on the prisoner "in Case №28, charged with having in the day "time stolen the Prosecutor's Mare and Colt from the "pasture ground valued at 10 Rupees" is considered too severe - it not appearing, that any circumstances of aggravation attended the Commission of the Theft - unless such circumstances did exist you will direct the sentence to be modified.-

22d August 1829.- /Signed/ A.D. Campbell Register

/№42/

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

Sir,

I am directed by the Judges of the Court of Toujdaree Udalut to transmit to You to be laid before the Right Honorable the Governor in Council copy of a letter from the Judges of the Provincial Court in the Southern Division enclosing one from the Acting Criminal Judge of Madura, recommending an increase of the pay of the Sailors.-

For the reasons stated in the letter from the Provincial Court the Judges beg leave to recommend that the pay of the Sailors attached to the Criminal Court at Madura be increased to 6 Pagodas per mensem.-

24th August 1829.- /Signed/ A.D. Campbell Register

№323 To the Magistrate of Nellore

Transmitting copy of a letter from the Secretary to Government in the Judicial Department approving of the suggestions offered relative to the insane person named Ramaswammy, and directing that the Magistrate of Nellore be furnished with instructions accordingly.-

24th August 1829.- Sent usual letter.

№324. To the Second Judge of the Court of Circuit in the Western Division

Sir,

I am directed by the Judges of the Foujdaree Udalut to request that you will forward with the least practicable delay, your report in the 3rd Quarterly Sessions of 1829.-

24th August 1829.- /Signed/ A. D. Campbell Register

The same to the Second Judge Northern and also to the Second Judge Centre Division for the Second Quarterly Session 1829.-

A №325. To the First Judge late on Circuit in the Northern Division

Sir,

I am directed by the Judges of the Foujdaree Udalut to request that you will forward, with the least practicable delay, your report on the result of your Circuit for the first Sessions 1829.-

24th August 1829.- /Signed/ A. D. Campbell Register

The same to the First Judge in the Western Division and Third Judge in the Centre Division.-

B №325. To the Judges of the Provincial Court of Circuit for the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to request that the reports due from the several Criminal Judges and the Joint Criminal

Criminal Judge in your Division for the month of June last, may be forwarded to this office without further delay.-

/Signed/ A. D. Campbell Register

24th August 1829.-

№326. To the Third Judge late on Circuit in the Centre Division

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 6th April last, and to transmit, for the information and guidance of the Acting Criminal Judge in Bellary, the enclosed copy of a letter addressed to the Government on the 6th May last, and of their orders in reply under date the 25th ultimo.-

2. In communicating these papers to the Acting Criminal Judge of Bellary, you will be pleased to direct him without delay to forward the convict "Dowling" under a strong Guard to Masulipatam - there to be delivered over to the charge of the Joint Criminal Judge in order that his sentence may be carried into execution in the Auxiliary Jail at that station.-

3. The Judges desire that the Guard entrusted with the charge of the prisoner may be sufficiently strong to preclude the possibility of an escape.-

24th August 1829.- /Signed/ A. D. Campbell Register

№431

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

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you, to be laid before the Right Honorable the Governor in Council, the accompanying copies of a letter dated the 25th Instant, and of its enclosures from the Acting Judge on Circuit in the Southern Division, requesting instructions whether there is to be one general Jail Delivery for the whole Zillah of Salem, or whether the Jails of Salem

and

and Coimbatoor are to be separately delivered.-

2. The statement furnished by the Joint Criminal Judge at Coimbatoor shews, that there are at that station 20 Cases committed for trial at the ensuing Sessions, containing 54 prisoners, all of whom are stated to be in the Jail under this charge, with 95 witnesses for prosecution and 61 Witnesses for defence.-

3. Under these circumstances it will of course be proper that there should be a separate Jail delivery at Coimbatoor; and with reference to Section IV Regulation II of 1827, the Judges recommend that orders may be issued accordingly.-

31st August 1829.- /Signed/ A.D. Campbell Registr

No 337. To the Additional Judge on Circuit in the Centre Division

Sir,

With reference to your letter of the 17th ultimo, submitting copies of certain Precepts and extracts from your proceedings, and of a return made thereto by the Acting Criminal Judge of Cuddapah, I am directed by the Judges of the Foujdaree Adalut, to transmit, for your information the accompanying copy of a letter dated the 10th Instant to the Judges of the Provincial Court of Circuit in the Centre Division, by which you will perceive that the construction you have put upon the orders of the Foujdaree Adalut under date the 19th September 1822, is correct.-

1st September 1829.- /Signed/ A.D. Campbell Registr

No 338. To the Judges of the Provincial Court of Circuit for the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit, for your information and guidance, the enclosed copy of a letter from the Additional Judge on Circuit in the Centre Division with copy of their orders in reply, and of the papers referred to therein.-

If under any misconstruction of their orders under date the 19th September 1822 it has been considered in the Northern Division improper or irregular to take evidence against a prisoner between the period of his commitment and trial - your Court will be pleased promptly to correct any such impression on the part of the Criminal Tribunals under you.-

1st September 1829. /Signed/ A.D. Campbell Registr

No 339. To the Provincial Court of Circuit in the Southern Division

Transmitting copy of a letter from the Secretary

and Coimbatoor are to be separately delivered.-

2. The statement furnished by the Criminal Judge at Coimbatoor shews, that there at that station 20 Cases committed for trial at the ensuing Sessions, containing 54 prisoners, all of whom are stated to be in the Jail under this charge, with 95 witnesses for prosecution and 61 Witnesses for defence.-

3. Under these circumstances it will of course be proper that there should be a separate Jail delivery at Coimbatoor; and with reference to Section IV Regulation II of 1827, the Judges recommend that orders may be issued accordingly.-

31st August 1829.- /Signed/ A.D. Campbell Register

No 337. To the Additional Judge on Circuit in the Centre Division

Sir,

With reference to your letter of the 17th ultimo, submitting copies of certain Precepts and extracts from your proceedings, and of a return made thereto by the Acting Criminal Judge of Cuddapah, I am directed by the Judges of the Foujdaree Adalut, to transmit, for your information, the accompanying copy of a letter dated the 10th Instant to the Judges of the Provincial Court of Circuit in the Centre Division, by which you will perceive that the construction you have put upon the orders of the Foujdaree Adalut under date the 19th September 1822, is correct.-

1st September 1829.- /Signed/ A.D. Campbell Register

No 338. To the Judges of the Provincial Court of Circuit for the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit, for your information and guidance, the enclosed copy of a letter from the Additional Judge on Circuit in the Centre Division with copy of their orders in reply, and of the papers referred to therein.-

If under any misconstruction of their orders under date the 19th September 1822 it has been considered in the Northern Division improper or irregular to take evidence against a prisoner between the period of his commitment and trial - your Court will be pleased promptly to correct any such impression on the part of the Criminal tribunals under you.-

1st September 1829. /Signed/ A.D. Campbell Register

No 339. To the Provincial Court of Circuit in the Southern Division

Transmitting copy of a letter from the Secretary

Secretary to Government in the Judicial Department dated 29th Ultimo sanctioning the increase of the pay of the Jailor attached to the Criminal Court at Madura to Rupees 24 per mensem.-

1st September 1829.- Sent usual letter.

No 340. To the Acting Criminal Judge in the Zillah of Chittoor

Returning the summons, sent up with his letter of the 26th Ultimo, with the endorsement of the Nazir of this Court.-

1st September 1829.- Sent usual letter.

No 341. To the Acting Judge of the Provincial Court of Circuit for the Southern Division

Transmitting copy of a letter dated the 1st Instant from the Secretary to Government in the Judicial Department sanctioning a separate Jail Delivery at Coimbatore.-

3d September 1829.- Sent usual letter.-

No 348. To the Additional Judge on Circuit in the Centre Division

Sir,

1. In reply to your letter of the 20th Ultimo, I am directed by the Judges of the Foujdaree Adalut to acquaint you that you appear generally to have taken a correct view of the Regulations on the points referred by you.-

2. Highway robbery by a single unarmed person does not come within the definition of "robbery by open violence" as defined in clause first section III Regulation XV 1803, but is distinct from it.- According to the Mohammudan law it would be punishable by the amputation of two limbs, and consequently (under the commutation directed in the Regulations) 14 years imprisonment.- Though intimidation may be used by a single unarmed robber, it is only when he is armed with an offensive weapon,

"weapon," or accompanied by others in "a gang," that the clause in question applies.- In cases of a single unarmed robber the Mussulman law exclusively applies.-

3. Where the prisoner is fully convicted by the law officer, and sentenced to discretionary punishment, if the Regulations have denounced the penalty to be adjudged, no second futwa is requisite.- But if the conviction is incomplete, and the acquittal proceeds on the incompetency of the witnesses, on any of the grounds specified in section VIII Regulation I 1825, a second futwa should be taken.-

4. It is only in cases where the Regulations have not annexed a specific penalty to the offence, that in the event of conviction, and sentence by the law officer to discretionary punishment, it becomes necessary, in crimes to which the Mussulman law has annexed a specific punishment (Hudd), as it does in all cases of robbery by a single unarmed person to take a second futwa, under clause third or fourth, section II Regulation XV 1803 according as the said specific sentence of Hudd may be opposed by the obstacle of a conviction under (ghalib oo zun) strong presumption, or by a (shoobah) scrupulous distinction.- In either case, by means of a second futwa, the British Code overcomes these obstacles.-

5. Clause seventh of the said section applies to cases of conviction and sentence to discretionary punishment; in crimes to which neither the Code of Regulations, nor the Mohammudan Law, have annexed any specific penalty, under which description may be classed many of the higher descriptions of fraud, or misdemeanors.-

The

Foujdaree Diary 7th September 1829.-

6.

The difficulty into which you have been led seems to have arisen from your not distinguishing robbery by a gang, or by a person offensively armed, to which the Regulations annex a specific penalty, from robbery by a single person unarmed offensively - for which they do not provide, but to which the Mugulmans Law affixes the specific penalty of Hudd.-

7th September 1829.- /Signed/ A.D. Campbell
Register.

№349. To the First Judge late on Circuit in the Northern Division

Sir,

In reply to your letter of the 28th ultimo I am directed by the Judges of the Court of Foujdaree Adalut to acquaint you that under clause third Section III. Regulation I. of 1825 they sanction as proposed by you the mitigation to three years imprisonment of the sentence passed on the 6th prisoner "Vantepoody Venaoo" in Case No. 4 of the Guntoor Calendar of the first Sessions of 1829 who is convicted on his own confession before the Criminal Court of having received 15 Rupees being a part of the property knowing it to have been stolen.-

7th September 1829.- /Signed/ A.D. Campbell
Register

№350. To the 4 Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to call your attention to my letter of the 7th January, 23d February, and 6th March last, and to desire that the half yearly Criminal statements in the printed forms, may be filled up by your own, and the Criminal Courts and Registrates in your Division, and forwarded to this Court, without delay.-

7th September 1829.- /Signed/ A.D. Campbell
Register.

№351. To the Acting Criminal Judge in the Zillah of Chittoor

Returning the summons sent up in his letter of the 3d Instant being only served on the person therein mentioned by the Nazir of this Court.-

9th September 1829.- Sent usual letter

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

(№138)

Sir,

With reference to my letter of the 10th of last month, I am directed by the Judges of the Court of Sudr and Foujdaree Adalut to request that you will lay before the Right Honourable the Governor in Council the enclosed copy of a further letter from the 2d Judge of Circuit in the Western Division, reporting that he has postponed the opening of the Mangalore Sessions until the 12th October next, and expressing great anxiety for a reply to his former letter, soliciting that some arrangement may be made, to dispense with his completion of the Sessions.-

I have the honor to be,

Sir,

Your most Obedient Servant

/Signed/ A: D: Campbell

Register

Foujdaree Adalut
Registers Office
17th September 1829

To

No 357. To the Second Judge on Circuit in the Western Division

Sir,

In reply to your letters of the 29th July and 10th Instant I am directed by the Judges of the Foujdaree Adaulut to transmit for your information the enclosed copies of my letters to Government under date the 10th ultimo and this day.-

17th September 1829.- /Signed/ A.D. Campbell Register.

No 360. To the Second Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter dated the 4th Instant, and to state in answer to your enquiry, that Batta can only be drawn by the Servants of the Circuit Courts for the periods they may be actually on Circuit.-

25th September 1829.- /Signed/ A.D. Campbell Register

No 361 To the Secretary to Government in the Judicial Department

(No 44)

Acknowledging the receipt of three copies of Reports of cases determined in the Court of Nizamut Adaulut at Fort William for the year 1828. being the 2d part of the 3d Volume of the Reports.-

24th September 1829.- Sent usual letter.

No 366 To the Judges of the Court of Circuit in the Western Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adaulut to transmit, for your information, the enclosed copy of a letter from Government under date the 25th Instant.-

In Council / The Right Honorable the Governor having granted to the Second Judge of your Court leave of absence for one month to

to proceed to Bangalore, the Judges desire that the circuit he will leave unfinished may be completed by the third Judge, as the first Judge is the last who has returned from that outy. The first Judge will of course deliver the jail at the Sudr Station.-

28th September 1829.- /Signed/ A.D. Campbell Register

No 367. To the four Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adaulut to transmit for the information and guidance of the Magistrates in your Division the accompanying List of Convicts transported to Malacca, who were missing from that settlement on the 14th June 1828 on the close of the last return; with a view to the re-apprehension of such of the Convicts who have effected their escape as may return to any of the districts in your Division.-

28th September 1829.- /Signed/ A.D. Campbell Register

List of Convicts transported to Malacca, who were missing from that settlement on the 14th June 1828.-

Nos	Names of Convicts	Crimes	Names of the Zillas or Cities in which the Prisoners were tried and convicted	Date of Sentence	Period of Transportation	Casualties and Remarks
	Naumah - Brauladoo - -	Murder	Masulipatam	10th Decr 1824	For Life	Escaped 14th June 1828
	Padamaty Alen = Candoo - - - -	Highway Robbery & wounding	- - Do - - - -	11th Jany 1825.	Do	Do 14th & Do -
	G: Venkattah -	Robbery by open violence	Cuddapah	29th Decr 1825	Do	Do 14th & Do -

28th September 1829.- /Signed/ A.D. Campbell Register

No. 368. To the Secretary to Government in the Judicial Department
No. 345
Sir,

I am directed by the Judges of the Poojdaree Adaulut, to submit for the sanction of the Right Honorable the Governor in Council the accompanying detailed statement of the batta and other charges for prisoners confined in the Gaols at Coimbatore and Calligal from 15th July 1828 to 12th July 1829 inclusive forwarded by the Magistrate of the District.

28th September 1829.-

No. 369. To the Secretary to Government in the Judicial Department
No. 346
Sir,

/ Signed / A.D. Campbell Register

With reference to Mr Secretary Chamier's letter under date the 25th July last, I am directed by the Judges of the Poojdaree Adaulut to transmit to you for the information of the Right Honorable the Governor in Council, copies of the correspondence noted in the Margin* respecting the European convict John Dowling.

It will be seen that in consequence of the information furnished by the Garrison Surgeon of Bellary the Judges have deemed it necessary to recall the orders directing the removal of that prisoner to Masulipatam.-

28th September 1829.- / Signed / A.D. Campbell Register

No. 370. To the third Judge of Circuit in the Centre Division
Sir,
Pro. 1.

I am directed by the Judges of the Poojdaree Adaulut to acknowledge the receipt of your letter dated the 17th Instant and its enclosures.-
2.

Under the circumstances which have now been represented by the Acting Criminal Judge and the Garrison Surgeon of Bellary, and particularly with reference to the opinion expressed by the latter Officer that the Convict John Dowling is likely to enjoy better health at that station than at any other under the Madras Presidency, the Judges have resolved to recall the orders conveyed in my letter of the 24th ultimo, directing his removal to Masulipatam.

You will be pleased to furnish a copy of this letter to the Acting Criminal Judge as his authority for continuing the said convict in confinement at Bellary according to the sentence passed on him.-

28th September 1829.- / Signed A.D. Campbell Register

* Letter dated 24th August 1829 to the Judge of the Circuit in the Centre Division.
Do. from Do. dated 17th September 1829 with 1 Enclosure.
Do. to Do. dated 28th

Foujdaree Diary 28th September 1829.-

No. 368. To the Secretary to Government in the Judicial Department
(No. 345)
Sir,

I am directed by the Judges of the Foujdaree Udaulut, to submit for the sanction of the Right Honorable the Governor in Council the accompanying detailed statement of the batta and other charges for prisoners confined in the Jail at Coimbatore and Calligal from 15th July 1828 to 12th July 1829 inclusive forwarded by the Magistrate of the District.

28th September 1829.-

(Signed) A.D. Campbell
Registr

No. 369. To the Secretary to Government in the Judicial Department
(No. 346)
Sir,

With reference to Mr Secretary Chamier's letter under date the 25th July last, I am directed by the Judges of the Foujdaree Udaulut to transmit to you for the information of the Right Honorable the Governor in Council, copies of the correspondence noted in the margin* respecting the European convict John Dowling.

It will be seen that in consequence of the unfavorable opinion which has been recorded by the Civil Surgeon of Bellary the Judges have deemed it necessary to recall the orders directing the removal of that prisoner to Masulipatam.-

28th September 1829.-

(Signed) A.D. Campbell Registr

No. 370. To the third Judge of Circuit in the Centre Division
Sir,

Para 1. I am directed by the Judges of the Foujdaree Udaulut to acknowledge the receipt of your letter dated the 17th Instant and its enclosures.-

2. Under the circumstances which have now been represented by the Acting Criminal Judge and the Garrison Surgeon of Bellary, and particularly with reference to the opinion expressed by the latter Officer that the Convict John Dowling is likely to enjoy better health at that station than at any other under the Madras Presidency, the Judges have resolved to recall the orders conveyed in my letter of the 27th ultimo, directing his removal to Masulipatam.

You will be pleased to furnish a copy of this letter to the Acting Criminal Judge as his authority for continuing the said convict in confinement at Bellary according to the sentence passed on him.-

(Signed) A.D. Campbell
Register

28th September 1829.-

* Letter dated 4th August 1829 to the Collector and Magistrate in the Centre Division. Do. from Do. dated 17th September 1829 with Enclosures. Do. to Do. dated 28th September 1829.

(№ 47)

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

Sir,

I am directed by the Judges of the Fouj-dare Adalut, to submit for the sanction of the Right Honorable the Governor in Council, the accompanying account Particulars of the charges incurred in subsisting the Convicts of the Zilla Chingleput, employed in the Depôt of European Prisoners at Cudalore from 7th July 1828 to 30th June 1829 amounting to Rupees 1921. 10. 8. forwarded by the Magistrate of the District.-

1st October 1829.-

/Signed/ A. D. Campbell Register

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

Gentlemen,

With reference to my letter of the 7th ultimo; I am directed by the Judges of the Fouj-dare Adalut, to desire that the Statements therein called for may be sent up to this Court without further delay.-

1st October 1829.-

/Signed/ A. D. Campbell Register

№ 374. To the Acting Criminal Judge in the Zillah of Chittoor

Returning the summons, sent up in his letter of the 29th ultimo, being duly served accordingly by the Nazir of this Court.-

3d October 1829.-

Sent usual letter.

№ 378. To the Magistrate of Coimbatore

Transmitting copy of a letter from the Secretary to Government in the Judicial Department dated 6th instant returning the Statement of Contingent charges of the Magistrate of Coimbatore sanctioned by Government.-

10th October 1829.-

Sent usual letter.

№ 380. To the Third Judge late on Circuit in the Centre Division

Sir,

With reference to your letter of the 6th instant forwarding the warrant issued by you for the execution of the prisoner Mootoo Pundaram convicted in Case № 2 of the Bellary Calendar for the first Sessions of 1829- I am directed by the Judges of the Court of Fouj-dare Adalut to desire you will instruct the acting Criminal Judge of Bellary in future to include in the endorsement made on Warrants for capital punishment an estimate of the number of persons who may assemble as spectators and remarks on the impression apparently made on them by the execution of the Criminal.-

/Signed/ A. D. Campbell Register

15th October 1829.-

(№ 48)

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

Sir,

I am directed by the Judges of the Fouj-dare Adalut to transmit to you to be laid before the Right Honorable the Governor in Council, copy of a letter dated the 30th ultimo from the Provincial Court of Circuit in the Western Division, with its enclosures, being copies of several letters from the Magistrate of Canara, the Joint Magistrate at Honore and the Joint Criminal Judge of the Auxiliary Court at that station, arising out of the departure of the latter officer pursuant to the permission he has obtained from Government to proceed to Sea on sick certificate.-

2. The Judges respectfully submit the propriety of an early appointment of some person to take charge and conduct the duties of the Auxiliary Court, during Mr. Boileau's absence, as any gentleman officiating without such appointment by Government is not competent to decide on the cases brought before him.-

/Signed/ A. D. Campbell Register

15th October 1829.-

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

Transmitting copy of a letter from the

the Secretary to Government in the Judicial Department sanctioning as a temporary arrangement an addition to the Jail Establishment of the Zillah Court of Guntoor to the extent of Rupees 159.-4-0.

15th October 1829.-

Sent usual letter.

No 383 To the Magistrate in the Southern Division of Arcot.

Transmitting copy of a letter dated the 9th Instant from the Secretary to Government in the Judicial Department sanctioning the amount of the contingent charges incurred by the Magistrate of the Southern Division of Arcot in subsisting the convicts employed at Cuddalore.-

15th October 1829.-

Sent usual letter.

No 385. To the Secretary to Government in the Judicial Department

(No 49)

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council, copy of a letter dated the 7th Instant with its inclosure, from the Criminal Judge in the Zillah of Nellore, detailing the circumstances under which 35 convicts undergoing sentences of imprisonment and hard labor, declined availing themselves of a singularly favorable opportunity of effecting their escape, and recommending that to each of them may be granted, for their good conduct on the occasion, a remission of one third or one fourth part of their original sentences, and to the few whose sentences have so nearly expired that they will not receive a proportionate benefit, the payment of a small sum of money to each on his release, not exceeding 35 Rupees to each.-

2. The Judges consider the application to be a very proper one, but do not conceive that they are at liberty to comply with it without the authority of Government. They accordingly recommend that

Foujdaree Durry 17th and 19th October 1829

that the Criminal Judge be authorized to remit to the extent proposed the sentence of each individual, at his discretion and to make the payments suggested in this or the principle stated in his letter.-

17th October 1829

(Signed) A. D. Campbell

Register

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

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you 3 Copies of the 2d Volume of the Fatawa Alemgiri for the use of your Court.-

16th October 1829

(Signed) A. D. Campbell

Register

The same letter to Northern Southern and Western Divisions.

No To The Criminal Judge in the Zillah of Bellary

The same to Canara Chingleput Chittoor Chicacole Guntoor Malabar Madura Combaconum Nellore Masulipatam Rajahmundry Salem Cuddapah Bellijal

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you 2 Copies of the 2nd Volume of the Fatawa Alemgiri for the use of your Court.-

16th October 1829

(Signed) A. D. Campbell

Register

No.

To

The Judges of the Provincial Court of

Circuit in the

Centre Division.

Gentlemen,

I am directed by the Judges of the Toungdaree Adalut to acknowledge the receipt of your Registers letter dated the 9th Instant submitting, at the request of the Magistrate of Bellary, copy of a correspondence between that officer and the Acting Criminal Judge relative to a case of imputed forgery.

2. The Judges concur with you in opinion that, instead of sending the accused to the Criminal Court with a public letter, the Magistrate ought to have proceeded in the mode prescribed by Clause Second Section XXIV and Section XXV Regulation IX of 1816. In that case probably this irregular correspondence would not have arisen; at the same time the Judges consider it due to the Magistrate to observe that he seems to have adopted this course only because he thought it necessary as the accused parties were Officials Servants, that they should be publickly prosecuted. Under that idea he wrote to apprize the Acting Criminal

Criminal Judge that he had "given instructions to the Government Vakeel accordingly, but it will of course rest with you" added the Magistrate "to adopt what you may deem the best course." An intimation to this effect might with greater propriety have been given in the paper alluded to Section XXV Regulation IX 1816.

3. The Judges without a fuller knowledge of all the circumstances of the case are not prepared to say that in suggesting a public prosecution the Magistrate did not act rightly. He at all events evinced a very becoming deference to the Acting Criminal Judge on the occasion, which the Judges regret the latter did not better appreciate. The Acting Criminal Judge taking upon himself to define for the Magistrates information, what in his opinion constituted forgery, a crime, as you have justly observed, already defined in the Regulations, and to point out what he considered the proper course to be followed in such cases, was, uncalled for and as irregular as it proved erroneous.

4. If the charge did not appear to the Acting Criminal Judge to be substantiated, it was competent to him to dismiss it, recording his

reasons

reasons for so doing. The Magistrate if dissatisfied with the grounds of dismissal, and if he prefered that course might have brought the circumstances of the case to the notice of the Collector Court of Circuit, under the provisions of Section XXIV. Regulation X of 1816.

5. The Judges of the Tongdaree Adalut purposely abstain from all consideration of the merits of the case, the subject of the correspondence and they deem it unnecessary to notice the points on which the Acting Criminal Judge has so impertinently offered his construction of the law and the Regulations, further than by expressing their concurrence generally in the observations contained in the 11th 14th and 17th paras of the Register's Letter. They however cannot but have noticed a part of the correspondence which does not seem to have attracted your attention. In the last para of his letter dated the 1st September the Acting Criminal Judge informs the Magistrate that to prevent unnecessary trouble in future he has issued Circular Orders to the

forward persons detected of perjury or forgery on Civil Suits under trial, direct to the Court to enable the Judges to put on their trial on the Criminal side of the Court &c. These orders being altogether unauthorized, and at variance with the provisions of Section VIII Regulation X of 1816, must be forthwith recalled.

6. You will pleased to furnish copies of this letter for the information of the Magistrate and the Acting Criminal Judge of Bellary respectively, together with copies of the abovementioned Paras of your Register letter.

Signed A. D. Campbell
Register

29th October 1829.

1st To The Judges of the Provincial Court of Circuit in the Southern Division.

Gentlemen,

Several Petitions having been addressed to the Judges of the Tongdaree Adalut through the channels of the Public Post in behalf of Beccajee Row and certain of the other prisoners tried at the last Sessions of Gaol delivery for the Zillah of Madura, praying for relief from the sentences passed upon them respectively, I am directed to request you will issue such orders as may have the effect of making it generally understood that Petitions so received cannot be attended to by this Court.

Signed A. D. Campbell
Regr.

29th October 1829.

To

Fo

To

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

Sir,

I am directed by the Judge of the Foujdaree Udalut to acknowledge the receipt of your letter dated the 12th instant recommending for reasons detailed a mitigation of the punishment prescribed by the Regulations for the crime committed by the Prisoners in case No. 1 of the Calendar for the 4th Quarterly Sessions of 1829. and to desire you will transmit to this Court a translation of the Trial with as little delay as possible.

29th October 1829.

Signed J. H. D. Campbell
Register

(No. 51.)

To

The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council Copy of a letter dated the 22d Ultimo from the Third Judge on Circuit in the Western Division suggesting the expediency of his being vested with a discretionary authority to call down for trial at Mangalore the cases committed by the Joint Criminal Judge at Honore in the event of the Sessions at the former station, which had only commenced on that day, being so protracted as to preclude the prospect of the Circuit establishment reaching Honore in sufficient time for the delivery of the Jail there within the prescribed period.-

2. Under the circumstances represented by Mr Shakespear, the Judges consider it to be as he suggests that he should be empowered if necessary to hold at Mangalore a General Jail delivery for the whole Zillah of Canara, and they beg to recommend it accordingly with reference to Section IV Regulation II of 1827.

2nd November 1829.

Signed J. H. D. Campbell
Regr

To

No. To The Hond. Judge on Circuit in the Western Division

Sir,

I am directed to acknowledge the receipt of your letter dated the 30th Ultimo and to state, that in compliance with your recommendation, the Judges of the Tongdaree Udalut sanction a mitigation of the punishment for the prisoners in Case No. III. in the Calendar for the Second Sessions of 1829 and they authorize you accordingly to sentence each of the said prisoners as you propose to five years imprisonment and hard labor but without corporal punishment.

9th November 1829

Sign'd J. A. D. Campbell
Regr

To The Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Tongdaree Udalut to transmit herewith for the Right Honorable the Governor in Council the accompanying copy of a letter from the Criminal Judge of Chicacole requesting that a prisoner named Chand Khan may be forwarded to his Court by the Head of Police of Chicacole charged with the heavy crime committed the offence of Highway

Highway Robbery in the Zillah of Rajahmundry may be brought to trial at the approaching Jail Delivery at his Station.

2 In consideration of the serious inconvenience to which the Prosecutors (one of whom the Criminal Judge states has enlisted himself in the Honorable Company's Service) would be subjected in the event of the parties being forwarded to the Magistrate of Rajahmundry, and of the probability of their being detained until the Sessions of next year, the Court of Circuit being about to leave Rajahmundry the Judges request under the provisions of Clause Second Section II. Regulation III of 1827 that the Right Honorable the Governor in Council will be pleased to authorize the Criminal Judge to commit the prisoner Chand Khan to take his trial before the Court of Circuit at the ensuing Sessions at Chicacole.

Signed J. A. D. Campbell
Regr

19th November 1829

No. To The Magistrate of Bellary

Sir,

1 I am directed by the Judges of this Tongdaree Udalut to acknowledge the receipt of your letter dated the 6th instant reporting the circumstances attending

Foujdaree Diary 25th November 1829.

a Gang Robbery committed in the Allumany Talook within the District of Bellary.

2 With reference to the 3d para of the above letter the Judges under the provisions of Section XXI Regn Nation IX of 1816 sanction the offer of a reward of 500 Rupees for the apprehension of each of the offenders therein alluded to viz Cumeen Ramapah and the two principal leaders Pidda and Sanah.

3 The Judges have further resolved to request the sanction of Government for the payment of a reward of 200 Rupees for the meritorious conduct of the person named Muctoom and have also applied for a conditional pardon to Begar Sadha and Bungarder Syanah.

25th November 1829. (Signed) A. D. Campbell Regr

Faujdaree Diary 25th November 1829.

a Gang Robbery committed on the Adwany Talook within the District of Bellary—

2 With reference to the 5th para of the above Letter the Judges under the provisions of Section XXI Regulation IX of 1816 sanction the offer of a reward of 500 Rupees for the apprehension of each of the offenders therein alluded to viz Cinneen Ramapah and the two principal leaders Pidda and Somah—

3 The Judges have further resolved to request the sanction of Government for the payment of a reward of 200 Rupees for the meritorious conduct of the person named Mustoom, and have also applied for a conditional pardon to Begar Sasha and Bungwadee Syanah—

23d November 1829— Signed A. D. Campbell Regr

Foujdaree Diary 25th November 1829.

a Gang Robbery committed in the Adwany Talook within the District of Bellary.

2 With reference to the 3d para of the above letter the Judges under the provisions of Section XXI Regulation IX of 1816 sanction the offer of a reward of 500 Rupees for the apprehension of each of the offenders therein alluded to viz Cunnien Ramapah and the two principal leaders Pidda and Sonah.

3 The Judges have further resolved to request the sanction of Government for the payment of a reward of 200 Rupees for the meritorious conduct of the person named Huckoam, and have also applied for a conditional pardon to Begar Sacha and Bungarder Syanah.

25th November 1829.

Signed A. D. Campbell
Regr

Youjdaree Diary 1st December 1829

No 433 To

The additional Judge on Circuit

Chinglepút-

Sir

1 I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter under date the 25th ultimo-

2 In this instance has originated in a misunderstanding of the words "Ooms a Mahizoor" which do not mean a "slight fault" but merely an action forbidden as it may be termed in English a misdemeanor- The Moofty of your Court having passed a futwa of full conviction of the offence charged-you, if concurring in such conviction, have merely under Clause 2d Section II Regulation XV 1818 to pass Sentence according to Section III Regulation XII 1811 as modified by Regulation I of 1818- the Law officer having declared the prisoner liable to discretionary punishment-the technical head under which he has placed the offence in Mahomedan Law neither alters its nature nor diminishes its criminality, and therefore did not require notice-

7th December 1829 } /Signed/ A. D. Campbell-
Register-

No 434 To

The third Judge of Circuit in the

Centre Division

Sir

1 I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter under date the 8th Inst

with the record of the trials No 2 and of the Chinglepút Calendar for the 1st Sessions of 1829-

2 The Judges remark that you mention several witnesses for the defence in these cases not to have been examined, because they were prisoners in Jail- If they were convicts undergoing sentence of punishment, the Judges will not press their examination- But if they were prisoners confined in Jail, on account of charges not yet tried, and had not, at the period of the trials in question, been themselves convicted, the prisoners before you had a right to there testimony and though the credibility due to it was subsequently to be weighed by you, it ought not to have been rejected- Unless a prisoner is convicted of perjury or other infamous crime, cases may occur in which even a convict may be examined upon oath as a witness-

3 If the witnesses you declared incompetent should not come within the description of persons convicted, you will request the additional Judge on Circuit or in his absence the Criminal Judge of Chinglepút to examine them in the presence of the prisoners, and will transmit translations of their examinations for the consideration of this Court-

10th December 1829- /Signed/ A. D. Campbell-
Register-

No 435 To

The four Provincial Courts of Circuit

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to transmit for the information and guidance of the Magistrates in your Division the accompanying-

panying list of Convicts transported to Malacca, who were missing from that Settlement on the 31st August 1829 or the close of the last return, with a view to the reapprehension of such of the Convicts who have effected their escape as may return to any of the districts in your division.—

12th December 1829. /Signed/ A. D. Campbell
Register

List of Convicts transported to Malacca, who were missing from that Settlement on the 31st August 1829.

Name of Convicts	Crimes	Name of the Station in which the Prisoner was tried and Convicted	Date of Sentence	Period of Sentence	Remarks
Cunnoo	Gang Robbery & Highway Robbery	Cuddapah	12th August 1822	Life	Escaped since 1829
Mullaka Doss	Gang Robbery & Highway Robbery and Gang Murder	"	3d April 1815	"	"

No. 54

No. 439. To

The Secretary to Government in the
Judicial Department.

Sir

I am directed by the Judges of the Foujdaree Udalut, to transmit to you, to be laid before the Right Honorable the Governor in Council copy of a letter dated the 8th Instant from the Second Judge of Circuit in the Southern Division requesting instructions with respect to the place of trial of the prisoners committed for the ensuing Sessions by the Joint Criminal Judge of Madura, the number of whom up to the 1st Instant amounted to 87.

Although 66 of these prisoners are stated to be in the Jail at Madura, it appears to be desirable that there should be a separate Jail delivery at Tinnevelly, the sending these prisoners back to Station of the auxeciary Court being preferable to the alternation of requiring the attendance of all the prosecutors and witnesses at Madura, and the Judges beg leave to recommend that the same may be authorized accordingly.

14th December 1829. /Signed/ A. D. Campbell
Register

No. 55

No. 440. To

The Secretary to Government in the
Judicial Department

Sir

1 I am directed by the Judges of the Fouzdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council copy of a letter dated the 5th Instant from the Second Judge on Circuit in the Northern Division, reporting the commencement of the sessions at Chicacole on the 3rd and stating that it is more than probable that the business of the present Circuit will not be completed before the period fixed for the commencement of the ensuing Circuit, there being 470 persons to be examined, according to the Calendar including prosecutors, prisoners and their witnesses-

2 The Judges concur in opinion with Mr. Tod. that it would be advisable to authorize him to conclude the business of the Session, and beg leave to suggest that this measure may be sanctioned accordingly-

14th December 1829- /Signed/ A. D. Campbell
Register

441 To

The Judges of the Provincial Court for the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you for the guidance of the Judge in the Zillah of Combaconum, copy of a letter from the Secretary to Government in the Judicial Department under date the 8th instant and of an extract from the Minutes of Consultation of the same date desiring that as many Convicts not exceeding

100 in number whose Sentences extend to upwards of a Years imprisonment with hard labour, as can be furnished from the Jail at Combaconum be immediately placed at the disposal of the Collector of Tanjore for the purpose of repairing the Roads in the Vicinity of Nagore and Negapatam-

2 The Judges further desire that Copies of the above may be furnished to the Magistrate of Tanjore for his information-

14th December 1829 /Signed/ A. D. Campbell
Register

445 To

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

Gentlemen,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter dated the 8th September last, submitting Copy of a Correspondence between the Criminal Judge and the Magistrate of Canara on a question as to the Competency of the latter Officer to punish by fine and imprisonment, a person convicted of fraudulently obtaining possession of and destroying a document which he had executed in favor of the Complainant, and to desire you will inform those officers that this offence is not Criminally punishable either under the Mahummudan law, or the Regulations in force - It can seldom take place if common prudence is exercised by the holders of such documents, and is of such rare occurrence as that a special enactment on the subject is not considered

ordered requisite-

2 I am further directed to take this opportunity of replying to the reference from your Court dated the 26th March 1827 and to state for the information of the Criminal Judge in Canara, with advertence to the 3d Para of that Officer's return under date the 24th-to the Receipt from your Court of the 19th of that month, that the Judges of the Foujdaree Adalut do not see the necessity of any revision of the Circular orders from this Court dated the 7th February 1820-

17th December 1829- (Signed) W. B. Anderson-

Register

No 58

No 458 To

The Secretary to Government in the

Judicial Department-

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 17th Ultimo, No 538, accompanying Extracts from a General letter from England in the Judicial Department, bearing date the 8th April last, together with an extract from the Minutes of Consultation thereon-

2 In para 4 of the Despatch from England it is directed that periodical statements of heinous crimes ascertained to have been committed shall be submitted to Government with the usual Reports and in para 6 are pointed out inaccuracies which had been observed in the Reports of persons acquitted and punished by the several judicatories-

3 With my letter of the 10th December 1828, five new forms, for the half yearly Criminal returns, were submitted for the sanction of Government, in pursuance of the instructions contained in a despatch from England dated 26th Decr 1828- the 21st March 1827, and which having been approved by the Governor in Council, the returns from 1st January to the 30th June last were ordered to be prepared according to those forms, and the Judges hope to lay them before the Government, together with their own proceedings upon them, in the course of a few days- In these forms, as observed in my letter abovementioned " all offences ascertained to have been committed, have been arranged

Para 4

under

considered requisite-

2 I am further directed to take this opportunity of replying to the reference from your Court dated the 28th March 182[illegible] and to state for the information of the Criminal Judge in Canara, with adverteence to the 3d Para of that Officer's return under date the 2[illegible]-to the Receipt from your Court of the 19th of that month, that the Judges of the Foujdaree Adalut do not see the necessity of any Revision of the Circular orders from this Court dated the 7th February 1820-

17th December 1829-

[Signed] W.B. Anderson-

Register

No 58

No 458 To

The Secretary to Government in the Judicial Department-

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 17th ultimo, No 528, accompanying Extracts from a General letter from England in the Judicial Department, bearing date the 8th April last, together with an extract from the Minutes of Consultation thereon-

2 In para 4 of the Despatch from England it is directed that periodical statements of heinous crimes ascertained to have been committed shall be submitted to Government with the usual Reports and in para 6 are pointed out inaccuracies which had been observed in the Reports of persons acquitted and punished by the several judicatories-

3 With my letter of the 10th December 1828, five new forms, for the half yearly Criminal returns, were submitted for the sanction of Government, in pursuance of the instructions contained in a despatch from England dated 26th Dec. 1828- the 21st March 1827, and which having been approved by the Governor in Council, the returns from 1st January to the 30th June last were ordered to be prepared according to those forms, and the Judges hope to lay them before the Government, together with their own proceedings upon them, in the course of a few days- In these forms, as observed in my letter abovementioned "all offences ascertained to have been committed, have been arranged under

Para 4

under distinct heads, and the punishments inflicted by each
"tribunal have been clasped, so as to distinguish them clearly"
The Judges therefore trust that in the particulars noticed
above, the statements as now prepared will be considered
satisfactory.

4. Paras 7 and 9 contain remarks on "a case of great
"atrocity noticed by the first Judge of the Centre Division"

5. It is justly observed that the case appeared to be
one in which the Regulations required the trial to be referred
to the Foujdaree Adalut, but from no such reference being
adverted to, the conclusion was drawn that none took
place.

6. The Judges beg to state that the case in question
No 8 on the Bellary Calendar at the first Sessions of 1825,
was referred in the regular manner and that under a
fatwa of Acquittal by the Cazee-ool-Coozat and Mooftee
of the Foujdaree Adalut the prisoners were sentenced
to different periods of imprisonment and hard labor,
the first prisoner the Curnum Nursuppah, whose conduct
had been so reprehensible, being further adjudged to pay
a fine of fifty Rupees, to be bestowed, if realized, on
the family of the deceased Lingeenah, if not paid to a further imprisonment for two
years and hard labor in irons.

Para 9. The Honorable Court remark, "the Foujdaree
"Adalut seem to refer to the Curnum as an officer vested
"with Police authority and then observing that they are
"not aware of his having such authority they desire
"to be furnished with an explanation on that point

point.

8 It is very true that the Curnum, Strictly speaking,
Sections XIII and XV Regs XI of 1816. is not vested with Police authority, and that he is only
to aid the Head of the Village but in the ceded districts
where the Curnums were generally well educated Bramins
and not Coodras as in the Tamil Country, their acquire-
ments often give them an influence over the less informed
Coodra head of the Village greater than is possessed
elsewhere and they too frequently pervert his functions.
In the instance referred to, the Curnum of Nullore
arrogated to himself the authority of an Officer
of Police, and not only so, but abused that authority
by an act of most wanton oppression. In alluding
to the Case in his Circuit Report, the First Judge
observed, "In the present instance the Curnum, it appears,
"had lost a sum of money by theft, and he fixed his
"suspicion of [on] the Talliar of the Village, Lingeenah,
"the victim in this case of his cruel treatment. Under
these circumstances it was deemed a fit occasion to
call the attention of the Magistrate to the subject, and
to point out to him the primary importance of a
"vigilant Superintendence of the proceedings of his
"Native Officers of Police, in order to the personal
"Security of the people within his jurisdiction."

9. The Judges have thought it proper
to furnish copies of Paras 10 and 11 of the same des-
patch, for the information of the College Board,
with a suggestion that in furtherance of the wishes
of the Court of Directors therein expressed, intimation

&c.

be given to all future candidates for the situation of a Mahomedan Law officer, that a knowledge of the County language will be considered a strong recommendation to this Court in filling the vacancies which may hereafter occur.

10. Copies have also been furnished to the four Provincial Courts with directions to cause a similar intimation to be made to the Mohummudan Law officers attached to the several Zilla Courts.

11. From recent inquiry, the Judges have reason to believe that most of the Mohummudan Law officers attached to the Courts of Circuit have a tolerably good knowledge of the language of the Provinces in which they are employed.

24th December 1829.

(Signed) A. D. Campbell
Register

Circular

No. 459 To

The 4 Provincial Courts.

Gentlemen,

I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you a copy of a letter from the Secretary to Government in the Judicial Department dated the 4th instant and of the letter and Enclosures from the Military Board which accompanied it relative to the description of the Catonments rolls furnished by that Board to the several Courts and Magistrates in the Provinces and to

the mode in which those instruments should be made use of, and to desire that you will furnish the several Criminal and Joint Criminal Judges and Magistrates in your Division with a copy of the same for their information and future guidance.

24th December 1829.

(Signed) A. D. Campbell
Register

No. 59

No. 462. To

The Secretary to Government in the Judicial Department

Sir

I am directed by the Judges of the Court of Fouzdaree Adalut to acknowledge the receipt of your letter dated the 10th ultimo forwarding a list of three convicts now under transportation for life at Penang and directing the Fouzdaree Adalut to report whether any material objections exist to granting them a remission of the remainder of their sentences in consideration of their general good character, age and infirmities.

2. The first prisoner on the List named Cayinan Daychoo, was sentenced as accessary to a murder by a Daroghas Court previously to the introduction of the present Judicial System, to transportation for life which Sentence was duly confirmed by the Governor in Council on the 27th of September 1806 and carried into execution on the 9th of December of the same year. To the remission of the remainder of the sentence passed upon this Convict, the Judges of the Fouzdaree Adalut see no objection, but as regards the 2nd and 3rd Convicts on the list the Judges are unable to offer an opinion

neither

neither of them having been sentenced by the Court of Tanjore Adalut.

3 The Judges presume that the 2nd convict named Shaik Adgee, who was concerned in the Mutiny of Vellore, was sentenced by a Court Martial, for they do not find his name amongst those of the prisoners tried by the civil special commissioners assembled after that event; with regard to the 3rd convict named Peroomal, it appears that he must have been transported by the Supreme Court and it might not be safe for him to return to these territories without a pardon from the Crown.

28th December 1829.

(Signed) A. D. Campbell
Register

To
The Provincial Court of Circuit in the
Western Division.

Gentlemen,

I am directed by the Judges of the Court of Tanjore Adalut to transmit to you copy of a letter from the Secretary to Government in the Judicial Department dated the 11th instant with copies of its Enclosures, and to desire you will intimate to the Joint Criminal Judge of Malabar that, upon receipt of a Warrant issued by the Court of Circuit pursuant to a Sentence of the Court of Tanjore Adalut adjudging a prisoner to transportation for life, it is his duty in execution thereof "to cause the prisoner to be lodged in the Gaol of

of Chingleput" forwarding at the same time with the prisoner the usual Medical Certificate.

The reference by the Joint Criminal Judge of Malabar to the Government was unnecessary and this Govt. Which might have inferred from the wording of the latter part of the Warrant.

28th December 1829.

(Signed) A. D. Campbell
Register

neither of them having been sentenced by the Court of Tonjdaree Adalut.

3 The Judge presume that the 2nd Convict named Shaick Adgee, who was concerned in the Mutiny of Vellore, was sentenced by a Court Martial, for they do not find his name amongst those of the prisoners tried by the Civil Special Commissioners assembled after that event, with regard to the 3rd convict named Peroomal, it appears that he must have been transported by the Supreme Court and it might not be safe for him to return to these territories without a pardon from the Crown.

28th December 1829.

(Signed) A. D. Campbell
Register

To
The Provincial Court of Circuit in the
Western Division.

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to transmit to you copy of a letter from the Secretary to Government in the Judicial Department dated the 11th instant with copies of its Enclosures, and to desire you will intimate to the Joint Criminal Judge of Malabar that, upon receipt of a Warrant signed by the Court of Circuit pursuant to a Sentence of the Court of Tonjdaree Adalut adjudging a prisoner to transportation for life, it is his duty in execution thereof "to cause the prisoner to be lodged in the Gaol of

of Chingleput" forwarding at the same time with the prisoner the usual Medical Certificate.

The reference by the Joint Criminal Judge of Malabar to the Government was unnecessary and this Govt. Which might have inferred from the wording of the latter part of the Warrant.

28th December 1829.

(Signed) A. D. Campbell
Register

No. 96 To,

Circular

The 4 Provincial Courts of Circuit.—

Transmitting for their information Copy of an Order of Government under date the 21st Instant, Confirming the proposition of the Judges of the Foujdaree Adalut with respect to the rates of Batta to be allowed to the Native Servants of the Provincial Court when on Circuit.

27th April 1829.

To,

No. 97. To the Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

1. I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a Petition which has been referred to them by the Governor in Council for enquiry and report, and to desire that you will communicate for their information copies and translations if any returns or other proceedings on the records of your Court connected with the Receipt which appears to have been issued by the Judge there on Circuit under date 7th May 1828 Agreeably to an enclosure in the said Petition copy whereof is also furnished.—

2. Should this information not be procurable from your records you will be pleased call upon the Criminal Judge in the Zillah of Salem for such explanation as it may be in his power to afford on the subject.—

27th April 1829. (signed) A. D. Campbell Register

No. 98. To the Secretary to the Military Board

Transmitting copy of a letter from the Criminal Judge in the Zilla of Cuddapah and desiring them to furnish one dozen of Cats nine tails for his use.—

27th April 1829. (sent usual letter)

Circular

No. 102. To the 4 Provincial Courts of Circuit

Gentlemen,

1. The Judges of the Court of Foujdaree Adalut having observed in several Cases that prisoners have been required by the Judges on Circuit the Criminal Courts and the Magistrates to give Security for their appearance or good behaviour for a much longer period than that for which they are required to be detained in Jail in default of finding such Security and vide Versâ that prisoners have been required to give Security for their good behaviour and appearance for a much shorter period than that for which in default of