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Soujdoree
Diary
for
1832

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Tanjore Diary 3d Jr

7th Jany 1832

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Judicial Department

Judges of the Court of

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No 1 To The Acting Magistrate of Trich

Sir,

I am directed by the Judges

Walut to acknowledge the receipt of you

Ultimo and with reference to the Minut

of the Governor in Council under date the 8th

and request that you will furnish the informa

ered by my letter of the 19th Ultimo respecting the

Prisoners now entertained for executing the police

actually vested in the Officer Commanding the station

of Trichinopoly and the additions it will be necessary to

make to it in consequence of the arrangement therein

mentioned

3d January 1832.

(Signed) D. Scott

Acting Registar

No 2 To The Provincial Court in the

Southern Division

Gentlemen,

1 I am directed by the Judges of the Tanjore

Walut to request you to give early instructions to the acting

Criminal Judge at Combaconum to transfer to the charge

of the Magistrate of Tanjore without delay the 30 Convicts

not bad characters alluded to in his letter to the [illegible] of the

5th Ultimo and to the Acting Magistrate of Trichinopoly

to furnish the Magistrate of Tanjore with 70 out of the

92 Convicts alluded to in his letter to them of the 15th Ultimo

2 Copies of the letters are enclosed.

You will be pleased to give orders

3 transfer of the usual number of Coss required for the

[illegible]ry of the Convicts furnished to the Magistrate of

ree Diary 3d January 1832

egistrate of Tanjore.

I am directed by the Judges of the Tanjore
inform you that instructions have been issued
nsfer to your Charge of 31 Convicts from the
l at Combaconum and of 70 Convicts from the Jail
at Trichinopoly of the description and for the purpose
stated in your letter to the Chief Secretary to Government
dated the 15th November last -

3d January 1832 - /Signed/ G. L Prendergast
Actg Regr to the Regr

No 1

No 4 To The Secretary to Government in the
Judicial Department

Sir,

1 I am directed by the Judges of the Court of
Tanjore Zillah to transmit to you to be laid before
the Right Honorable the Governor in Council the accom-
panying copy of a letter dated the 17th Ultimo from
the Provincial Court of Circuit in the Western Division
and also of its enclosure being a copy of a letter from
the Criminal Judge in the Zillah of Canara applying for
a temporary increase to his Jail establishment in conse-
quence of the increased number of prisoners in confine-
ment at that Station -

2 The Judges beg leave to recommend that
the Right Honorable the Governor in Council will be
pleased to authorize the Criminal Judge of Canara
to entertain 3 extra Peons for every 12 prisoners beyond
the number to which the establishment fixed by Govern-
ment are capable of guarding and / Despatch for /
Madras at Peons -

Tanjore Diary 7th January 1832 -

No 8 To The Acting Secretary to Government
Judicial Department

Sir,

1 I am directed by the Judges of the Court of
Tanjore Zillah to acknowledge the receipt of your letter
No 739, dated the 23d Instant and in conformity to the
instructions therein contained, to submit the accom-
panying draft of a Regulation for extending such
part of the provisions of Section LXVII of the Act 4th
George IV Cap 81, as relates to the penalties prescribed
for purchasing Cloths and other necessaries from Soldiers
throughout the Provinces, subordinate to the Presidency
of Fort St George -

2 In clause third Section II of the accompanying
draft the fines adjudicable under the provisions of the
first and second clauses are made commutable, if not
paid, to imprisonment for three Months, but the adjudi-
cation of stripes allowed by the Act, has not been provided
it being inconsistent with the principle of the Regulations
in such cases, as declared in Section XXXIX Regulation
VII of 1802 -

7th January 1832 - /Signed/ D. Elliott
Acting Register

A Regulation for extending such part of the provisions
of Section LXVII of the Act 4th George IV Cap 81 as relates
to the penalties prescribed for purchasing cloths and
other necessaries from Soldiers throughout the Provinces
subordinate to the Presidency of Fort St George -

Whereas it has been found that the offence
of selling Regimental necessaries is prevalent among
the Company's troops, and it is deemed expedient in
order to put a stop to this criminal practice, that
provisions contained in Section LXVII of the Act

George IV Cap: 81 for the punishment of persons purchas-
Cloths and other necessaries from soldiers, should be
extended throughout the Provinces, subordinate to the
Presidency of Fort St George, and should be made applic-
-able to persons purchasing articles from Native as well as
from European troops, the following rules have been
-acted, to be in force from the date of their promulgat-
II First From and after the date of the promulgation
of this Regulation any person, who shall knowingly
detain, buy in exchange, or otherwise receive from a
Soldier or deserter Native as well as European or any
person, upon any account or pretence whatsoever, any
arms, clothes Caps, or other furniture, belonging to the
India Company or furnished and provided for the use
of any troops or forces, native as well as European
-ing with the forces of the said Company, or any mea-
-sulations relating thereto, or any such articles, being
to any such Soldier or deserter as are generally deemed
regimental necessaries according to the custom of the
Army, being provided for the soldier and paid for
by deductions out of his pay, or shall come the
of any such clothes to be charged, shall on conviction
before the Criminal or Joint Criminal or Native
Criminal Judge within the limits of whose local
jurisdiction the offence may have been committed
be sentenced for every such offence to pay a fine
forty Madras Rupees-
Second From and after the date of the promul-
of this Regulation any person who shall buy or r
any grain hay, straw, or other forage, provided f
the use of any horse or horses, belonging to the G
service

Fojdarree Diary 7th January 1832-

service from any trooper or other Soldier, Native as well
as European, knowing him to be such, or shall more
procure, commit or solicit any such trooper or other
Soldier, knowing him to be such, to sell or otherwise dis-
-pose of any such grain, hay, straw, or other forage as
aforesaid, shall on conviction before the Criminal Joint
Criminal or Native Criminal Judge, within the limits of
whose local Jurisdiction the offence may have been
committed, be sentenced for every such offence to pay a
fine of forty Madras Rupees-
Third Upon payment of the fines adjudicable
under the provisions of Clauses first and second of this
Section one Moiety thereof shall be given to the informer
and the said fines shall be commutable, if not paid to
imprisonment for three Months-

To The 4 Provincial Courts of Circuit

Gentlemen

The Court of Fojdaree Adalut deeming it
proper that the Judges proceeding on Circuit should report
for their information the day appointed, and modified
by proclamations, for opening the Sessions at each Station
they direct that it be observed as a standing rule that
when the usual proclamation is transmitted for
publication to the Criminal Judge, a report shall be made
to them at the same time of the day therein appointed
7th January 1832- (Signed) D. Elliott
Acting Register

To The 3d Judge of the Court of Circuit in the
Western Division

Sir

I am directed to transmit to you for your
information and guidance the annexed Extracts from a
Letter from the Acting Secretary to Government in the

Judicial D.

Judicial Department under date the 3d Instant in reply to the proceedings of the Fouj.ree Adalut of the 14th Ultimo upon your Circuit Report dated the 15th November last.

7th January 1832.

/Signed/ D. Elliott
Acting Registr

No 11 To The Provincial Courts of Circuit

Gentlemen,

I am directed to communicate to you for your information and guidance the annexed extract from a letter from Government, under date the 3d Inst.

7th January 1832

/Signed/ D. Elliott
Acting Regist

No 12 To The Magistrate of Coimbatore.

Sir,

The Statement of the Contingent charges for December 1340 which was sent by you with your letter of the 28th November last having been misplaced in this office, I am directed by the Judges of the Fouj.ree Adalut to request that you will send a copy of the same together with that of the letter to this office.

7th January 1832.

/Signed/ Wm. Douglas
Acting Regist

No 13.

No 18 To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fouj.ree Adalut to transmit the accompanying Copy of a letter from the Provincial Court of Circuit in the Centre Division dated the 28th Ultimo and Copies of its enclosures.

These papers relate to certain persons who are confined in the Gaol at Bellary, having been subjected at the request of the Magistrate of Bellary, some of them in July, the rest in August 1828. It appears that they were

taken in arms in open hostility to the authority of Government and were sent to the Gaol for Security to be detained until the pleasure of the Government regarding them should be known.

As it would seem from the letter from the Acting Criminal Judge of Bellary dated the 23d Ultimo enclosed in the letter from the Court of Circuit that the case of these prisoners has been brought to the notice of Government by a direct communication from the Acting Judge late on Circuit, the Court of Fouj.ree Adalut have only to submit their opinion that without the warrant prescribed by Section II Regulation III of 1819 which it would appear has not been issued, there is no legal authority for their detention in Gaol.

10th January 1832.

/Signed/ D. Elliott
Acting Registr

No 19 To H. J. Boshby Esqr

Acting Judge Provincial Court.

Centre Division

Sir,

I am directed by the Judges of the Court of Fouj.ree Adalut to acknowledge the receipt of your letter of the 9th Instant reporting your arrival at Chittoor and to state that it is the desire of the Fouj.ree Adalut that the 1st Quarterly Session of the current year be held by you.

12th January 1832.

/Signed/ D. Elliott
Acting Regr

No 20 To The Provincial Court of Circuit in the Western Division.

Transmitting Copy a letter from the Acting Secretary to Government in the Judicial Department sanctioning a temporary increase of the Establishment of the Criminal Judge of Canara.

12th January 1832.

Sent annexed letter

Tanjore Diary 14th January 1832.

No 23 To J. Casamajor Esqr

Acting Judge of the Provincial Court of Circuit
in the Northern Division

Sir,

I am desired by the Judges of the Court of Tanjore Adalut to acknowledge the receipt of your letter of the 28th December submitting statement of charges for translating the records of Trials referred to the Tanjore Adalut and the Native Judges Monthly Criminal Reports.

2 The business of translating the records in Civil Cases coming before the Court Adalut from the Courts of Appeal being provided for by a Contract it appears to the Judges to require explanation what business there is to be performed by the English Department of the regular Establishment of the Provincial Court which is fully and creditably occupies them as to prevent them from translating the records referred to and to occasion occasional extra charges on this account. The Judges observe that in the Southern Provincial Court this business is performed entirely by the regular Establishment without a fee or extra charge.

3 The Judges remark that part of the charge for translating the Native Judges Criminal reports is drawn by Mr. D. Sharkey who seems to be the person who holds the situation of Head English writer in the Court and is also the contractor for translating the Civil records for the Court Adalut. If such be the case the propriety of allowing him extra pay for the performance of business which is deemed to be properly to be done by the regular Establishment appears questionable.

14th January 1832.

(Signed) D. Elliott
Acting Register

Tanjore Diary 14th & 17th January 1832.

No 24 To The Criminal Judge in the Zilla Chingleput

Sir,

With reference to the notice given in the Fort St George Gazette under date the 13th Instant I am directed by the Judges of the Tanjore Adalut to desire that you will forward the convicts now in your charge under sentences of transportation without delay to the Superintendent of Police at Madras.

You will furnish immediately to this office the list of the convicts exhibiting their names and crimes.

14th January 1832.

(Signed) D. Elliott
Acting Register

No 25 To The Acting Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Court of Tanjore Adalut to acknowledge the receipt of your letter of the 6th Instant with the accompanying copy of a letter from the Acting Secretary to the Board of Revenue and two original letters from the Principal Collector and Magistrate of the Outdoor District to that Board which are referred for the consideration of the Tanjore Adalut.

2 The Magistrate represents that there has been of late a general increase of Crime in his District & recommends with the view to its suppression an addition to his Police Establishment of 185 Men involving a Monthly expence of Rupees 780.

3 The latest report of crimes and misdemeanours committed in the Outdoor District received by the Tanjore Adalut, is the one for the half year ending the 30th June 1831. On comparing that report with the one for the preceding half year, there appears a decrease in the Number of

of cases of Gang Robbery and house breaking by night which are the crimes the Magistrate particularly remarks as becoming more frequent and of a more heinous character

The cases reported by the Magistrate appear to have occurred since the period to which the report referred to extends. The fact mentioned by the Magistrate of the Gangs of robbers being composed principally of strangers from other Districts is noticed also in a report
Para 21. from the Circuit Court under date the 30th June 1831

From the representation of the Magistrate it would seem to be expedient to strengthen the Police Establishment to enable it to act efficiently against the formidable bands by which the peace of the District is disturbed and the safety of the lives and property of the inhabitants endangered. The Judges of the Foujdaree Adalut have not the means of judging whether the increase recommended by the Magistrate is absolutely necessary, but they think it may be desirable to sanction it as a temporary measure the Magistrate being required to report after a time how far it has been effectual, and whether the continuance of it is required by the State of the District.

17th January 1832.

(Signed) D. Elliott
Acting Regr

No 26 To The Judge in the Zillah of Chingleput

Returning the Summons enclosed in his letter of the 3d instant with the endorsement of the Nazir.

17th January 1832

(Sent usual letter)

No 27 To The Judges of the Provincial Court in the Centre Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for the information and guidance of the several Criminal and Joint Criminal Judges

Northern & Southern Divisions

Judges within your Division the accompanying extract
Para 92. from the Court proceedings dated the 30th November last.

17th January 1832

(Signed) D. Elliott
Acting Regr

No 28 To The Judges of the Provincial Court of Circuit in the Western Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit to you for your information the
Para 90 to 92 accompanying extract from the Court proceedings under date the 30th November last and to desire that para 92 be furnished to the several Criminal and Joint Criminal Judges within your Division for their information and future guidance.

17th January 1832.

(Signed) W. Douglas
Junior Dp. Regr

No 29 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 transmit to you for the information and guidance of the Magistrate in the Zilla of Nellore the accompanying extract from the Court proceedings under
Para 19th date the 30th November last and to request that the explanation therein required may be forwarded to the Court so soon as received.

17th January 1832.

(Signed) W. Douglas
Junior Dp Regr

No 30 To The Secretary to the Marine Board

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 14th instant and to transmit to you for the information of the Marine Board the accompanying Copy of a list

1830-32 Letters - 44 - 1/50
1831-32 Letters - 44 - 1/50

Foujdaree Diary 18th January 1832.

List of the Convicts 84 in number under sentence of transportation who have been sent by the acting Criminal Judge of Chingleput to the Superintendent of Police at Madras to embarked on the Brig Esterion -

18th January 1832.

No 37 To The 2nd Judge late on Circuit in the Western Division

Sir

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 8th Instant submitting explanations regarding the cases noticed by the Foujdaree Adalut in their proceedings under date the 19th Ultimo -

With reference to the observations contained in the 4th Para I am directed to state that in the comments to which they relate the Court had no intention of passing any censure much less a marked and severe censure upon you, their remarks having been meant merely to point out an error in your proceedings and to caution you against committing a similar error in future.

18th January 1832.

/Signed/ D. Elliott
Acting Regr

No 38 To The Acting Judge and Criminal Judge in the Zillah Chingleput -

Sir,

I am directed to transmit to you for your information and guidance the annexed Extract from the proceedings of the Sudr and Foujdaree Adalut upon the Contingent charges of the Chingleput Court for Fasly 1240 submitted by the Judge under date the 30th July last with a copy of the Para containing the observations therein referred to regarding the payment of batta to prosecutors and

the Number of

Foujdaree Diary 18th January 1832.

and witnesses attending upon the Circuit and Criminal Courts -

2 Since these proceedings were written the Court have received Mr Taylor's letter of the 10th Instant they still desire however to have before them a detailed statement of the strength and pay of the present Jail Establishment as required in the proceedings - in this statement the Peons belonging to the regular establishment should be distinguished from the Extra Peons &c whose pay is entered in the contingent bill -

3 It appears to the Court to be improper that Peons who are in permanent employment should be charged for in the contingent bill - They should be brought in the regular establishment, and their pay should be added to the ordinary charges of the Court only the Peons who are entertained temporally should be charged for in the Contingent bill They desire therefore that you will consider what establishment is absolutely necessary to be maintained permanently for the charge of the Jail, and will submit the same for sanction -

4 With respect to the 25 Cittiendy Peons who were transferred from Virdachillum should it appear that their employment was sanctioned by Govt as a temporary measure for a special purpose and that they ought to have been discharged long ago - The Court desire that you will report whether there is any other guard over the Jail besides those Sepoys and the common Peons and whether in your opinion their services can be dispensed with -

5 The Court desire that the ten additional Court Peons whose employments sanctioned on the 6th June 1826 be immediately reduced as suggested by Mr Taylor -

18th January 1832 /Signed/ D. Elliott

Acting Register

Foujdaree Diary 18th & 25th January 1832.

№ 39 To The 4 Provincial Courts of Circuit

Gentlemen,

Section XXXVII Regulation X of 1816 which required the Criminal Courts to transmit to the Foujdaree Adalut in the Month of January of each Year a report of the Criminal Cases depending on the 31st of the preceding Month of December having been rescinded, and the report appearing to the Foujdaree Adalut to be unnecessary they have resolved to dispense with it and they request that you will if no instructions accordingly to the several Criminal Courts subordinate to you.

18th January 1832.

/Signed/ D. Elliott
Acting Regr

№ 53 To The Acting Secretary to Government in the Judicial Department

№ 6

Sir,

With reference to Para 1 of the proceedings of the Foujdaree Adalut under date the 15th November last and the 22d Para of the report of Mr Lawrence Acting Judge of Circuit in the Northern Division therein referred to I am directed to submit the accompanying Copy of a letter from the Criminal Judge of Bajahmundry with the recommendation of the Judges of the Foujdaree Adalut that according to the suggestion of Mr Hart the superintending Surgeon of the Northern Division be directed jointly with the Civil Surgeon to inspect the Jail and report upon the propriety of the proposed alteration in the arrangement of it.

25th January 1832.

/Signed/ D. Elliott
Acting Regr

Foujdaree Diary 27th & 30th January 1832.

№ 55 To The Acting Judge of the Court of Circuit in the Centre Division

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 20th Instant and submitting a reference from the Criminal Judge of Chittoor as to the legality and expediency of transferring the persons in Confinement in his Jail on a requisition of security to the Jail of Cuddapah with a view to their more profitable employment.

The Foujdaree Adalut consider the proposed measure extremely objectionable, and such as ought not to be adopted. Except from necessity they are not aware of any circumstances to prevent the employment of the prisoners of this Class in the Chittoor Jail in the same manner as they are employed in other Jails according to the rules. It is for the Judge to make the necessary arrangements for this purpose.

27th January 1832.

/Signed/ D. Elliott
Acting Regr

/№ 8/

№ 57 To The Acting Secretary to Government in the Judicial Department

Sir,

With reference to the 2nd Para of your letter I am directed to transmit to you for the information of the Right Honorable the Governor in Council the accompanying Copies of correspondence relative to the Jail at Guntoor.

Ct of Circuit 21st Dec 1831.
Jr 18th Jany 1832.

From the papers submitted it appears that the present Jail is quite insufficient for the proper accommodation of the prisoners confined in it and that no building capable of being adopted for the purpose

purpose of a Jail is procurable at Guntoor. It seems therefore to be necessary to build a new Jail which should be capable of accommodating at least 200 Prisoners; & the Fuyjaree Vealut recommend that orders to this effect be passed immediately as more ample accommodation is urgently required to be provided without delay. The Court further recommend that the officer employed to build the Jail be placed in direct communication with the Provincial Court of Circuit as suggested by the acting Judge of Circuit in his letter of the 18th Instant.

In the mean time to reduce the number of prisoners in the Jail the Court purpose to order that all persons sentenced to be detained on requisition of Security for a longer period than 2 Months as well as all Convicts sentenced to imprisonment exceeding that period be transferred to the Jail at Vellore.

30th January 1832.

(Signed) D Elliott
Acting Regr

No 58 To The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Fuyjaree Vealut to acknowledge the receipt of Mr Casamajor's letter of the 18th Ultimo.

As it appears from the report of the Medical officer at Guntoor that the buildings in which the prisoners are confined at that station are improperly crowded to such a degree as to be dangerous to their health, the Court of Fuyjaree Vealut with the view of remedying this evil have resolved to order that the prisoners sentenced to be detained on requisition of Security for a longer period than 2 Months be transferred to the Jail at Vellore.

You will be pleased to issue the necessary instructions according to the Native Judge of Guntoor.

(Signed) D. Elliott
Acting Register

30th January 1832

No 59 To The acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fuyjaree Vealut to transmit to you the accompanying copies of a correspondence with the Court of Circuit in the Northern Division relative to charges incurred for translating certain Circuit Records and criminal Reports.

From Court of Circuit
30th Dec 1831.
To 14th Jany 1832.
From 18th - 30th

Under the explanation contained in the acting Judges letter dated the 18th Instant the Court of Fuyjaree Vealut recommend that the charges in question entered in the statements enclosed in his letter of the 30th Ultimo may receive the sanction of Government the amount being Rupees 428-14-8.

For translating 30 Rs p. 30 records 368-10-8
Drink reports of the N. Judge 60-4-0
428-14-8

30th January 1832.

(Signed) D. Elliott
Acting Regr

No 60 To The Provincial Court of Circuit in the Northern Division

Gentlemen

I am directed by the Judges of the Court of Fuyjaree Vealut to acknowledge the receipt of Mr Casamajor's letter of the 18th Instant and to state that in the explanation contained therein the charges submitted in his letter of the 30th Ultimo have been recommended for sanction.

With reference to the 4th Para of Mr Casamajor's letter I am directed to state that the Judges approve of his suggestion that the periodical reports and statements of

of the Native Judges Court to be forwarded to the Sudr and Foujdaree Adalut should be prepared at once in English by the Translator and English writer of that Court, and desire that this arrangement be adopted if it can be carried into effect without interfering with the performance of the duties for which those Servants were specially appointed

The Judges are of opinion that the English writers who are above the class of mere copyists should be able to translate and should be employed in translating and they desire that in any change in the English Establishment this may be attended to.

30th January 1832.

(Signed) D. Elliott
Acting Register

(No 10.)

No 61. To the Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to submit for the consideration of the Right Honorable the Governor in Council the accompanying copy of a letter dated the 21st Instant from the Provincial Court of Circuit in the Northern Division and of its enclosure

2. Under date the 13th Octr 1829 Sanction was granted for the entertainment of 2 Duffadars, 25 Peons and 2 Duckallies for the Guntoor Jail as a temporary measure.

3 On the 21st November last the Judges of the Court of Foujdaree Adalut applied for and on the 25th of the same month obtained the Sanction of Government for the continuation up to the 17th October last of this additional Establishment, out of which it appears from the representation of the Native Criminal Judge herewith submitted that one Duffadar and 12 Peons have been confirmed in the Service of the Court Criminal Judge of Masulipatam and of the Magistrate of Guntoor, and that the Duckallies have

have been dismissed

4 The Judges beg leave to recommend that Sanction may be granted for the payment of their salaries to all the Peons Duffadars Havildar and Duckallies for the period during which they may have actually served, and to suggest that under the circumstances of the case the dismissal of the Havildar and with the exception of the Havildar whose services are not considered requisite authority may be granted for the retention on the Establishment of the Native Criminal Judge at Guntoor of the other 13 Peons and of the Duffadar on the salaries formerly fixed may be expedient.

30th January 1832.

(Signed) D. Elliott
Acting Register

No 62 To The Provincial Court of Circuit in the
Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of Mr Casamajor's letter of the 24th Ultimo explaining the construction of Section XI Regulation X of 1818 upon which he is acting in the proceedings held by them under date the 30th November 1831.-

2. In reply I am directed to observe that the construction intimated in the proceedings of the Foujdaree Adalut under date the 18th Ultimo is not a new one. It has been always ruled that by section XI Regulation X of 1818 the collective Courts of Circuit are empowered to order persons accused of offences not bailable under the general provisions of the Regulations, to be admitted to bail under special circumstances;

3. The Court of Foujdaree Adalut are clearly of opinion that the period intended to be indicated by the words "whilst the charge is under trial is the whole period from the examination of the case by the Criminal Judge to the conclusion of the trial by the Court of Circuit; and to make the provision effectual, on this construction it is necessary that the power of ordering the party to be admitted to bail instead of being kept in confinement until the arrival of the Judge on Circuit, could be vested in the Collective Court.

2d February 1832.- (Signed) D. Elliott
Acting Register

No 63 To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

Under instruction from the Govern-
ment

Government the Court of Foujdaree Adalut request that you will direct the Joint Criminal Judge at Cuddalore to place at the disposal of the officer Commanding the General Depot at that Station 30 of the Convicts in his Jail sentenced to hard labour.-

2. By a return received from the Joint Criminal Judge under date the 7th Instant it appears that the number of prisoners in his Jail at that time was 76. The Court of Foujdaree Adalut request that you will ascertain and report how many more prisoners the Jail is capable of accommodating. If it is sufficiently capacious it appears to be desirable that all the prisoners whose services are placed at the disposal of the officer commanding the General Depot should be lodged in it, under the charge of the Joint Criminal Judge.-

2d February 1832.- (Signed) D. Elliott
Acting Register

No 64 To Mr G. I. Casamajor
Acting Judge of the Provincial Court of
Circuit in the Northern Division

Transmitting Copy of a letter from the Acting Chief Secretary to Government in the Judicial Department desiring that the Superintending Surgeon of the Northern Division be directed jointly with the Zilla Surgeon to inspect the Jail at Rajahmundry and report upon the propriety of the proposed alterations in the arrangement of it.

2d February 1832.- Sent usual letter

No 69 To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

I am directed by the Judges of the
Foujdaree

Faujdaree Adalut to acknowledge the receipt of your letter of the 25th Ultimo transmitting copy of a letter from the Joint Criminal Judge of Chingleput with Estimates for making a Gallows.-

2 The Judges observe that the Joint Criminal Judge expresses his doubts how far Natives can be trusted with the drop for which he has submitted the estimates.-

3 It will be for the Joint Criminal Judge to ascertain that the Gallows about to be erected will be available and of the most durable materials.- The expence of erecting it may be included in the contingent charges.-

6th February 1832.-

(Signed) G.L. Prendergast
Actg Sec. to the Govt.

No. 70 To The Court of Circuit in the Western Division

Gentlemen,

I am directed by the Judges of the Court of Faujdaree Adalut to acknowledge the receipt of the letter from the 2d Judge dated the 25th Ultimo submitting copy of a letter from the Assistant Magistrate of Canara forwarded by the Magistrate relative to the petition of a person named Kaina.-

It appears that this person upon a charge of calumny was ordered to pay a fine of ten Rupees or in lieu thereof to be imprisoned in Tiarapur Choultry to which he was sent hand cuffed a distance of 25 Miles.- The Assistant Magistrate observes that the fine was imposed under Section XXXII Regulation IX of 1816 and requires no comment. He states that the Petitioner was hand cuffed not for punishment but for security on account of his bad character and the turbulence of the times.-

Considering the nature of the charge of which the Petitioner was convicted the Faujdaree Adalut cannot

cannot admit the circumstances alleged as justifying the severe measure of hand cuffing him. They think the Petitioner has grounds for his Complaint if it was an additional punishment such punishment being illegal they deem it proper that the fine be remitted, and they direct accordingly that the Magistrate be instructed to refund to the Petitioner the amount which it appears has been levied for him, and that the Assistant Magistrate be admonished of the irregularity of his proceedings

6th February 1832.- (Signed) D. Elliott
Actg Regr

No. 71. To The Provincial Court of Circuit in the Northern Division

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department sanctioning the charges incurred for translating certain Circuit Records and Criminal Reports in the Northern Provincial Court.-

6th February 1832.- Sent usual letter

(No. 11.)

No. 78. To The Secretary to Government in the Judicial Department

Sir,

In the 3d Para of your letter of the 3d Ultimo the Judges of the Faujdaree Adalut are required with reference to the 19th Para of their proceedings under date the 7th July last to specify what portion of the Provisions of Regulation IV of 1821 they regard as of a dangerous tendency and to submit their sentiment as to the extent to which the proceedings of Magistrates should be subject.-

2 The Provisions of this Regulation which the Judges consider as open to abuse and of a dangerous

dangerous tendency are those contained in Clause 2 section VII and in Section VIII by the former Magistrates are relieved from recording the examinations they may take in the investigation of complaints preferred under Section XXXII and XXXIII Regulation IX of 1816; by the latter they are permitted to exclude from the Calendar to be delivered to the Judge on Circuit any punishments adjudged under Section XXXII and any punishment not exceeding ten days imprisonment six strokes of a rattan adjudged under Section XXXIII.-

3 By these provisions the proceedings of Magistrate under Section XXXII and XXXIII Regulation IX of 1816 are removed almost entirely from the cognizance and control of superior authority - It is only in the cases which are brought specially to the notice of a Judge on Circuit by petitions for the parties concerned that they are subject to revision. For an exposition of the irregularities and abuses to which these provisions afford temptation and inducement by withdrawing the acts of Magistrates and their Assistants for observation, and taking away in a great measure the sense of responsibility, the Judges beg to refer particularly to their proceedings under date the 28th October 1823. The Judges apprehend that under these provisions cases are likely to be disposed of to which they were never intended to apply - and against this abuse they perceive no efficient check - If it be known that the parties concerned will complain to the Judge on Circuit: and when a complaint is made all that the Judge can do in the first instance is to refer it to the Magistrate It is sufficient for the Magistrate to answer that the case was one legally subjected his jurisdiction under the provision of Section XXXII Regulation IX

of

of 1816, and that his judgment was in conformity thereto It is only when the Magistrate in his answer admits acts unauthorized by or in violation of the law that the Judge can interfere at all In such a case he is authorized to suspend the sentence and to refer to the Foujdaree Adalut for orders upon it.-

4 The Judges think it would be a considerable check upon the proceedings of the Magistrates under Sections XXXII and XXXIII Regulation IX of 1816 if they were required to enter in their Calendar returns of all punishments under those Sections - This being done, the complaint being in writing and a brief Summary of the proceedings including the evidence and the defence in every case being recorded in the Diary, to be submitted, when required, to the Judge on Circuit, he could be able to see whether the cases disposed of under those Sections were such as are therein described, and to Judge for himself with more certainty of the legality of the sentences. The Judges do not think it absolutely necessary that the depositions in the cases in question should be recorded fully, but they think it indispensable in order to render effectual the proposed measure of entering all punishments in the Calendar that the substance of the evidence in support of the Complaint and the defence should be recorded.-

8th February 1832.- (Signed) D. Elliott
Acting Regr

No 79 To The Provincial Court of Circuit in the Northern Division.

Transmitting Copy of a letter from the Secretary to Government Judicial Department dated

the

the 7th Instant sanctioning the payment of the Salaries to the Jail Establishment as recommended by the Court of Foujdaree Adalut under date the 31st Ultimo.-
11th February 1832.. Sent usual letter

№ 82 To The 4 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 "List of Convicts transported to Prince of Wales Island who were missing from that Settlement on the 31st August last," or the close of the last returns; with a view to the apprehension of such of the convicts who have effected their escape as may return to any of the Districts in your divisions..

15th February 1832. [signed] G. L. Prendergast
Actg Asst to the Regr

№ 83 To The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of Mr Casamajor's Letter of the 7th Instant submitting a copy of a letter from the Criminal Judge of Rajahmundry reporting the occurrence of a tumult among the prisoners in the Jail, and an attempt to escape, in which one succeeded; and stating that for the reapprehension of this one he has offered a reward of 40 Rupees, for which he requests sanction..

Under the circumstances of the case the offer of a reward appears to the Foujdaree Adalut to have been expedient and if there should be occasion to

to pay it the Court will be prepared on receiving a report from the Criminal Judge through the Provincial Court to recommend to Government to sanction the disbursement
The Court are of opinion that the provisions of Section XXI Regulation IX of 1816 are not applicable to a case of this nature..

15th February 1832.. [signed] D. Elliott
Acting Register

№ 84 To The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of Mr Casamajor's letter of the 8th Instant submitting a reference from the Magistrate of Masulipatam..

2. The legal question involved in this reference appears to be, whether, in a case of disputed succession to property, when one of the claimants has forcibly taken possession of it from the other, it is competent to the Magistrate to restore the property to the party dispossessed. The Court of Foujdaree Adalut are of opinion that it is competent to the Magistrate to do so and that it is his duty to exercise his authority for this purpose as conservator of the public peace. To this effect the Court gave an opinion in their proceedings under date the 28th April 1823 upon a reference from your Court, observing that "the restoration to possession of a party so forcibly rejected must be considered as essential to the maintenance of the public peace the conservation of which belongs to the Magistrate peculiar province" It is for the Magistrate to satisfy himself

himself by sufficient Evidence of the fact of forcible dispossession. The Magistrate has nothing to do in any case with the question of right. It is for the party who having taken forcible possession of property has been ejected by the authority of the Magistrate to bring that question before the Civil Court by the institution of a regular suit for whatever he may consider himself entitled to. The Civil Court to which the determination of the question of right belongs, cannot interfere until a regular suit has been instituted. It can then take measures to secure the property pending the suit.

(Signed) D. Eliott
Acting Register

15th February 1832.

No 12.

No 85 To The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Tanjore Adalut to submit for the consideration of the Right Honorable the Governor in Council the accompanying copy of a letter dated the 7th Instant from the Magistrate of the Zillah of Cuddapah requesting sanction for a charge of Rupees 4-14-8 being the expences incurred in conveying five Convicts to the Criminal Jail at Bellary.

The Judges beg leave to recommend that the sanction may be granted.

15th February 1832.

(Signed) G. L. Crawfurd
Hd. Assts. to the Registr.

No 86 To The Provincial Court in the
Southern Division

Gentlemen

I am directed by the Judges of the Tanjore

Tanjore Adalut to acknowledge the receipt of the 8th Instant and to return to you agreeably to your request the erroneous statement sent with the Criminal Reports for September last.

17th February 1832.

(Signed) G. L. Crawfurd
Hd. Asst. to the Registr.

No 88 To The Secretary to Government in the
Judicial Department

No 13

Sir,

I am directed by the Judges of the Court of Tanjore Adalut to acknowledge the receipt of your letter No 105, dated the 14th Instant, and to submit the draft of a Regulation for rescinding clause second Section VII & Section VIII Regulation IV of 1821.

The Judges have framed the provisions of Section III of the accompanying draft with reference to the instruction, contained in the second paragraph of your letter. It is to be observed, that the record of all "Complaints" in writing has never been dispensed with, and the additional record prescribed in clause first of this Section will contain nothing, which is not absolutely essential to the attainment of the required objects.

It does not appear to the Judges desirable to restrict the operation of Section XXXVII Regulation IX of 1816, by rescinding clause first Section VII Regulation IV of 1821, because the nature of the record prescribed will prevent its application to the cases mentioned in that Section from being burdensome to the Magistrates Department, and also because the provisions of the Section have always appeared to the Judges to involve the anomaly of a determination being passed upon the

punishment

punishment to be inflicted previously to the examination of the case.-

20th February 1832.- /signed/ D. Elliott
Acting Register

A Regulation for rescinding Clause second Section VII and Section VIII Regulation IV of 1821.-

Whereas the provisions, contained in clause second section VII Regulation IV of 1821 by which Magistrates are relieved from taking written evidence in the investigation of complaints preferred before them under Sections XXXII and XXXIII Regulation IX of 1818 have been found to operate injuriously by rendering ineffective the powers of revision conferred on the Court of Circuit by clause second section XI Regulation IX of 1815; and whereas the provisions of section VIII Regulation IV of 1821, by which the returns of certain punishments adjudged by Magistrates are excluded from the Calendars prescribed in the latter part of Clause first section XI Regulation IX of 1815 have been found open to the same objection, the following rules have been enacted to be in force from the date of their promulgation

Ch 2 Sec: VII & Sec: VIII Reg: IV of 1821 rescinded

II. Clause second section VII and section VIII Regulation IV of 1821 are hereby rescinded.-

In investigation under sections XXXII & XXXIII Reg: IX of 1815 Magte to take down in writing the Complaint & the material evidence for the defence

III. First In the investigation of complaints, preferred under the provisions of Sections XXXII and XXXIII Regulation IX of 1818 Magistrates are required to take down in writing the complaint and Examinations of the evidence on both the Material, and the defence of the accused.-

Second. The original proceedings described in Clause first of this Section shall accompany the Calendars

Calendars prescribed by Clause first Section XI Regulation IX of 1815: and the Court of Circuit shall have authority to issue thereupon the orders, described in clause second of that Section

No: 14

No: 91. To The Secretary to Government in the Judicial Department

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 accompanying Copy of a letter dated the 14th Instant from the 3d Judge on Circuit in the Western Division suggesting that the rewards specified in his letter should be granted to the 3 persons therein named for their meritorious services in the apprehension of a Gang of Robbers.-

2 The Judges beg leave to recommend under the circumstances of the case, that these three Persons may be rewarded in the manner suggested by the 3d Judge of the Court of Court in the Western Division

23d February 1832.- /signed/ G.L. Brandegast
Dpt to the Regr

No: 92. To The Magistrate in the Zillah of Bellary

Transmitting Copy of a letter dated the 21st Instant from the Secretary to Government in the Judicial Department sanctioning the expence incurred for conveying 5 Convicts to the Criminal Jail at Bellary

23d February 1832.- Sent usual letter

punishment to be inflicted previously to the examination of the case.

20th February 1832.

(signed) D. Watt
Acting Register

A Regulation for rescinding Clause second Section VII and Section VIII Regulation IV of 1821.

Whereas the provisions contained in clause second Section VII Regulation IV of 1821 by which Magistrates are relieved from taking written evidence in the investigation of complaints preferred before them under Sections XXXII and XXXIII Regulation IX of 1816 have been found to operate injuriously by rendering ineffective the powers of revision conferred on the Court of Circuit by clause second Section XL Regulation IX of 1816; and whereas the provisions of Section VIII Regulation IV of 1821, by which the returns of certain punishments adjudged by Magistrates are excluded from the Calendar prescribed in the latter part of Clause first Section XL Regulation IX of 1816 have been found open to the same objection, the following rules have been enacted to be in force from the date of their promulgation

Ch 2 Sec: VII & Sec: VIII Reg: IV of 1821 rescinded

II. Clause second Section VII and Section VIII Regulation IV of 1821 are hereby rescinded.

In investigations under Sections XXXII & XXXIII Reg: IX of 1816 Mags: to take down in writing the Complaint the material evidence & the defence

III. First In the investigation of complaints preferred under the provisions of Sections XXXII and XXXIII Regulation IX of 1816 Magistrates are required to take down in writing the complaint and grounds of the evidence or shall be material, and the defence of the accused.

Second. The original proceedings described in Clause first of this Section shall accompany the Calendars

prescribed by Clause first Section XL Regulation IX of 1816: and the Court of Circuit shall have authority to issue thereupon the orders described in clause second of that Section

No. 91. No. 14

To The Secretary to Government in the Judicial Department

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 accompanying Copy of a letter dated the 14th Instant from the 3d Judge on Circuit in the Western Division suggesting that the rewards specified in his letter should be granted to the 3 persons therein named for their meritorious services in the apprehension of a Gang of Robbers.

2 The Judges beg leave to recommend under the circumstances of the case, that these three Persons may be rewarded in the manner suggested by the 3d Judge of the Court of Circuit in the Western Division

23d February 1832. (signed) G. L. Prendergast
4th Dpt. to the Regr

No. 92. To The Magistrate in the Zillah of Bellary

Transmitting Copy of a letter dated the 21st Instant from the Secretary to Government in the Judicial Department sanctioning the expence incurred for conveying 5 Convicts to the Criminal Jail at Bellary

23d February 1832. Sent usual letter

punishment to be inflicted previously to the examination of the case.-

20th February 1832.-

/signed/ D. Scott
Acting Register

A Regulation for rescinding Clause second Section VII and Section VIII Regulation IX of 1821.-

Whereas the provisions, contained in clause second Section VII Regulation IX of 1821 by which Magistrates are relieved from taking written evidence in the investigation of complaints preferred before them under Section XXXII and XXXIII Regulation IX of 1818 have been found to operate injuriously by rendering ineffective the powers of revision conferred on the Court of Circuit by clause second Section XL Regulation IX of 1815; and whereas the provisions of Section VIII Regulation IX of 1821, by which the returns of certain punishments adjudged by Magistrates are excluded from the Calendars prescribed in the latter part of Clause first Section XL Regulation IX of 1815 have been found open to the same objection, the following rules have been enacted to be in force from the date of their promulgation

II. Clause second Section VII and Section VIII Regulation IX of 1821 are hereby rescinded.-

III. First In the investigation of complaints preferred under the provisions of Sections XXXII and XXXIII Regulation IX of 1818 Magistrates are required to take down in writing the complaint and examination of the witnesses or shall be material, and the defence of the accused.-

Second. The original proceedings recorded in Clause first of this Section shall accompany the Calendars

Ch 2 Sec VII & Sec VIII Reg IX of 1821 rescinded

Re investigation under Sections XXXII & XXXIII Reg IX of 1818 Magistrates to take down in writing the Complaint & material evidence & the defence

Calendars prescribed by Clause first Section XL Regulation IX of 1815: and the Court of Circuit shall have authority to issue thereupon the orders, described in clause second of that Section

No. 91. No. 14

To The Secretary to Government in the
Judicial Department

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 accompanying Copy of a letter dated the 14th Instant from the 3d Judge on Circuit in the Western Division suggesting that the rewards specified in his letter should be granted to the 3 persons therein named for their meritorious services in the apprehension of a Gang of Robbers.-

2 The Judges beg leave to recommend under the circumstances of the case, that these three Persons may be rewarded in the Manner suggested by the 3d Judge of the Court of Court in the Western Division

23d February 1832.- /Signed/ G. L. Ormerjaet
Offg 3d Jt to the Regr

No. 92. To The Magistrate in the Zillah of
Bellary

Transmitting Copy of a letter dated the 21st Instant from the Secretary to Government in the Judicial Department sanctioning the expence incurred for conveying 5 Convicts to the Criminal Jail at Bellary

23d February 1832.- Sent usual letter

punishment to be inflicted previously to the examination of the case..

20th February 1832..

/signed/ D. Watt
Acting Register

A Regulation for rescinding Clause second Section VII and Section VIII Regulation IV of 1821.-

Whereas the provisions contained in clause second Section VII Regulation IV of 1821 by which Magistrates are relieved from taking written evidence in the investigation of complaints preferred before them under Section XXXII and XXXIII Regulation IX of 1816 have been found to operate injuriously by rendering ineffective the powers of revision conferred on the Court of Circuit by clause second Section XL Regulation IX of 1815; and whereas the provisions of Section VIII Regulation IV of 1821, by which the returns of certain punishments adjudged by Magistrates are excluded from the Calendar prescribed in the latter part of Clause first Section XL Regulation IX of 1815 have been found open to the same objection, the following rules have been enacted to be in force from the date of their promulgation

Ch 2 Sec: VII & Sec: VIII Reg: IV of 1821 rescinded

In investigations under sections XXXII & XXXIII Reg: IX of 1815 Magistrates to take down in writing the Complaints the Material evidence & the defence

II. Clause second Section VII and Section VIII Regulation IV of 1821 are hereby rescinded..

III. First In the investigation of complaints preferred under the provisions of Section XXXII and XXXIII Regulation IX of 1816 Magistrates are required to take down in writing the complaints and counter of the evidence or shall be Material, and the defence of the accused..

Second. The original proceedings recorded in Clause first of this Section shall accompany the Calendar

Calendars prescribed by Clause first Section XL Regulation IX of 1816. and the Court of Circuit shall have authority to issue thereupon the orders described in clause second of that Section

No. 14

No. 91. To The Secretary to Government in the Judicial Department

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 accompanying Copy of a letter dated the 14th Instant from the 3d Judge on Circuit in the Western Division suggesting that the rewards specified in his letter should be granted to the 3 persons therein named for their meritorious services in the apprehension of a Gang of Robbers..

2 The Judges beg leave to recommend under the circumstances of the case, that these three Persons may be rewarded in the manner suggested by the 3d Judge of the Court of Court in the Western Division

23d February 1832.- /Signed/ G.A. Brodergast
Sd Dpt to the Regr

No. 92. To The Magistrate in the Zillah of Bellary.

Transmitting Copy of a letter dated the 21st Instant from the Secretary to Government in the Judicial Department sanctioning the expence incurred for conveying 5 Convicts to the Criminal Jail at Bellary

23d February 1832.- Sent usual letter

punishment to be inflicted previously to the examination of the case.-

20th February 1832.-

/Signed/ D. Watt
Acting Register

A Regulation for rescinding Clause second Section VII and Section VIII Regulation IV of 1821.-

Whereas the provisions, contained in clause second Section VII Regulation IV of 1821 by which Magistrates are relieved from taking written evidence in the investigation of complaints preferred before them under Section XXXII and XXXIII Regulation IX of 1818 have been found to operate injuriously by rendering ineffective the powers of revision conferred on the Court of Circuit by clause second Section XL Regulation IX of 1815; and whereas the provisions of Section VIII Regulation IV of 1821, by which the returns of certain punishments adjudged by Magistrates are excluded from the Calendars prescribed in the latter part of Clause first Section XL Regulation IX of 1815 have been found open to the same objection, the following rules have been enacted to be in force from the date of their promulgation

II. Clause second Section VII and Section VIII Regulation IV of 1821 are hereby rescinded.-

III. First In the investigation of complaints preferred under the provisions of Sections XXXII and XXXIII Regulation IX of 1818 Magistrates are required to take down in writing the complaint and examination of the evidence or shall be material, and the defence of the accused.-

Second. The original proceedings described in Clause first of this Section shall accompany the Calendars

Ch 2 Sec: VII & Sec: VIII Reg: IV of 1821 rescinded

In investigation under Sections XXXII & XXXIII Reg: IX of 1815 Magte to take down in writing the Complaint the Material evidence & the defence

Calendars prescribed by Clause first Section XL Regulation IX of 1815: and the Court of Circuit shall have authority to issue thereupon the orders described in clause second of that Section

No. 14

No. 91. To The Secretary to Government in the Judicial Department

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 accompanying Copy of a letter dated the 14th Instant from the 3d Judge on Circuit in the Western Division suggesting that the rewards specified in his letter should be granted to the 3 persons therein named for their meritorious services in the apprehension of a Gang of Robbers.-

2 The Judges beg leave to recommend under the circumstances of the case, that these three Persons may be rewarded in the manner suggested by the 3d Judge of the Court of Court in the Western Division

23d February 1832.- /Signed/ G.A. Bruce Agt

No. 92. To The Magistrate in the Zillah of 1st Dpt to the Regr
Bellary.

Transmitting Copy of a letter dated the 21st Instant from the Secretary to Government in the Judicial Department sanctioning the expence incurred for conveying 5 Convicts to the Criminal Jail at Bellary

23d February 1832.- Sent usual letter

Foujdaree Diary 25th & 27th February 1832

No 98 To The Joint Magistrate Northern Division of Arcot

Sir,

1 I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter enclosing a warrant bearing date the 17th Instant for the apprehension of a person not named charged with receiving stolen property.-

2 The warrant not being in the form directed in the Appendix to Regulation IX of 1816, which requires the name of the party charged and the name of the person on whose oath he is charged to be mentioned in it, is not a legal proof of arrest, & therefore cannot be executed under the provisions of CXIII of the 53d Geo. III Cap 155. The warrant is herewith returned. The Peon who brought the letter enclosing the warrant had been directed to wait here until he received instructions from you.-

25th February 1832.-

(Signed) D. Elliott
Acting Register

No 99 To The Provincial Court of Circuit in the Western Division

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of the 2 packages letter of the 16th Instant transmitting copy of a correspondence with the Joint Criminal Judge of Trichinopoly regarding an application which he recommended to be made by the Court of Circuit to the Foujdaree Adalut for the admission of 2 Prisoners in a Case of Theft to give evidence under a Conditional pardon in order to the conviction of the other prisoners.-

2 Upon the question whether a reference of this nature ought to be made to the Foujdaree Adalut through the Provincial Court, or direct by the Officer whose duty it will be to commit the prisoners if the case is one proper to be sent for trial before the Court of Circuit, the Court of Foujdaree Adalut are of opinion that the reference ought to be made direct by the Committing Officer, and not through the Provincial Court one of the Judges of which will have eventually to try their case. The order of the 31st August 1829 referred to by the Joint Criminal Judge is therefore to be considered inapplicable to references of this nature.-

3 With respect to the case in which the Joint Criminal Judge proposes that two of the prisoners shall be admitted to give evidence under a conditional pardon the Court have to observe that it is not one which falls within the scope of Section XX Regulation VIII of 1802

4 The Court desire that you will communicate the instructions contained in the 2d Para of this letter to the several Criminal Judges Joint Criminal Judges and the Native Judge subject to your authority.-

27th February 1832.- (Signed) D. Elliott
Acting Register

No 100 To The Provincial Courts of Circuit in the Centre Northern and Southern Divisions

Circular

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit for your information and guidance and to be communicated to the several Criminal Judges &c subject to your authority for their information and guidance the annexed Extract from a letter of this date to the Court of Circuit Western Division.-

P. 18. 2.

27th February 1832.- (Signed) D. Elliott
Acting Register

Foujdaree Diary 27th Febuary 1832.-

this nature ought to be made to the Foujdaree Adalut through the Provincial Court, or direct by the Officer whose duty it will be to commit the prisoners if the case is one proper to be sent for trial before the Court of Circuit, the Court of Foujdaree Adalut are of opinion that the reference ought to be made direct by the Committing Officer, and not through the Provincial Court one of the Judges of which will have eventually to try their case. The order of the 31st August 1829 referred to by the Joint Criminal Judge is therefore to be considered inapplicable to references of this nature.-

3 With respect to the case in which the Joint Criminal Judge proposes that two of the prisoners shall be admitted to give evidence under a conditional pardon the Court have to observe that it is not one which falls within the scope of Section XX Regulation VIII of 1802

4 The Court desire that you will communicate the instructions contained in the 2d Para of this letter to the several Criminal Judges Joint Criminal Judges and the Native Judge subject to your authority.-

27th February 1832.- (Signed) D. Elliott
Acting Register

No 100 To The Provincial Courts of Circuit in the Centre Northern and Southern Divisions

Circular

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit for your information and guidance and to be communicated to the several Criminal Judges &c subject to your authority for their information and guidance the annexed Extract from a letter of this date to the Court of Circuit Western Division.-

P. 18. 2.

27th February 1832.- (Signed) D. Elliott
Acting Register

Fraydaree Diary 29th February 1832.-

No 108 To The Acting Criminal Judge in the Gillebeg Chingleput

Sir,

1 I am directed by the Judges of the Court of Fraydaree Adalut to acknowledge the receipt of your letter of the 18th instant reporting upon the jail establishment

2 From the Statement enclosed in your letter it appears that including the Sibbandy the number of Peons present at Chingleput is 48 which the Court think is not more than sufficient both with reference to the distribution of the Peons however they direct me to observe that the duty of guarding the Jail is not one that should be committed to Sibbandy By relieving the Jail Peons from their guard duty the Court view without the Jail establishment would be competent to the charge of a greater number of prisoners without any addition to it. It is the opinion of the Court also that the night guards of Peons for the Jail is stronger than it need be considering that there are always 33 Peons resident at the Jail Bays, viz 12 at the Jail Gate, 12 from 18 there would be 6 Peons on guard & 6 relief for general duties.

3 The Court conclude that the Peons for the Court Bars have been removed as directed in the last Para of my letter of the 18th February 1832.-

Signed D. Elliott
Acting Register

Fraydaree Diary 5th March 1832.-

No 118 To The 1st Judge late on Circuit in the Centre Division

Sir,

1 I am directed by the Judges of the Court of Fraydaree Adalut to acknowledge the receipt of your letter of the 27th Ultimo.-

2 With reference to the observations in the 2nd Para in explanation of the difference in the sentences passed upon the prisoners in cases Nos 2 & 4 of the Chingleput Calendar, I am directed to remark that the sentence passed upon conviction of a particular crime ought not to be aggravated in consideration of the Convict having committed another crime for which he was not tried. With regard to the case in question, as it was competent to you to pass the sentence adjudged the Court have no further remark to make upon it.-

5th March 1832.- Signed D. Elliott
Acting Register

No 119 To The 3rd Judge on Circuit in the Western Division.-

Transmitting Copy of a letter from the Secretary to Government in the Judicial Department under date the 28th Ultimo sanctioning the payment of the rewards to be given to three persons for their exertions in apprehending a Gang of Robbers.-

5th March 1832.- Sent usual letter.

Freid... D.

Freydaree Diary 29th February 1832.-

No 106 To The Acting Criminal Judge in the Gillolo Chingelapat

Sir,

1 I am directed by the Judges of the Court of Freydaree Dorlat to acknowledge the receipt of your letter of the 18th Instant reporting upon the fort establishment

2 From the Statement enclosed in your letter it appears that including the Establishment of those present at Chingelapat on the 1st Instant the Guard think is not more than sufficient to the distribution of the Guns however me to observe that

me that should be committed to the ing the Jail Guns from their guard Court from whom the Jail establishment to the charge of a greater number without any assertion to it. It appears that the night guard of Guns for than it would be desirable that the Judges on duty at the Jail Gate, 2 from 18 there would be quite for general duties.

The Court conclude that the Guns have been removed in consequence of your letter of the 18th February 1832.-

Freydaree Diary 5th March 1832.-

No 118 To The 1st Judge Late on Circuit in the Centre Division

Sir,

1 I am directed by the Judges of the Court of Freydaree Dorlat to acknowledge the receipt of your letter of the 27th Ultimo.-

2 With reference to the observations in the 2nd Para in explanation of the difference in the sentences passed upon the prisoners in cases Nos 2 & 4 of the Chingelapat Calendar, I am directed to remark that the sentence passed upon conviction of a particular crime ought not to be aggravated in consideration of the Convict having committed another crime for which he was not tried. With regard to the case in question, as it was competent to you to pass the sentence adjudged the Court have no further remark to make upon it.

5th March 1832.- (Signed) D. Elliott Acting Register

No 119 To The 3rd Judge on Circuit in the Western Division.

Transmitting Copy of a letter from the Secretary to Government in the Judicial Department under date the 28th Ultimo sanctioning the payment of the rewards to be given to three persons for their exertions in apprehending a Gang of Robbers.

5th March 1832.- Sent usual letter

No 99 1 2 25

Tonjdaree Diary 5th and 7th March 1832.

No 120 To The 3rd Judge on Circuit in the Eastern Division

Mangalore.

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter of the 9th Ultimo, and with reference to the Suggestion offered in the 2d Para to state that the arrangement therein alluded to in regard to Coddapah has been abandoned, and that the Judges are of opinion on a consideration of the state of the Provincial Court that it is expedient that the Judge on Circuit should return to the Southern Station as soon as he has delivered the Gaol at Honore.

5th March 1832.

(Signed) D. Elliott
Acting Registr

No 123 To The Provincial Court of Circuit in the Southern Division.

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to transmit the accompanying Extract from the proceedings of the Tonjdaree Adalut under date the 30th Novr 1831 upon the Criminal report for the half year from 1st July to 31st December 1830, and from the Minutes of Consultation thereupon and desire that you will issue the necessary instructions to the Magistrate of Madura accordingly.

7th March 1832.

(Signed) D. Elliott
Acting Registr

No 124 To The Magistrate of Coimbatore

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to transmit for your information and

Tonjdaree Diary 7th and 12th March 1832.

guidance the annexed Extract from the proceedings of the Tonjdaree Adalut under date the 30th November last upon the operations of the Police Magistrates during the half year from 1st July to 31st December 1830 and from the Minutes of Consultation thereupon dated 10th February 1832.

7th March 1832.

(Signed) D. Elliott
Acting Registr

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

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter of the 17th Instant and to state that conformably to the Order of the 15th November 1827 the Native Judge at Guntoor should be instructed by you to request the Magistrate to furnish the guard required for the Judge conducting to the Gaol at Nellore of the Prisoners at present under his charge whose term of imprisonment in default of security may be more than 2 Months.

7th March 1832.

(Signed) W. L. Brandreth
Senior Dy Regr

No 126 To The Provincial Judge in the Zillah of Chittoor

Returning the Summons enclosed in his letter dated the 28th Ultimo duly served.

7th March 1832.

sent under letter

No 136 To The Joint Magistrate of the Northern Division of Arcot.

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter of

Tonjdaree Diary 5th and 7th March 1832.

No 120 To The 3rd Judge on Circuit in the Eastern Division

Mangalore.

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter of the 9th Ultimo, and with reference to the Suggestion offered in the 2d Para to state that the arrangement therein alluded to in regard to Cuddapah has been abandoned, and that the Judges are of opinion on a consideration of the state of the Provincial Court that it is expedient that the Judge on Circuit should return to the Sudder Station as soon as he has delivered the Gaol at Honore.

3d March 1832.

(Signed) D. Elliott
Acting Registr

No 123 To The Provincial Court of Circuit in the Southern Division.

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to transmit the accompanying Extract from the proceedings of the Tonjdaree Adalut under date the 30th Novr 1831 upon the Criminal report for the half year from 1st July to 31st December 1830, and from the Minutes of Consultation thereupon and desire that you will issue the necessary instructions to the Magistrate of Madura accordingly.

7th March 1832.

(Signed) D. Elliott
Acting Registr

No 124 To The Magistrate of Coimbatore

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to transmit for your information and

Tonjdaree Diary 7th and 12th March 1832.

guidance the annexed Extract from the proceedings of the Tonjdaree Adalut under date the 30th November last upon the operations of the Police Magistrate &c during the half year from 1st July to 31st December 1830 and from the Minutes of Consultation thereupon dated 10th February 1832.

(Signed) D. Elliott
Acting Registr

7th March 1832.

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

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter of the 17th Instant and to state that conformably to an Order of the 3d December 1832 the Native Judge at Guntoor should be instructed by you to request the Magistrate to furnish the guard required for the safe conduct to the Sudder Station of the Prisoner at present under his charge whose period of imprisonment in default of Security may be more than 2 Months.

(Signed) J. L. Prendergast
Senior Dy Registr

7th March 1832.

No 126 To The Criminal Judge in the Zillah of Chittoor.

Returning the Summons enclosed in his letter dated the 28th Ultimo duly served.

I sent usual letter

7th March 1832.

No 136 To The Joint Magistrate of the Northern Division of Arcot.

Sir,

I am directed by the Judges of the Court of Tonjdaree Adalut to acknowledge the receipt of your letter

of the 1st instant inclosing a warrant for the apprehension of a person named Venkatrayloo Chetty residing at Madras who is charged with receiving stolen property.-

2 The Court are of opinion that unless the information upon which you have issued the warrant declares that the person named in it received the property in question, knowing it to have been stolen, within your jurisdiction, and this information is set forth in the warrant, it cannot legally be executed.-

3 The warrant is herewith returned for the purpose of being amended by the insertion of the above particulars if the information you have received embraces them.-

12th March 1832.

(Signed) D. Elliott,
Acting Register.

To the Acting Criminal Judge of Nellore.

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 8th instant and to state that they consider your attendance requisite at the execution of the Prisoner Chepeer Nawsregadoo sentenced to be hanged at the place where the Murder, of which he has been convicted, was perpetrated.-

The Judges are of opinion that if proper arrangements are made your absence on this duty will not cause any material detriment to the public Service.-

12th March 1832.

(Signed) G. L. Bensingat
Senr. Dy. Regr.

No. 10

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

Sir,

I am directed by the Judges of the Court

Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 14th Ultimo expressing the desire of the Right Honorable the Governor in Council that if there is no objection 75 Convicts may be placed at the disposal of the officer commanding the Cantonment at St. Thomas's Mount.-

2 The Court of Foujdaree Adalut being engaged in a review of the reports of the several Criminal Courts of the measures taken to carry into effect the rules, sanctioned by Government under date the 17th September 1830, for the systematic employment of the convicts in such a manner as to obtain the highest possible return for their labour thought it expedient to defer their reply to this letter until they had completed it.-

3 Their proceedings, on this subject were on the 5th instant submitted to Government and referring thereto the Court have now to express their opinion that the proposed measure of placing 75 convicts at the disposal of the officer commanding at St. Thomas's Mount, and the transfer of prisoners to other Departments in general is objectionable, as with person discipline and impeding the arrangements which have been covered for the introduction of manufactures and in the Jails, as the means best calculated for the profitable employment of the prisoners - In the Jail at Chittoor it has been impossible hitherto to do any thing for this purpose in consequence of the Draft of prisoners from thence to Vellore Arcot and Arnee besides those transferred to the Depot at Cuddapah. From the Jail at Chingleput the Station nearest to St. Thomas's Mount there has already been a draft of prisoners who

are

are placed at the disposal of the officer commanding the Dept at Cuddalore; and the establishment of a paper manufactory which has been ordered at Chingleput, will probably be prevented, unless all the remaining prisoners are kept at work there under the direction and control of the Criminal Judge.

12th March 1832.

/Signed/ D. Elliott
Acting Register

No 139 To The Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Fouydaree Adawlut to acknowledge the receipt of your letter of the 7th Instant and of its inclosure and to desire that it be known as the circumstances attending the escape of the 4 Convicts on the road from Tinnevelly to Madura therein reported have been fully investigated. The details of the investigation and the orders passed may be submitted for their information.

12th March 1832.

/Signed/ G. L. Prendergast
Senior Mr. Regr

/No 17/

No 146 To The Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Fouydaree Adawlut to acknowledge the receipt of your letter of the 7th Ultimo requesting a report of the nature of the offence intended to be described by the term Contumacy with reference to the entry of that crime in the annual return of Prisoners Convicts transported to Prince of Wales's Island published in the Fort St George Gazette on the 21st January last.

2 It appears that the two Prisoners in your letter, now under reply were tried under the provisions of Section VIII Regulation XIII of 1809 for the Crime of "Contumacy in not appearing according to Proclamation" and were sentenced to transportation for life.

3 With reference to Para 2 of your letter I am directed to state that the Return does not in all cases coincide with the Calendars of transportable Convicts in this office, Copies of which have been already submitted to Government; the crimes for which the Prisoners on the file No 207 220 & 232 were transported being entered in the Returns as Plundering Vera and Plunder Vera whereas in the Calendars, the entries are found as noted in the Margin.

16th March 1832.

/Signed/ G. L. Prendergast
Senior Mr. Regr

for plundering property of Salagrastah
Brinjaree and Mutteer of Kattiawar
from Mutteer and Sweetmeat
Selling by force violence

/No 18/

No 150 To The Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Court of Fouydaree Adawlut to acknowledge the receipt of your letter of the 13th Instant and to submit for the consideration of the Right Honorable the Governor in Council the accompanying Draft of a Regulation for empowering the officers in charge of the public Jails to inflict Corporal punishment on refractory Prisoners.

2 The provisions contained in his Draft have been adapted from the Bengal Regulation XIV of 1810.

3 By Clause 2 Section VI of the Bengal Regulation in the cases therein specified the Magistrate

to

are placed at the disposal of the officer commanding the Dept at Cuddalore; and the establishment of a paper manufactory which has been ordered at Chingleput, will probably be prevented, unless all the remaining prisoners are kept at work there under the direction and control of the Criminal Judge.

12th March 1832.

/Signed/ D. Elliott
Acting Register

No 139 To The Provincial Court of Circuit in the Southern Division

Gentlemen

I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter of the 2d Instant and of its inclosure and to desire that it be known as the circumstances attending the escape of the 4 Convicts on the road from Tinnevelly to Madura therein reported have been fully investigated. The details of the investigation and the orders passed may be submitted for their information.

12th March 1832.

/Signed/ G. L. Prendergast
Senior Sec. Regr

/No 17/

No 140 To The Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter of the 7th Ultimo requesting a report of the nature of the offence intended to be described by the term "Contumacy" with reference to the entry of that crime on the annual return of Prisoners Convicted transported to Prince of Wales Island published in the Fort St George Gazette on the 21st January last.

2 It appears that the two Prisoners mentioned in your letter, now under reply were tried under the provisions of Section VIII Regulation XIII of 1809 for the Crime of "Contumacy in not appearing according to Proclamation" and were sentenced to transportation for life.

3 With reference to Para 2 of your letter I am directed to state that the Return does not in all cases coincide with the Calendars of transportable Convicts in this Office, Copies of which have been already submitted to Government; the crimes for which the Prisoners on the file No 207 220 & 232 were transported being entered in the Return as Plundering Dacoity and Plunder Dacoity whereas in the Calendars, the entries are found as noted in the Margin.

16th March 1832.

/Signed/ G. L. Prendergast
Senior Sec. Regr

/No 18/

No 150 To The Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Court of Foujdaree Adawlut to acknowledge the receipt of your letter of the 13th Instant and to submit for the consideration of the Right Honorable the Governor in Council the accompanying Draft of a Regulation for empowering the Officers in charge of the public Jails to inflict Corporal punishment on refractory Prisoners.

2 The provisions contained in this Draft have been adapted from the Bengal Regulation XIV of 1810.

3 By Clause 2 Section VI of the Bengal Regulation in the cases therein specified the Magistrate

to

is authorized to cause the prisoner to be moderately [illegible]
in the corresponding clause and section of the accompanying draft. The Judges have thought it proper to limit the extent of punishment to Stripes with a Cat o nine tails. In clause 3d of the same section they have limited the punishment to 180 Stripes with a Cat o nine tails instead of 30 Stripes with a ratan the punishment authorized by the Bengal Regulation.-

4

As Joint criminal Judges, Native Criminal Judges, and occasionally Magistrates, have the charge of Jails as well as Criminal Judges, the same powers are given to them as to the latter officers.-

21st March 1832.-

(Signed) D. Sheriff
Acting Register

A Regulation to enable the Criminal Judges, Native Criminal Judges and Magistrates in charge of the public jails to maintain good order and discipline in those jails and among the prisoners employed on the public roads or other public works.

Preamble

Whereas it is necessary to vest the Joint Criminal Judges
Criminal Judges, Native Criminal Judges and Magistrates
with authority to punish certain offences when committed by prisoners under their charge, with a view to maintain good order and discipline in the public jails and other authorized places of confinement, and to enforce the due observance of the prescribed rules for the employment of prisoners the following Regulation has been enacted to be in force from the date of its promulgation.-

By what rules for the management of jails

II The Criminal Judges, Joint Criminal Judges

Jails officers in charge are to be guided

Native Criminal Judges and Magistrates who have charge of the public jails, shall be guided by the rules which have been prescribed by the Governor in Council, or court of Foujdaree Adawlut for the better management of those jails; and by such rules for the same purpose, as may be hereafter sanctioned by the Governor in Council and transmitted for their guidance by the Court of Foujdaree Adawlut.-

By what rules for the treatment of Prisoners employed on the public roads or other public works

III The Criminal Judges, Joint Criminal Judges, Native Criminal Judges and Magistrates who have charge of prisoners employed on the public roads, or on other public works, shall in like manner be guided by any rules, for the treatment of such prisoners, which have been or may be hereafter transmitted to them by the Court of Foujdaree Adawlut with the sanction of Government.-

Officers in charge authorized to punish certain offences committed by prisoners on summary inquiry.-

IV For the purpose of enabling the Criminal Judges, Joint Criminal Judges, Native Criminal Judges and Magistrates to maintain good order and discipline among the prisoners confined in the public jails, or other authorized places of confinement, and to enforce a due observance of the prescribed rules for the employment of the prisoners under their charge; they are hereby vested with authority to punish, on a summary inquiry, the offences specified in the following section of this Regulation.-

Specification of offences which officers in charge are empowered to punish under the preceding section.-

V First A contumacious refusal to work, by any prisoner sentenced to hard labor, or though not so sentenced who may be subject to labour, under any provisions in the Regulations, or under the discretion

discretion declared to be vested in the officers in charge
of the public jails by the orders of the Court of Fougdaree
Aforesaid, with respect to prisoners not exempted from
labour by the sentences of the Criminal Courts, and not
incapable of bodily labour from age, sickness or other
infirmity.-

Second Wilful neglect and indolence in the
performance of any prescribed work, by a prisoner
subject to labour, as described in the above clause;
especially after previous admonition.-

Third Wilful disobedience to any of the written
rules for the observance of prisoners, and internal economy
of a public jail, which may have been translated in the
current language of the Country, and suspended on
board, within the jail, for general information, as directed
in the jail rules now in force.-

Fourth Refractory behaviour by prisoners,
such as resistance to the jailor, guards or other public
officers, in the regular discharge of their proper functions; abusive language to any such officers; and gen-
erally any culpable behaviour towards them, which
may not involve a serious act of criminality, such
as should be brought before the court of Circuit.-

Fifth Any other instance of disorderly
conduct by a prisoner; such as riot, insurrection, at-
tempt to escape, taking off or loosen or attempting
to loosen, by filing cutting, or otherwise, his own irons
or those of other prisoners, with a view to escape,
conspiring

conspiring with other prisoners for the purpose of insur-
rection or escape, or for any other criminal purpose, abusing
or assaulting another prisoner and generally any misconduct
committed by a prisoner, whilst in custody, which under
the Regulations in force, may not be properly cognizable
by the court of circuit.-

What punishment may be inflicted for the offences specified in the preceding section.

VI First The powers vested in the Criminal Judges,
Court of Criminal Judges, Native Criminal Judges and Ma-
gistrates for the punishment of the offences specified in
the preceding section, which in a summary inquiry,
may appear to have been committed by any of the
prisoners under their charge, are declared to be as
follows.-

For cases of contumacious refusal to
work, or of wilful neglect and indolence in the per-
formance of any prescribed work, within the first
or second clause of section V of this Regulation the
Criminal Judge, Joint Criminal Judge, Native Cri-
minal Judge or Magistrate may cause the prisoner
to be punished by stripes not exceeding 60 with a cato-
nine tails and in the instance of a prisoners pertinaci-
ously refusing to work, may likewise order his diet
allowance to be reduced, in such degree as may be con-
sistent with his support, until he shall perform
the work required from him.-

The offences specified in the third, fourth,
and fifth clauses of the preceding section shall be
punishable, according to the nature and circumstances
of the case, by stripes with a cato nine tails not ex-
ceeding 150 or by close, and as far as practicable by solitary
confinement.-

It

Tanjore Diary 16th March 1832

What record to be kept of the summary inquiries and convictions provided for by this Regulation

It shall not be necessary to make a detailed record of the evidence, or of any part of the proceedings held in the summary inquiries authorized by this Regulation; nor shall it be requisite to examine witnesses upon oath, except in cases of a serious nature, involving offences specifically provided for by the general rules in force for the administration of criminal justice But a record shall be kept of every summary conviction, and punishment, stating the name of the prisoner, the offence charged against him, the substance of the evidence and conviction, or the personal view of the Criminal Judge, Joint Criminal Judge, Native Criminal Judge or Magistrate when the facts of the case may have taken place within his view; and the punishment ordered with the date of the order to be signed by the public officer, by whom it may be passed. The record so authenticated shall be kept ready for the inspection of the Judge of circuit on his visiting the Jail at the ensuing gaol delivery that a reference may be made to it in the event of any complaints being preferred by the prisoners. Should the Judge of circuit see cause to disapprove the order of Criminal Judge, Joint Criminal Judge, Native Criminal Judge or Magistrate in any instance, he will notice the same to him, with any instructions which may appear necessary and may be consistent with the Regulations in force.-

The authenticated record to be ready for inspection of the Judge of Circuit who may visit the Jail at the ensuing Gaol delivery

Judge of Circuit how to proceed if he disapproves of the order of the officer in charge.-

No 148. To the Magistrate of Nadiliparam.

Sir, I am directed to call your attention to my letter of the 19 Dec. last, and to request that you will submit the information therein required with the least possible delay.

The same to the Magistrate of Bellary Cuddalore South Arcot

19 March 1832

Tanjore Diary 21st March 1832

No 151 To The Acting Judge on Circuit in the Northern Division

Sir,

I am directed by the Judges of the Tanjore Court to acknowledge the receipt of your letter of the 10th Instant submitting a translation of a letter from the Native Criminal Judge at Guntoor relative to his release upon bail of certain Prisoners committed for trial before the Court of Circuit.-

The Judges consider the Courts orders of the 20th July 1829 to be applicable only to cases where the evidence is not sufficient to justify putting the Prisoners upon trial and direct that this construction may be communicated to the native Criminal Judge for his information and future guidance.-

/Signed/ G. L. Prendergast
Senior Dy. Regr.

21st March 1832.-

No 152 To The Provincial Court of Circuit in the Southern Division.

Gentlemen,

I am directed by the Judges of the Tanjore Court to acknowledge the receipt of your letter of the 7th Instant and of its enclosure notifying that a Prisoner named Veeran effected his escape from the Jail at Coimbatore on the 13th Ultimo, and to request that you will call upon the acting Joint Criminal Judge of Salem to submit for their information a full statement of the circumstances connected with the escape of the said Prisoner.-

/Signed/ G. L. Prendergast
Senior Dy. Regr.

21st March 1832.

No 166 To The Second Judge of the Court of Circuit in the Western Division

Sir,

I am directed by the Judges of the Court of Tanjore Zillah to acknowledge the receipt of your letter of the 7th Instant submitting explanation with reference to the proceedings of the Tanjore Zillah Court under date the 24th Ultimo.-

In reply I am directed to observe that the trial of Case No 7 on the Honore Calendar 2d Session 1831 of principal importance was that the Confessions of the prisoners before the Police were not read in the trial. No document can be referred to as evidence by a prisoner which has not been read in his presence at his trial so as to give him an opportunity of objecting to it.-

26th March 1832

(signed) C. Elliott

Acting Register

No 167 To The Acting 1st Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Tanjore Zillah Court to acknowledge the receipt of your letter of the 15th Instant relative to the omission on the part of the Magistrate of Tanjore to furnish you with the Calendar required by Section XL Regulation IX of 1816 on your arrival at Combaconum.-

The Judges do not consider the explanation offered by the Magistrate to be satisfactory, as they desire it may be intimated to him that they expect he will in future pay more attention to the provisions of Section XL Regulation IX of 1816.-

With reference to Para 7 of your letter, I am directed to communicate to you the opinion of the Judges that it is not only competent but incumbent upon you to go into an examination of the Calendars.-

26th March 1832.

(signed) G. Prendergast

Senior Judge Regr

No 170 To The Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen

I am directed by the Judges of the Tanjore Zillah Court to acknowledge the receipt of your letter of the 12th Instant.-

2 From Statement No 2 therein transmitted it appears that the allowance of rice supplied by the Magistrate in Tanjore to the Convicts transferred to his Charge from the Zillah Jail at Combaconum was 1½ measure per diem. The established allowance being 80 Rs weight I am desired to call upon you to state the weight in Rupees of the 1½ measures alluded to

3 It is observed that in a similar statement formerly submitted by the Criminal Judge at Combaconum ¾ measure of rice is calculated to weigh 45 Madras rupees.-

28th March 1832.

(signed) R. D. Parker

Dy Apt to the Regr

Foujdaree Diary 28th March 1832.

№ 171. To The 4 Provincial Courts of Circuit

Gentlemen,

Several instances having occurred lately of the escape of convicts being reported without any explanation of the means by which their escape was effected, the Court of Foujdaree Udalut desire that instructions be issued to the officer in charge of Jails directing that whenever the escape of a convict is reported all the circumstances of the case as well as the measures adapted for his reapprehension be stated at the same time.

28th March 1832.

(Signed) D. Elliott
Acting Register.

№ 172 To The Acting Judge on Circuit in the Southern Division

Sir,

I am directed to acknowledge the receipt of your letter of the 23d Instant and to inform you that the Court of Foujdaree Udalut do not consider it expedient to authorize you to hold at Salem the ensuing Jail delivery for the whole zillah.

28th March 1832.

(Signed) R. D. Parker
Asst to the Regr

Foujdaree Diary 4th and 9th April 1832.

№ 179. To H. T. Bushby Esqre

Acting Judge of the Provincial Court of 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 28th Ultimo and to convey to you their sanction for the employment of an additional English writer for the purpose therein specified from the 1st Instant.

2. When applications are made for the employment of additional servants the rate of pay proposed to be allowed and the time for which their service will be required should be stated. The Judges desire that you will furnish this information on the present occasion.

4th April 1832. (Signed) D. Elliott Acting Registr.

№ 180. To The Acting Criminal Judge of Chingleput

Returning the Summons enclosed in his letter of the 28th Ultimo with the endorsement of the Nazir of this Court.

4th April 1832. (Sent usual letter)

№ 185. To The Judges of the Provincial Court of Circuit

Gentlemen, in the Centre Division

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 28th Ultimo submitting a reference from the Acting Criminal Judge of Bellary of a correspondence between himself and the Magistrate respecting the form of Report to be furnished to the

the Criminal Judge by Heads of Police.

2. The Court of Foujdaree Udalut concur in your opinion that the Magistrate is correct in his interpretation of the Regulations and the orders on this Subject. The details required by the Acting Criminal Judge to be inserted in the reports are not prescribed by any Regulation or order in force. The order of the Foujdaree Udalut quoted by the Acting Criminal Judge has no reference to the "report" prescribed by clause fourth Section XXVII Regulation XI of 1816.

9th April 1832. (Signed) D. Elliott Actg Register.

(N°20)

N°186. To The Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to transmit to you for the purpose of being submitted to Government the accompanying copy of a letter from the Provincial Court in the Centre Division together with an original plan which was recorded therewith.

2. It appeared desirable that all persons whose services are placed at the disposal of the Officer commanding the General Depôt at Cuddalore, should be lodged in the same jail, and be under the same management as those in charge of the Joint Criminal Judges, therefore when in obedience to the orders of Government of the 26 January last, they instructed the Joint Criminal Judge to plane an additional number of Convicts, at the disposal of the Officer commanding the General Depôt, desired at the same time to be informed, how many prisoners the Jail at Cuddalore could

of holding. It appears from the accompanying letter, which was received in Answer, that the object before alluded to can be attained by the construction of an additional ward to the Jail of the Joint Criminal Judge at an Estimated expense of Rupees 225. The Judges beg to recommend that the Right Honorable the Governor in Council will be pleased to Sanction the outlay of this Sum for the abovementioned purpose.

9th April 1832. (Signed) D. Elliott Acting Register.

(N°21)

N°190. To The Secretary to Government in the Judicial Department

Sir,

1. With reference to Para 1 of the Extract from the Minutes of Consultation of the Right Honorable the Governor in Council dated 16th November 1830 I am directed to submit herewith copy of a letter addressed to Mr Newnham 1st Judge of the Provincial Court of Circuit for the Western Division under date the 19th January 1831, and copy of a letter from him in Reply dated the 29th March 1832, and of the index referred to in the 1st Para.

2. The Copy of Mr Newnhams Report of the 1st Quarter Sessions of 1830 which was returned with the Extract from the Minutes of Consultation above mentioned is herewith again submitted.

13th April 1832. (Signed) D. Elliott Acting Register

N°191. To The Second Judge of the Provincial Court in the Southern Division

Sir, I am directed to acknowledge the

the receipt of your letter of the 2d Instant.

On reference to previous correspondence it appears to the Judges of the Foujdaree Udalut to have been the intention of Government that the number of Convicts sent to the Neilgherry Hills from the Sail of the Circuit Judge of Malabar should be kept up to the original number of 25 they therefore approve of the communication made by you on the 21st Ultimo to the Criminal Judge.

13th April 1832. /Signed/ R.D.Parker Asst to the Regr.

N.192. To N.22

The Chief Secretary to Government.

Sir

With reference to your letters under dates the 29th April and 29th July 1831 and to letters to your address from this Department under dates the 16th and 27th July 1831 I am directed by the Judges of the Foujdaree Udalut to transmit to you for submission to the Right Honorable the Governor in Council the accompanying Copy of a letter dated 2d Instant and of its Enclosures received from the 2d Judge of the Provincial Court in the Western Division and Copy of the communication made to that Office in reply.

13th April 1832. /Signed/ D.Elliott

Acting Register.

N.193. (N.23)

To The Secretary to Government in the Judicial Department

Sir

With reference to Para 2 of the Minutes of Consultation of the Right Honorable the Governor in Council, under date the 7th September 1831, I am directed to submit herewith a Copy of the letter which was addressed to Mr Newnham 20th Sept. 1830 1st Judge of the Provincial Court of Circuit for the Western Division, in pursuance of the order contained therein, with a 7th March 1832. Copy of a letter just received from him in reply, and of the index referred to in the 1st para.

13th April 1832. /Signed/ D.Elliott Acting Register.

N.25.

N.200. To The Secretary to Government in the Judicial Department

Sir

In continuation of my letter of the 13th Instant, I am directed by the Judges of the Sudr and Foujdaree Udalut to submit for the consideration of the Right Honorable the Governor in Council, the accompanying Copy of a letter from the Criminal Judge of Canara, pointing out the accumulation of Criminal business in his Court, the pressure of which in the Month of February had caused a total suspension of proceedings in the Civil Court, beyond the hearing of petitions.

14th April 1832. (Signed) D.Elliott Acting Register.

N.204. To The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of Mr Bushby's letter of the

the 7th Instant requesting that rules may be laid down for the guidance of the Judges of the Court of Circuit as to the order in which they should preside respectively at the Quarterly Sessions.

2. The rules which are laid down in Section IV Regulation I of 1811 appear to the Judges of the Foujdaree Udalut to be sufficiently explicit on this point. According to those rules, Mr Oakes having last returned from Circuit, and Mr Bushby having presided at the 1st Quarterly Sessions of this year and being about to proceed in the next Circuit, the 2d Quarterly Sessions ought to be held by the former.

3. When it happens that a Judge has presided at the Quarter Sessions immediately preceding his departure on the Circuit it is allowable to him to combine his report upon the Quarterly Sessions with his report upon the Circuit.

16th April 1832.

(Signed) D. Elliott Acting Register.

№209. To The Magistrate in the District of Ganjam

Sir, I am directed to acknowledge the receipt of your letter of the 4th Instant and to inform you that the Judges of the Foujdaree Udalut sanction the offer of a reward of 200 Rupees for the apprehension of the principal offenders concerned in setting fire to the Cantonment of Berhampore.

19th April 1832.

(Signed) R. D. Parker Nr Asst to the Regr

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

Gentlemen,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 9th Instant submitting

submitting copy of a letter from the Magistrate of Malabar soliciting Sanction for the future employment of 30 convicts at Cochin.

2. The proper course on an occasion of this nature is for the Magistrate to apply directly to Government. This course was followed by the Magistrate of Malabar formerly when sanction was solicited for the employment of a party of convicts at Cochin. The Judges of the Foujdaree Udalut desire that you will point out to the Magistrate the precedent referred to for his guidance.

8 March 1833 Dispd 19th

19th April 1832. (Signed) D. Elliott Acting Register.

№211. To The Second Judge in Circuit in the Centre Division

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 13th Instant reporting that you have appointed the 19th Proximo for the opening of the Sessions at Chingleput and suggesting that the prisoners under commitment at Cuddalore be sent for trial to Chingleput.

2. The Judges do not think it expedient to sanction the proposed arrangement; and direct that the Sessions of Jail delivery be held at Cuddalore; and adverting to the late period fixed for opening the Sessions at Chingleput with reference to which your suggestion is offered, they deem it necessary to call upon you to explain what causes prevent the Court of Circuit from arriving at Chingleput at an earlier time, the Sessions at Bellary having commenced on the 5th Ultimo. They desire

that

"that if practicable you will commence the Sessions at Chingleput at an early period than the 19th Proximo.

19th April 1832.

(Signed) D. Elliott Acting Register.

N°212. To The Provincial Court of Circuit in the Western Division.

Transmitting copy of a letter from the Chief Secretary to Government stating that Government approve the orders issued by the Foujdaree Udalut respecting the number of Convicts from the Jail of Calicut to be kept on the Neil Gherry Hills.

19th April 1832.

(Sent usual letter.)

N°213. To The Third Judge of the Provincial Court of Circuit in the Western Division on Circuit

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you the annexed copy of an order extracted from the Minutes of consultation of the Right Honorable the Governor in Council under date the 17th Instant and to direct that at the close of the Sessions of Jail Delivery now holding at Honore you will immediately proceed to Mangalore and there hold a Sessions of Jail Delivery with the Law Officer of the Court of Circuit on duty with you for the trial of such persons as shall be brought before you on the commitment of the Criminal Judge.

19th April 1832.

(Signed) D. Elliott

Acting Register.

To

N°214. To The Criminal Judge of Mangalore

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you the annexed copy of an order extracted from the Minutes of Consultation of the Right Honorable the Governor in Council under date the 17th Instant and to direct that you will commit the prisoners forwarded to you by Mr. Stokes Commissioner in Canara on the 11th January last, on charges of perjury, Subornation of perjury, and conspiracy, provided there are sufficient grounds for their commitment, for trial at a Sessions of Jail Delivery to be held at Mangalore after the close of the Sessions at Honore, by the 3d Judge of the Provincial Court for the Western Division now on Circuit.

19th April 1832. (Signed) D. Elliott Acting Register.

N°215. To the Provincial Court of Circuit in the Western Division.

Gentlemen,

1 I am directed by the Judges of the Foujdaree Udalut to return the Statement of Crimes and Misdemeanors punished by the late Criminal Judge of Canara and transmitted with your letter of the 5th Ultimo

2 In a similar Statement for the former half year under by head "Theft" 1 Case in which 2 persons were concerned is shewn by Colum 11 to have been undisposed of at the close of the report, on the statement under Review this Case is transferred to the head "House breaking by night."

3 You will be pleased to procure correction of this Statement and to retransmit it

19th April 1832.

(Signed) E. D. Parker

Acting Register

To

N°216. To The Provincial Court in the Southern Division

Gentlemen,

1.

I am directed by the Judges of the Foujdaree Udalut to return the Statement submitted in your letter of the 21st Ultimo of Petty offences in the Zillah of Combaconum-

2.

Under the designation of petty theft before the District Police there is a difference of 3 between the total shewn in Column 7 and the aggregate of the details to be found in Columns 8, 10, and 11.

3.

Under the designation of Petty Assaults before the District Police there is a difference between the total shewn in Column 7 and the Amount of the details to be found in Columns 8, 10, 11 and 13 and in the note subjoined to the State-ment.

4.

In respect to the cases before the Magistrate it is observed that in the Statement Submitted for the first half year of 1831, 10 Persons were entered in Column 21 imprisonment under review there is no corresponding entry on examination at the close of the report. But in column 16 of the State-

5.

You will be pleased to return the Statement to the Magistrate of Combaconum with directions to correct and re-transmit it-

19th April 1832.

(Signed) R. D Parker Actg Sec to the Govt

N°217. To The Provincial Court of Circuit in the Centre Division

Gentlemen,

With reference to your letter of the 27th Ultimo and to its enclosures I am directed by the Judges of the Foujdaree

to transmit to you copy of one under date the 13th Instant from the Chief Secretary to Government conveying the Sanction of the Right Honorable the Governor in Council to the construction of an additional ward to the Jail of the Joint Criminal Judge at Cuddalore at an expence of Rupees 228-

You will be pleased to direct the Joint Criminal Judge to report when he is ready to take charge of the Prisoners now under the orders of the Officer Commanding the General Depôt at Cuddalore-

21st April 1832- (Signed) R.D. Parker

Acting Sec to the Govt

N°218. To The Provincial Court of Circuit in the Southern Division

Gentlemen,

1.

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated the 6th Instant Submitting the explanation of the Acting Joint Criminal Judge of Salem regarding the escape of a prisoner-

2.

Adverting to the report of the Acting Joint Criminal Judge of the dismissal of the Jailer and Depaty Jailer, the Judges deem it proper with reference to the orders contained in the proceedings of the Sudr Udalut under date the 11th March 1830, to direct that you do call upon the Acting Joint Criminal Judge for a full explanation of the grounds

of

of this measure, and that upon the receipt of this report you consider and determine whether or not the grounds were sufficient, and issue orders accordingly.

21st April 1832.

/Signed/ D'Elliott
Acting Register.

№219 To The Acting Judge late on Circuit in the Southern Division

Sir,

I am directed to acknowledge the receipt of your letter of the 10th Instant.

The Judges of the Foujdaree Udalut desire that notwithstanding the escape of the prisoner in Case №38 Rajahmundry Calendar the trial should still be referred for their decision in order that if convicted the prisoner may undergo the Sentence awarded against him on re-apprehension.

21st April 1832.

/Signed/ R.D Parker Nr Asst to the Regr

№228 To The Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 13 Instant submitting copy of one from the Acting Magistrate of Tinchinopoly dated the 11th Instant.

2. The Acting Magistrate in obedience as he states to orders received from Government reports his proceedings in the case of Mootia Moodly who having failed to appear to answer a charge of murder, his property was sequestered; and he requests orders for the confiscation of the property so sequestered.

In

3 In the copy of the Acting Magistrates letter Clause 5th Section VII Regulation IX of 1816, is cited as applicable to the case. This is obviously a mistake and it is plain that Clause 5th Section XVII is meant. But this section is applicable only to bailable cases in which a Summons has been issued, and not to a case in which the crime charged is one declared not to be bailable, such as murder, wherein the Magistrate has issued a warrant for the apprehension the accused. In the case in question therefore the property ought not to have been sequestered and cannot be confiscated under the provisions cited by the Acting Magistrate as authority for his proceedings.

25th April 1832. /Signed/ D'Elliott Acting Register.

№229 To The Provincial Court in the Centre Division

Gentlemen,

1. I am directed to acknowledge the receipt of your letter of the 9th Instant and of its Enclosures.

2. The Judges of the Foujdaree Udalut desire that the Criminal Judge of Cuddapah may be instructed to report what were his eventual proceedings in Case №16, Cuddapah Supplemental Report for December 1831.

25th April 1832. /Signed/ R.D Parker Nr Asst to the Regr

№230 To The Acting First Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 17th Instant submitting an application from the Moofty attending you to be allowed Batta during his Circuit and recommending that Batta may also be allowed to the Moonshees as well as the English Waiters accompanying the Court of Circuit.

The Law Officers of the Courts of Circuit

who

who are in the enjoyment of the full Salary of the Office are not ordinarily allowed Batta. It was granted on a late occasion to the present Cazee of your Court in consequence of the inconvenience and expence he was put to in having to proceed to 6 Circuits in Succession.

The Judges are not prepared to join and the application of the Mooftee to Government with their recommendation in its favor, nor are they of opinion that your recommendation in respect to the Moonshees and English Writers can be complied with.-

25th April 1832. /Signed/ G.L. Prendergast Senr. Dy. Regr.

№ 231 To The Provincial Court of Circuit in the Western Division

Gentlemen,

1 I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 13 Instant submitting the question, whether a Criminal Judge is authorized after sentence passed under Clause first Section IV Regulation V of 1831, to release the offender on his presenting a part of the penalty adjudged with a declaration of his inability to pay the remainder.

2. Section VI Regulation V of 1831 vests the Court of Circuit and Foujdaree Udalut with powers to revise all proceedings held by the Criminal Courts under that Regulation, and the Judges are of opinion that in a Case of this kind the Criminal Judge should submit the proceedings to the Court of Circuit to be revised by that Court if they

they deem it proper to do so. The Criminal Court is not empowered to revise its own proceedings.

25th April 1832. /Signed/ G.L. Prendergast Senior Deputy Register.

№ 232 To The 4 Provincial Court of Circuit

Gentlemen

p. 16 & 17 I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you the accompanying Extract from the proceedings of the Foujdaree Udalut under date the 30th November 1831 upon the Criminal Reports for the half year for 1st July to 31st December 1830, with Copies of an amended form for Statement No 1.

	Copies				
N.D.	36	6	each	6	Jillah
S.D.	36	6	0	6	0
E.D.	30	6	0	5	0
W.D.	12	6	0	2	0

and to request that you will issue to each of the Magistrates in your Division with a Copy of the Extract and direct them to use the same in preparing the Statements of petty offences before the Police and Magistrates for the current half year, and in future.

25th April 1832. /Signed/ D. Elliott Acting Regr.

№ 235 To The Provincial Court of Circuit in the Southern Division

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 16th Instant reporting that the weight of the

the rice daily supplied by the Magistrate of Tanjore to each of the Convicts under his charge is 96 Rupees.

2. The Court desire that you will instruct the Magistrate to reduce the allowance of rice to each Convict to the established rate of 80 Rupees weight.

27th April 1832.

/Signed/ G. L. Prendergast
Sen. Dep. Sy. Regr.

No. 27

No. 243 To The Secretary to Government in the Judicial Department

Sir

1 I am directed by the Judges of the Foujdaree Adalut to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court of Circuit in the Centre Division dated the 26th Ultimo and of its enclosure from the acting Criminal Judge of Chingleput reporting the escape of nine convicts while at work on the public roads.

2 It appears to the Judges that the acting Criminal Judge of Chingleput is liable to be charged with indiscretion in allowing 10 such convicts to be sent to the neighbourhood of the Hills, 3 miles from the Fort under charge of only three Persons.

The Judges beg leave under the circumstances of the case to recommend that sanction may be granted for the offer of a reward of 100 Rupees for the apprehension of each of the nine convicts who have escaped.

1st May 1832. /Signed/ G. L. Prendergast
Senior Dy. Regr.

No. 28

No. 247 To The Chief Secretary to Government

Sir,

The acting Joint Criminal Judge of the Zillah of Salem at Coimbatore having recommended

the

the offer of a Conditional pardon to four persons Viz.t Bassonee Moroodun, Cossparungos, and Ramoo, charged as accessaries to one Chennarungos in the murder of one Chennoo and the Court of Foujdaree Adalut upon the representation of the Acting Joint Criminal Judge are of opinion that it is expedient with the view to the conviction of the principal in the murder to offer a conditional pardon to two of the persons above named who are charged as accessaries, to be selected by the acting Joint Criminal Judge, they direct in to submit their recommendation that the Right Honorable the Governor in Council will be pleased to grant the requisite authority under the provisions of Section XX Regulation VIII of 1802.-

2d May 1832- (Signed) D: Elliott
Acting Register

No. 29

No. 248 To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Foujdaree Adalut to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 26th Ultimo from the Acting Criminal Judge at Bellary and of its enclosure shewing a retrenchment from the Indents of the late Criminal Judge amounting to Rupees 458-2.-

The expence in question having been incurred in consequence of the removal from Chittoor to the Jail at Bellary, of 105 Prisoners under the orders of this Court The Judges beg leave to recommend that

that it may be sanctioned, and that the 2 additional Jaffedars and 23 Peons transferred from Chittoor for the safe custody of the said 105 Prisoners may be considered as permanently attached to the establishment of the Jail at Bellary.-

2d May 1832- (Signed) D. Elliott
Acting Regr

No. 260 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 26th Ultimo and its enclosure and to transmit to you the accompanying copy of a letter dated the 4th Instant from the Chief Secretary to Government conveying the sanction of the Right Honorable the Governor in Council for the offer of a reward of 100 Rupees for the apprehension of each of the 9 Convicts whose escape was reported in your letter now under reply.-

The Judges cannot exonerate the acting Criminal Judge from the charge of indiscretion in allowing 10 such Convicts to be sent to the neighbourhood of the hills, 3 Miles from the Fort in the custody of only three persons.-

9th May 1832 (Signed) G. L. Prendergast
Senior Dy Regr

№263. To The Provincial Court in the
Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 2nd Instant and of its enclosure reporting the escape of 6 Convicts from the Jail at Chicacole.-

2 The Judges observe that the Acting Criminal Judge of Chicacole is of opinion that the escape of the convicts was owing to the gross negligence of the Peons under whose charge they were working and the Judges accordingly desire to be informed what steps have been taken in respect to the Peons.-

10th May 1832

(Signed) G.L. Prendergast
Senior Dy. Registr.

№264 To The Acting Criminal Judge at Bellary.

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 the accompanying copy of a letter dated the 8th Instant from the Chief Secretary to Government conveying the sanction of the Right Honorable the Governor in Council for the expence incurred in consequence of the removal from the Jail at Chicacole to Bellary of 105 Prisoners amounting to Rupees 458. and referred by the Civil Auditor from the Establishment of the late Criminal Judge.-

10th May 1832.-

(Signed) G.L. Prendergast
Senior Dy. Regr.

№265 To The Acting Joint Criminal Judge of the Auxiliary Court at Coimbatore

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter dated the 19th Ultimo and to transmit the accompanying copy of a letter from the Chief Secretary to Government authorizing the offer of a Conditional pardon to two out of the four persons charged as accessaries in the murder to which your letter now under reply relates.-

10th May 1832.-

(Signed) G.L. Prendergast
Senior Dy. Regr.

№268 To The Provincial Court of Circuit in the
Western Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit the accompanying copy of a letter dated the 4th Instant from the Chief Secretary to Government and of its enclosure and to request that the necessary order may be issued by you as early as practicable for the removal of Thirty Prisoners from the Jail at Calicut to cochin to be there employed under the charge of the Magistrate in cleansing the streets and mending the roads.-

The guard requisite for the safe custody of the 30 Convicts should accompany them.-

12th May 1832.-

(Signed) G.L. Prendergast
Senior Dy. Regr.

№ 289 To the Provincial Court of Circuit in the Centre Division

Sir

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 2d Instant and to transmit herewith 2 Copies of the printed Statement No. 3 for the use of the Criminal Judge of Chingleput.-

12th May 1832.

(Signed) D. Elliott
Acting Register

№ 270 To the 4 Provincial Courts of Circuit

Gentlemen

The Court of Foujdaree Adalut having observed that in the Monthly reports from the Criminal Courts, in cases of perjury instead of an abstract of the charge in the proper Column, the same particulars are inserted as are required by their Circular orders to be entered in the indictment, I am directed to explain that this was not intended and that it will be sufficient to enter those particulars in the Calendar submitted to the Judges on Circuit as directed in the late circular order giving an abstract only as in other cases, in the monthly reports.-

You will be pleased to furnish a Copy of this letter to each of the Criminal Courts subordinate to you for their information and guidance respectively.-

12th May 1832.

(Signed) D. Elliott
Acting Register

№ 32

№ 274 To the Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter dated the 27th April last № 285.-

2 In the 2d paragraph of the letter from the Secretary to the Governor General, of which a copy is annexed to your letter, it is intimated, that no penalty has hitherto been annexed in the code of this Presidency to the offence of preferring false complaints, and it is therefore proposed that the provisions of section V Bengal Regulation VII of 1811 should be enacted herewith the omission of that part which refers to a former enactment"

"

3 The section here mentioned contains provisions in extension of the punishment prescribed by section X Regulation IX of 1793" which corresponds with section X Regulation VI of 1793, which corresponds with section X Regulation VI of 1802, and section XXXV Regulation IX of 1816 in the Madras Code.-

4 The state of the law on this point is at Madras precisely what it was in Bengal previously to the enactment of Regulation VII of 1811 and if the proposed section be enacted here it will be in extension of" section XXXV Regulation IX of 1816 with this difference only, that the penalty will be more extendicable by the Criminal Judge.-

5 But the present Judges of the Adawlut are of opinion, that the provision in question is wholly unnecessary nor do they see any ground for enacting the provisions,

provisions, contained in Section III and IV of the draft, submitted to Government on the 23d July 1829, which are disapproved by the Governor General.-

6 In the letter to Government dated 4th November 1824 / para 9 / is pointed out the mode of obtaining the punishment of false accusations preferred to the Criminal Courts, and to the Magistrate, when involving offences more serious, than those referred to in Section XXXV Regulation IX of 1816.-

7 All that the Government in the letter of the 24th May 1825 desired to be framed was a provision "for the punishment of false charges preferred before Native Officers of Police".-

8 The Judges are of opinion that it will be sufficient to enact that "whenever any charge preferred "to a Head of District Police, or Police Officer specially "vested with the powers of a Head of District Police "under the provisions of Section III Regulation IV of "1821 shall appear to be wilfully false and malicious "the Police officer shall forward the party by whom "the charge shall have been preferred to the Criminal "Court, and upon conviction, the Criminal Judge, Joint Criminal Judge or Native Judge shall sentence him to such period of imprisonment as on consideration of the apparent motives and tendency of the said charge, shall appear proper, not exceeding six "months".-

9 The Judges think that there are serious objections to the provisions of Section II of the draft submitted

Foujdaree Diary 14th May 1832-

submitted on the 23d July 1829, authorizing the Heads of Darogah Police in all cases in which charges are preferred to them respecting crimes not bailable to administer to the Complainant a solemn declaration subject to the penalties for perjury; and as those provisions were not sanctioned by the instructions of Government under which the Draft was prepared, and the reasoning of the Governor General in respect to the provisions particularly noticed by His Lordship, appears to be equally applicable to them, they are omitted in the accompanying draft which contains only the provisions above described.-

/signed/ D. Elliott
Acting Register

14th May 1832.-

A Regulation for the punishment of false accusations preferred to a Head of District Police or Police Officer vested with the powers of a Head of District Police.-

Whereas false and malicious accusations of crimes and offences are frequently preferred to the Native Police Officers, and it is expedient to provide specially for the punishment of persons preferring such false and malicious accusations: the Right Honorable the Governor in Council has therefore enacted this Regulation to be in force from the date of its promulgation.-

II. Whenever any charge preferred to a Head of District Police or Police Officer specially vested with the powers of a Head of District Police under the provisions of Section III Regulation IV of 1821, shall appear to be wilfully false and malicious, the Police Officer shall forward the party by whom the charge shall have been preferred to the Criminal Court, and upon conviction the Criminal Judge, Joint Criminal Judge or

or Native Criminal Judge shall sentence him to such period of imprisonment as on consideration of the apparent motives and tending of the said charge shall appear proper not exceeding six months.-

№ 33

№ 278 To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter dated the 8th Instant with Copy of a letter from the Principal Collector and Magistrate of the Southern Division of Arcot annexed.-

2 The Principal Collector and Magistrate requests that 50 prisoners from the Auxiliary Court Jail may be placed under his orders for the purpose of being employed in the repair of the road at Cuddalore and the Governor in Council has been pleased to direct that this request shall be complied with.-

3: The Judges of the Foujdaree Adalut beg leave to represent that by the last return of the employment of the prisoners in the Jail of the Joint Criminal Judge it appears that 87 being the whole number available for the purpose are actually employed in repairing the roads at Cuddalore under the orders of the Joint Criminal Judge no reason is stated by the Magistrate why the prisoners should be employed on this work under his particular direction rather than under the direction of the Joint Criminal Judge under whose general charge they are, the latter Officer being fixed

permanently at the station while the Magistrate is occasionally absent from it. The Judges are of opinion that it is highly objectionable that the Convicts should be under one authority in Jail and under another at work. It is obviously calculated to interfere with discipline and to prevent the permanence of a regular system. On the grounds here stated and with reference to my letter to the Secretary to Government in the Judicial Department under date the 12th March last the Judges respectfully beg leave to recommend that the convicts may continue as at present employed in the repair of the public roads under the orders of the Joint Criminal Judge who is charged with the execution of their sentences.-

16th May 1832.- (Signed) D. Elliott
Acting Registrar

№ 34

№ 279 To The Chief Secretary to Government

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 Honorable the Governor in Council the accompanying Copy of a letter from the Provincial Court of Circuit in the Centre Division submitting Copy of a letter and enclosures from the Acting Criminal Judge of Bellary relative to the employment of convicts prisoners in his Jail under the orders of the Military Authorities.-

2 It appears that the number of convicts at the disposal of the Military Authorities at this station and employed under their exclusive direction and control is no less than 150. Of 50 at the disposal of the

Commandant

commanding Officer of the Division 50 at the disposal of the Commanding Officer of the Garrison and 50 under the authority of the Superintending Engineer.-

3 The orders of Government dated 31st August 1821, 50 Convicts were placed at the disposal of the Officer Commanding at Bellary for the special purpose of clearing out the East and putting it in proper order" 50 Convicts in addition were allowed under date the 15th Novr. 1822 to keep the cantonment in good order" and 50 were placed at the disposal of the Commanding Officer of the Division and under the order of Government dated 26th December 1823 to assist in making the roads in the cantonment of Bellary. It would appear to have been the intention of Government that only the party allowed for keeping the Cantonment in good order" should be continued permanently at the disposal of the Military authorities, and that the other parties whose services were allowed for special purposes should be withdrawn as soon as those purposes should be accomplished. This is plainly intimated in the letter from Government dated 13th February 1824. But the intention of Government has been overlooked and the large number of 150 Convicts has been continued at the disposal of the Military authorities for years after the completion of the works for which their services were temporarily required.-

4 The Judges beg leave to recommend with reference to the letter from Government dated 13th February 1824 that unless they should be required for special purposes, 100 of the 150 Convicts be now received to

to such occupation as the Criminal Judge may deem most proper, and that only 50 be left at the disposal of the Commanding Officer of the Station for keeping the Cantonment in order; and they would suggest that the Convicts shall continue while at work under the the authority and control of the Criminal Judge as usual.

The Judges would further recommend that this last provision be ordered as a general rule that in all cases when convicts confined in a Jail are employed on work by order of Government at the suggestion of Military or other authorities, at the station of the officer in charge of the Jail. By no other means can the requisite discipline be maintained among the Convicts, and the rules established for the enforcement of labours according to the sentences passed upon them be duly and effectually observed and acted upon.-

(Signed) D. Elliott.
Acting Register

No 280 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Fongaree Distt to acknowledge the receipt of Mr Bushby's letter of the 1st Instant inclosing Copy of a letter from the Joint Criminal Judge of Chingleput reporting the escape of a Convict.-

2 The Judges are of opinion that the conduct of the Peon who left his duty in the pretence of going to his rice and thus afforded the opportunity of escape

on each

which the prisoner availed himself of is so suspicious that he ought to be committed for trial before the Court of Circuit on the charge of connivance under Section XXIII Regulation VIII of 1802, and they desire that you will direct the Joint Criminal Judge to proceed accordingly.--

16th May 1832.

(Signed) D. Elliott
Acting Register

No 281 To The 4 Provincial Courts of Circuit

Gentlemen,

The importance of exactness in recording the depositions of witnesses in the words used by the deponents as a means of facilitating conviction in cases of Perjury, appearing to the Judges of the Court of Foujdaree Adalut to be urgent, I am directed by them to call your earnest attention to it and to request you to impress upon the subordinate Courts the necessity of observing in all cases the greatest accuracy in this part of their Proceedings.--

16th May 1832.

(Signed) G. L. Prendergast
Senior Off. Regr.

No 289 To The Provincial Court of Circuit in the Northern Division

Gentlemen,

With reference to the accompanying Copy of the return of the Acting Judge to the Precept of this Court of the 23d March last I am directed by the Judges of the Foujdaree Adalut to request that you will explain why a Translator was not furnished with the establishment sent to meet him at Nellore.--

18th May 1832.--

(Signed) G. L. Prendergast
Senior Off. Regr.

No 290. To The 2nd Judge on Circuit in the Centre Division

Sir,

1 I am directed to call your attention to my letter of the 19th Ultimo and to desire that the explanation therein called for may be submitted immediately, and that you will state why the required information has so long withheld.--

2 I am further directed with reference to your return dated the 12th April to the precept of the Foujdaree Adalut Dated 12th March last to desire that you will explain the records of the trials therein mentioned have not yet been submitted and that you will transmit them without further delay.--

3 The Court regret to observe that of 5 cases to be referred in the Cumbum Calendar not one has yet been received at this late period of the term of Circuit, and I am directed to call upon you to account for this extraordinary delay.--

18th May 1832.

(Signed) D. Elliott
Acting Register

No 36

No 293 To The Chief Secretary to Government.

Sir,

With reference to the 7th Para of their proceedings of the Foujdaree Adalut under date the 3d Instant upon the report of the Acting Judge late on Circuit in the Northern Division, I am directed to submit for the information of the Right Honorable the Governor in Council the annexed Copy of a return from the Magistrate

of

of Rajahmundry upon the subject therein mentioned to-
23d. May 1832.

/Signed/ D. Elliott
Acting Regr.

No. 294 To The Acting Judge late on Circuit in the
Northern Division

Sir

With reference to Para 7 of the proceedings
of the Foujdaree Adalut under date the 3d. Instant upon
your Circuit report I am directed to transmit to you
No. 2 the annexed Copy of a return dated the 12th Instant from
the Magistrate of Rajahmundry referring to Paras 9
10. & 11 of that Report.-
23d. May 1832.

/Signed/ D. Elliott.
Acting Regr.

No. 295 To The Acting 1st Judge
on Circuit in the
Southern Division

Sir,

I am directed by the Judges of the Foujdaree
Adalut to request that you will transmit an English
translation of the trial of Case No. 22 of the Salem Cal-
-dar, for the purpose of being submitted to Government
with the least possible delay.-
23d. May 1832.-

/Signed/ D. Elliott.
Acting Register

No. 296 To The Provincial Court
Centre Division.

Gentlemen,

I am directed by the Judges of the Foujdaree
Adalut to acknowledge the receipt of your letter of the
12th Instant.-

& to supply of Copies of an amended form
for

for Statement No. 1 was transmitted with a letter from
this Department under date the 25th. Ultimo a compli-
-ance with your application as regards them is therefore
unnecessary. I am directed to transmit to you 2 Copies
of form No. 2 to be sent to the Magistrate of the Southern
Division of Arcot.
23d. May 1832

/Signed/ R. D. Parker
2d. Apt. to the Regr.

No. 297 To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

I am directed by the Judges of the Court
of Foujdaree Adalut to acknowledge the receipt of your
letter of the 27th April last and of its enclosures and to
transmit for the purpose of being communicated to
the Acting Criminal Judge at Bellary the accompany-
-ing Copy of Paras 4 & 5 of the letter addressed to Govern-
-ment by this Court and of the minutes of Consultation
of the 22d. Instant upon it shewing that 100 out of the
150 Convicts at present under the Military authorities
are to be returned to the charge of the Acting Criminal
Judge at Bellary, and that orders are about to be issued
for the establishment of a general rule that all Convicts
whilst at work are to be considered under the Con-
-trol and authority of the officer in charge of the
Jail at the Station.-
25th. May 1832.-

/Signed/ G. A. Prendergast
Senior Dy. Regr.

№ 298 To The Chief Secretary to Government

№ 37

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to report for the information of the Right Honorable the Governor in Council, that there are now at the depot at Chingleput 18 Convicts under sentence of transportation beyond sea, and to state that with reference to the late escape of Prisoners, it appears to them very desirable that these convicts should be removed on an early opportunity presenting itself.

25th May 1832.-

/Signed/ H. L. Prendergast
Senior Dy. Regr.

№ 302 To The Chief Secretary to Government

№ 38

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 22d Instant No. 315 with reference to the 4th Para in which the Judges are directed to take such steps as may appear to them advisable on consideration of the observations on the 12th Para of Mr. Bannerman's Circuit Report, for securing the person of Veerabadra Naig, The Judges beg leave to represent that no measure is indicated by Mr. Bannerman which it would be competent to the Court of Foujdaree Adalut to direct, and that Mr. Bannerman does not encourage the proposition of offering terms to Veerabadra Naig.-

28th May 1832.-

/Signed/ D. Elliott
Acting Register

№ 303 To The Joint Criminal Judge.

Masulipatam

Sir,

There being no time limited for the return of the warrant enclosed in your letter of the 15th instant the omission renders it not a Lawful process of arrest The warrant is therefore returned herewith for amendment The Peons have been directed to wait for further orders.-

28th May 1832.- /Signed/ D. Elliott
Acting Register

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

Sir,

With reference to your report upon your late Circuit dated the 3d April last I am directed to transmit to you the annexed extract from a letter from the Chief Secretary to Government in reply to the proceedings of the Foujdaree Adalut dated the 7th Instant.-

30th May 1832.- /Signed/ D. Elliott
Acting Regr.

№ 39

№ 307 To The Chief Secretary to Government

Sir,

I am directed to submit the accompanying Copy of a letter which was addressed to the Dy. Collector of the District in which there are stations where the Police authority is vested in Military officers in consequence of the instructions conveyed in Mr. Secretary Wheatley's letter dated the 9th December last with reference

reference to that Para of the letter from the Secretary to the Governor General dated 7th October of which a Copy was enclosed, and copies of the reports received from those officers.-

2 It was intimated to the Magistrates that the provision contained in Section III Regulation V of 18 for the performance of Police duties at Military Stations by means of the Troops being deemed objectionable it was intended that other instruments should be made use of for that purpose and for the execution of all kinds of process were required to submit estimates of the additional establishments it would be necessary to entertain.-

3 The Stations at which Police authority is exercised by Military Officers are Masulipatam, Bellary, Trichinopoly, Vellore Cuttack Thomas's Mount.-

4 At Masulipatam troops have never been employed in the execution of Civil or Criminal process. The Commissariat officer exercises Police authority only within the limits of the Bazar an establishment for police purposes is kept up under this officer at a monthly expense of Rupees 407. 8 which the Magistrate thinks is not required for any purpose of police or criminal process and he is of opinion that 1/4 would be sufficient for any Civil process which might require to be executed under Regulation VI of 1821.-

5 At Bellary it does not appear that Troops have ever been employed in the execution of Civil process but Military guards are stationed at the Bazars which if withdrawn would necessitate

necessary an increase of establishment involving a charge of Rupees 134 per Mensem The Magistrate and Commanding Officer concur in thinking it advisable to continue the present arrangement.-

6 At Cannanore the only aid derived by the Police from the Military is the employment of a European and a Native Guard at the Cutcherry in the General Bazar, the duty of the European Guard being confined to mounting guard over prisoners and assisting in the apprehension of disorderly European Soldiers, while the Native guard are employed as Patrole or common with the Police Peons, It is estimated that an additional expense of Rupees 144 would be necessary if the assistance of the Military should be withdrawn entirely, which is considered undesirable both by the Officer Commanding at the Station and the Magistrate.-

7 At Trichinopoly no Sepoys are employed in Police duties under the Officer Commanding, who has a separate establishment for that purpose.-

8 It does not appear that troops have been employed in the execution of any Civil or Criminal process or any police duties at Vellore. There is a separate Civil establishment under the Commanding Officer.-

9 The Officer Commanding at St. Thomas's Mount has a separate Civil establishment of which the charge amounts to Rupees 128 per Mensem - to render it efficient without the employment of

troops

troops he thinks in addition would be necessary involving an increase of Rupees 86 per mensem.

At Palaveram there appears to be a separate establishment at present, but the Commanding Officer recommends an Establishment on a monthly charge of Rupees 100.

From the reports submitted it appears that if the aid of Troops be entirely withdrawn an increase of charge to the amount of Rupees 454 per mensem will be necessary for the additions required to the several establishments. But if the Police guards at Bellary and Cannanore are not withdrawn, and it would seem to be expedient to do them, the extra charge would be only 186 Rupees per mensem which perhaps might be covered by a reduction of a part of the establishment at Masulipatam.

Bellary 134
Cannanore 144
Ft. St. Thomé 88
Palaveram 100
464

Masulipatam 407-8-12
Bellary 514-8
Cannanore 235
Ft. St. Thomé 128
Palaveram —
1284-0

The present charge of the Police establishment under Military authority at Masulipatam, Bellary Cannanore, Tellore & St. Thomé is Rupees 1284 per mensem. The charge of the Police establishment at Trichinopoly does not appear

31st May 1832.-

/Signed/ D. Elliott
Acting Regr

No 308. No 40

To The Chief Secretary to Government

Sir,

With reference to the instructions conveyed in your letter No. 230 dated the 13th April last, directed by the Judges of the Court of Foujdaree Adawlut to transmit to you the accompanying draft of a

Regulation in which are embodied the provisions contained in sections V, XI, XII, XVI, XVIII, XX, XXI, XXIV, XXVI and XLVII, of the draft A submitted with my letter of the 7th December last, with the exception of so much of section XVIII, as relates to the Sudr Ameen, which the Judges, upon further consideration do not think that it will be requisite to enact even should criminal Jurisdiction be conferred upon those officers.-

31st May 1832.-

/Signed/ D. Elliott
Acting Regr
Fort St. George

A. D. 1832 Regulation

A Regulation to provide for the more effectual administration of Criminal Justice in certain cases.-

Preamble

Whereas it is considered expedient, that the provisions of Clause third Section IX Regulation X of 1816 should be modified with the view of preventing the needless commitment of accused persons for trial before the Court of Circuit, that authority should be given to the Judges of Circuit to require the dismissal of any native officer employed under the Criminal Judges, and the Magistrates for misconduct in the Criminal or police department; that provision should be made for the adjudication of solitary imprisonment; that the provisions contained in Section IV Regulation IV of 1821, authorizing the infliction of corporal punishment by the Heads of District Police, should be rescinded; that Section XXVIII Regulation VII of 1802 should be rescinded; that provision should be made for the punishment of persons, guilty of poisoning, maiming,

or

or maliciously killing cattle; of disguising the appea=rance of ornaments formed of the precious metals with a fraudulent intent, and of receiving property under suspicious circumstances without giving infor=mation to the officers of police; that power of rewarding meritorious service in the apprehension of public of=fenders should be vested in the Magistrates and Cri=minal Judges; that primary cognizance of culpable neglect in the part of persons in charge of prisoners should be given to the Criminal Court; and that the Court of Foujdaree Adalut should be authorized to sanction the offer of a conditional pardon without reference to the Governor in Council; the following rules have been enacted to be in force from the date of their promulgation.-

Criminal Joint Criminal & Native Criminal Judge shall investigate fully the facts of the case and may take evidence on behalf of the accused before commitment for trial.-

II

In modification of Clause third Section IX Regulation X of 1816 it is hereby enacted that the Criminal Joint Criminal and Native Criminal Judges shall investigate fully the facts of the case, and shall be competent at their discretion to take evidence on behalf of the accused before commitment for trial, which shall not take place without a reasonable probability of conviction before the Court of Circuit.-

Judge of Circuit authorized to require the dismissal of any Native Officer for Misconduct in the Criminal or Police department if objected he shall report the case for the final orders of the Foujdaree Adalut.-

III

For misconduct in the Criminal or Police department the Judge of Circuit shall have authority to require the dismissal of any Native Officer employed under the Criminal or Joint Criminal Judge, the Magistrate, or the Native

Criminal

Criminal Judge, by a letter to be addressed to the head of the department, but if those officers shall object to such dismissal, the Judge of Circuit shall submit a report of the case for the final orders of the Court of Foujdaree Adalut.-

Fouj. imprisonment not authorized to punish in all cases cognizable by the Magistrate, Criminal Judge, Joint Criminal Judge, and Native Criminal Judge to Judge and at their discretion solitary imprisonment in all cases, cognizable by those officers respectively.- Solitary imprisonment shall be enforced by confining the prisoner in a room, where no communication can be had with any person whatever, which room shall be opened only in order to clean it, and supply the prisoner with food Provided, however, that when the Medical Officer shall consider the removal of such prisoner to the hospital to be requisite on account of his health, he shall be so removed for the necessary period.-

IV

In modification of the provisions of Clause first Section IV Regulation IV of 1821 it is hereby enacted, that in the cases therein specified Heads of District Police shall have authority to pass sentence of imprisonment not exceeding ten days with labour, but not to inflict stripes.-

Modification of Clause first Section IV Regulation IV of 1821.-

V

In modification of Clause first Section V Regulation IV of 1821 it is hereby provided, that

Modification of Second Section V Regulation IV of 1821.-

that in the cases therein described Heads of District Police shall have authority to commute the fine to imprisonment, not exceeding three days without labour.-

Section XXVIII Regulation VII of 1802 is hereby rescinded, and the Courts of Circuit, the Criminal Court Criminal and Native Criminal Judges are empowered to impose a fine not exceeding fifty Rupees commutable if not paid to imprisonment not exceeding one month for prevarication or for other contempt of Court in open Court, provided however that all sentences passed under this Section by the Courts of Circuit shall be noticed in the remarks in the Calendar and that those passed by the Criminal Courts shall be entered in their periodical reports.-

Section XXVIII Regulation VII of 1802 rescinded

Prevarication or other contempt of Court in open Court, how punishable by the Courts of Circuit

Criminal Court

Criminal and Native Criminal Judges empowered to impose fine

Sentences passed by the Circuit Courts to be noticed in the remarks in the Calendar

and those passed by the Criminal Courts to be entered in their periodical reports.

VII First

Any person or persons convicted before the Criminal Court Criminal or Native Criminal Judge of poisoning or maliciously killing maiming, or wounding one or more horses, mares, cows oxen, buffaloes, or other Cattle, shall be punishable with imprisonment not exceeding ten years.-

Persons convicted before the Criminal Courts of poisoning or maliciously killing maiming or wounding horses or other cattle how punishable.-

Second

Petty cases of the description specified in clause first of this Section, shall be punishable by the Magistrate, and Heads of District Police by imprisonment to the extent specified in Section XXXIII Regulation IX of 1816, and Section of this Regulation.-

Petty cases of the above description punishable by the Magistrate and Heads of District Police

VIII

Any person or persons charged with

Persons charged before the Criminal Court of

with melting or disguising the appearance of ornaments or other articles formed of the precious metals, or jewels with a fraudulent intent, and any person or persons charged with purchasing receiving or altering the appearance of stolen property, offered under suspicious circumstances without giving information to the Head of the Village or other Police officer, shall on conviction before the Criminal Court Criminal or Native Criminal Judge, be punishable by imprisonment not exceeding two years.-

Melting or disguising the appearance of ornaments formed of the precious metals a fraudulent act, and persons charged of purchasing receiving altering the appearance of stolen property offered under suspicious circumstances punishable-

IX

The power vested in the Courts of Circuit by the provisions of Section XXIII Regulation IX of 1816 of rewarding meritorious service rendered by Police Officers or others in the apprehension of public offenders is hereby extended to the Magistrates and Criminal Judges.-

Power of rewarding meritorious service rendered by police officers or others in the apprehension of Public offenders extended to Magistrates and Criminal Judges

X First

In modification of the provisions of Section VIII Regulation X of 1816 it is hereby declared that the Criminal Judge, Joint Criminal Judge and Native Criminal Judge shall have primary Cognizance of cases of gross and culpable neglect on the part of persons in charge of prisoners whereby they may be enabled to effect their escape, and on conviction may sentence the offenders to imprisonment not exceeding six months.-

In modification of Section VIII Regulation X of 1816, the Criminal Courts shall have cognizance of culpable neglect on the part of persons in charge of prisoners whereby they may be enabled to escape.-

Punishment on conviction.-

Second

Where connivance on the part of such persons may be ascertained, they shall be committed for trial before the Court of Circuit, and on conviction be sentenced to imprisonment for not less than two nor more than five years.-

In connivance the persons to be committed for trial before the Court of Circuit.-

Punishment on conviction

Fouydaree Diary 31st May 1832.-

Fouydaree Adalut to report to Govt. upon the offer of a conditional pardon communicated to the Governor in Council.-

XI

XX Regulation VIII of 1802 it is hereby enacted, that the Court of Fouydaree Adalut shall have authority to report to the Governor in Council the offer of a conditional pardon without reference to the Governor in Council.-

Fouydaree Diary 2nd June 1832.-

No. 315. To the Provincial Court of Circuit in the Centre Division.

Gentlemen,

With reference to the letter from this office dated the 25th. Ultimo covering an Extract from the Minutes of Consultation under date the 22d. May I am directed to transmit to you a further Extract from the Minutes of Consultation in the Military Department dated the 25th. May relative to the convicts employed under the Military authorities at Bellary a copy of which you will be pleased to furnish to the Acting Criminal Judge.-

6th. June 1832.- (Signed) D. Elliott Actg Regr.

No. 319 To the Provincial Court of Circuit in the Centre Division.

Gentlemen,

With reference to Mr. Gahagan's letter of the 28th. December 1831 I am directed to transmit to you for your information and guidance and for the purpose of being communicated to the Acting Criminal Judge of Bellary for his information and guidance the annexed copy of a letter from the Chief Secretary to Government to the Magistrate of Bellary dated the 8th. Instant.-

12th. June 1832 (Signed) D. Elliott Actg Regr.

No. 320 To the Provincial Court of Circuit in the Centre Division.

Gentlemen

With reference to para 18 of the Extract from the proceedings of the Court of Circuit submitted with Mr. Bushby's letter of the 23d. April last I am directed by

by the Judges of the Fayidaree Wadut to desire that you will transmit the Criminal statements of the Joint Criminal Judge of Chingleput for the last half of the year 1831 without delay.

12th June 1832.

/Signed/ R. D. Parker
14th Asst. to the Reg.

No 321. To The Judges of the Provincial Court of Circuit
in the Western Division

Gentlemen,

With reference to your letter of the 3rd March last I am directed by the Judges of the Fayidaree Wadut to desire that you will transmit the Criminal statements and reports of Police of the Magistracy of Malabar and Canara for the last half year of 1831 without delay.

12th June 1832.

/Signed/ R. D. Parker
14th Asst. to the Reg.

No 329. To The Chief Secretary to Government
No 44

Sir

Under the instructions contained in your letter No 466 dated 4 Ultimo I am directed by the Judges of the Court of Fayidaree Wadut to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council the English translation of the Record of proceedings held in Case No 20 Salem Calendar 1st Sessions of 1832.

14th June 1832.

/Signed/ D. Elliott
Acting Register

No 330. To The 2nd Judge on Circuit in the
Centre Division

Sir,

1 I am directed by the Judges of the Court of Fayidaree Wadut to acknowledge the receipt of your letter of the 9th Instant.

2 The instructions contained in the proceeding of the Fayidaree Wadut of the 15th Ultimo to which you refer were intended for your guidance in all cases to which they are applicable which should be before you at the time you received them or should come before you in future. The case to which you allude, under the circumstances mentioned by you appears clearly to fall within the scope of clause 2 Section IV Regulation XV of 1803 and therefore if the prisoner are convicted the trial ought to be referred for the consideration and final Judgment of the Fayidaree Wadut.

14th June 1832.

/Signed/ D. Elliott
Acting Register

No 337. To The Acting 1st Judge on Circuit in the
Southern Division

Sir,

I am directed by the Judges of the Fayidaree Wadut to acknowledge the receipt of your letter of the 11th Instant submitting your recommendation that an offer of conditional pardon may be made to some of the persons implicated in Case No 2

Coimbatore

Coimbatore Calendar for the 1st Sessions of this year with a view to the conviction of the Principals.

The reference is irregular as not specifying the person or persons to whom it is proposed that the offer should be made.

The Judges direct that you will instruct the Joint Criminal Judge of Coimbatore to make an application for authority to tender a conditional pardon under Section XX Regulation XII 1802 to either of the prisoners who may be willing to accept the terms.

18th June 1832.

/Signed/ R. D. Parker
Dy Agt to the Govr

No 338 To The Chief Secretary to Government No 45

Sir

With reference to the correspondence noted in the Margin I am directed to submit the accompanying Copy of a letter from the Joint Criminal Judge at Cuddalore reporting that the additional accommodation of the prisoners employed under the orders of the officer commanding the General Depot at that station has been completed and that he is ready to receive charge of the prisoners.

The Court of Foujdaree Adalut recommend that the officer in command of the General Depot at Cuddalore be directed to transfer the prisoners at present under his orders to the charge of the Joint Criminal Judge to be employed in future for the same purposes as heretofore so far as they may be required, under the sole direction and control of the Joint Criminal Judge according to the General order of Government in the Military department dated 25th May 1832.

18th June 1832. /Signed/ D. Elliott
Acting Register

No 339 To The Provincial Court of Circuit
in the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 12th Instant enclosing a copy of one from the Joint Criminal Judge of Chingleput at Cuddalore dated the 5th Instant

The Foujdaree Adalut have recommended that the officer in charge of the General Depot at Cuddalore be directed to transfer the prisoners now under his orders, to the charge of the Joint Criminal Judge to be employed under his sole direction and control for the same purposes as heretofore, so far as they may be required, according to the General order of Government dated 25th March 1832.

You will be pleased to direct the Criminal Judge of Chingleput to transfer to the Joint Criminal Judge the Jail establishment now employed

Employed in guarding the prisoners in question
18th June 1832.

/Signed/ D. Elliott
Acting Regr

No 340 To The Provincial Court of Circuit in the
Gentleman Northern Division

With reference to your return
to the Precept of this Court of the 28th March last
requiring explanation of the remarkable delay in
the transmission of referible Trials, I am directed
by the Judges of the Court of Foujdaree Adaulut to for-
ward the accompanying copy of a letter from
the Chief Secretary to Government dated the 15th Inst
sanctioning an alteration in the Establishment of
your Court and abolishing the Offices of Crimina
Record Keeper and Deputy Sheristadar and also
the contract for translating appeal Records.
18th June 1832.

/Signed/ G.L. Prendergast
Senior Dy Regr

No 343 To The Provincial Court of Circuit in the
Gentlemen Centre Division

With reference to my letter of the
9th Instant I am directed by the Judges of the Court
of Foujdaree Adaulut to transmit for your information
and guidance and for the purpose of being
communicated

communicated to the Acting Criminal Judge
of Bellary the annexed extract from the Minutes
of Consultation dated the 15th Instant relative to
the Convicts at the disposal of the Military authori-
ties.
22d June 1832. /Signed/ D. Elliott
Acting Register

No 344 To The Provincial Court of Circuit in the
Western Division

Gentlemen,

With reference to the proceeding of
the Foujdaree Adaulut dated the 14th Instant I am
directed by the Judges of the Court of Foujdaree
Adaulut to transmit for your information and guidance
the annexed Copy of a letter from the Chief Secretary
to Government conveying sanction for the payment
of batta not exceeding one anna per diem to all
guards transferred from the Zillah Jail with the
convicts to the Bailyhenies.
22nd June 1832. /Signed/ D. Elliott
Acting Register

No 345. To The Provincial Court of Circuit in the
Western Division

Gentlemen.

In reply to Mr Vaughan's letter of the
14th Instant stating that a Copy of the proceedings
of

Emp
18th C

No 340 Do

of the Foujdaree Moalut of the 27th October 18
not received in your Court I am directed
you to your letter dated the 17th January
the receipt of the orders contained in three
=nings is acknowledged.-
22d June 1832.-

/Signed/ D. Blair
Acting Regr

No 351. To The 4 Provincial Courts of Circuit

Gentlemen

I am directed by the Judges of the
Foujdaree Moalut to transmit for the purpose
Circulated to the subordinate Courts in your
the accompanying copy of a letter from the
Secretary to Government dated the 22d Instant
=nizing the several Criminal Joint Criminal
Native Criminal Judges to appoint a Vakeel
Courts to act as Government Vakeel to conduct
Prosecutions delayed by the absence of the
=ment Vakeel
25th June 1832.-

/Signed/ G. L. Prendergast
Senior Dy Regr

No 343

No 352. To The Chief Secretary to Government

No 48.

Sir,

I am directed by the Judges of the
of Foujdaree Moalut to submit for the consider
of the Right Honorable the Governor in Council
the accompanying copy of a letter from the
Provincial

Provincial Court of Circuit in the Southern Division
and of its enclosure from the acting Joint Criminal
Judge of Madura requesting sanction for the addition
of one Duffadar and 10 Peons to his present Establi=
=shment.

2 The Judges beg leave to recommend
under the circumstances of the case, that the Right
Honorable the Governor in Council may be pleased
to authorize the temporary employment of the
Duffadar and 10 Peons on the usual pay by the
acting Joint Criminal Judge of Madura

25th June 1832.-

/Signed/ G. L. Prendergast
Senior Dy Regr

No 353 To The Provincial Court of Circuit in the
Southern Division

Gentlemen,

I am directed by the Judges of the Court
of Foujdaree Moalut to acknowledge the receipt of your
letter of the 20th Instant and of its enclosure from
the acting Joint Criminal Judge of Madura requesting
that Sanction may be obtained for the addition of
a Duffadar and 10 Peons to his Establishment.-

The Judges under the circumstances
of the case have submitted the application of the
acting Joint Criminal Judge to Government with
their recommendation that it may be sanctioned,
but they wish it to be explained whether according
to the authorized arrangements the convicts are trans=

= ferred

transferred from time to time to the Gail at Madura or in case they are not why the practice has been discontinued..

25th June 1832.

/Signed/ G. L. Prendergast
Senior Dy. Registr

No 360 To The Acting 1st Judge on Circuit in the Southern Division.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 22d Instant reporting the death of the Prisoner in case No 12 Salem Calendar 1st Sessions 1832 and in reply to inform you that the English translation of the Proceedings on the Trial in question having been called for to enable the Court to judge of the propriety of your concurrence in the futwa of acquittal, the death of the Prisoner does not make it less necessary that the Trial should be reviewed..

28th June 1832

/Signed/ G. L. Prendergast
Senior Dy. Regr

No 361. To The Chief Secretary to Government

No 49.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to submit for the consideration of the Right Honorable the Governor in Council the accompanying copy of a letter dated the 23d Instant from the Criminal Judge at Cuddapah with their recommendation that as a temporary measure the sanction

sanction solicited by him for the increase to his said Establishment of 2 Bundoo Duffadars and 20 Peons on the pay stated may under the circumstances of the case be granted..

28th June 1832. /Signed/ G. L. Prendergast
Senior Dy. Regr

No 364 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 with reference to your letter of the 20th — the accompanying copy of a letter from the Chief Secretary to Government dated the 29th Instant authorizing the temporary employment of the Duffadar and 10 Peons on the Establishment of the Acting Joint Criminal Judge of Madura, from the date on which they were entertained..

30th June 1832. /Signed/ G. L. Prendergast
Senior Dy. Register

No 365. To The Criminal Judge in the Zillah of Cuddapah

Sir

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 23d and to transmit the accompanying

Copy

Copy of a letter dated the 29th Instant from the Chief Secretary to Government sanctioning the increase to the Jail Establishment of 2 Bindoo Duffadars and 25 Peons on the pay stated in your letter now under reply.

2 In communicating this Sanction to the temporary increase of your Establishment I am directed by the Judges to convey to you their instructions to reduce it as soon as the diminution of the number of Prisoners in the Jail may admit of your doing so.-

3 As the present correspondence have been conducted thro' the Provincial Court of Circuit you will put that Court in possession of a Copy of your letter of the 23d and of this reply.

30th June 1832.

/Signed/ G. L. Prendergast
Senior Dy. Register

No 366 To The Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 11th Instant submitting translations of the proceedings held before the Criminal Judge of Madura in the case of the escape of the 4 Prisoners on the road from Tinnevelly to Madura and a copy of the return from the acting Joint Criminal Judge.-

2 The object of the Judges in calling for the proceedings in this case was to ascertain what notice would be taken of the conduct of the Peons from whose custody the 4 Prisoners effected their escape. From the return of the acting Joint Criminal Judge it appears that the Duffadar has been fined but that the negligence of the Peons has been overlooked.-

3 I am now desired to convey to you the opinion of the Judges that the Duffadar as well as the Peons should be dismissed for their extreme negligence on the occasion. The late numerous escapes of Prisoners from the custody of their Guards seems to render an example highly necessary.-

4th The Criminal Judge at Madura should be directed to dispose of the Prisoners who attempted to effect their escape as the Judges of the Court of Foujdaree Adalut did not intend by the letter of the 12th March last to subject to their confirmation the orders which the Criminal Judge might be prepared to pass upon them.-

30th June 1832. /Signed/ G. L. Prendergast
Senior Dy. Register

No 367 To The Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of

of Foujdaree Adalut to transmit the accompanying copy of a letter from the Provincial Court of Circuit in the Western Division & with reference to it, to request that you will call upon the Criminal Judges of Madura and Salem to explain the reason of their having ceased to observe the Circular orders of this Court of the 3d October 1817.

The Provincial Court in the Western Division has been informed that the Magistrate of Trichinopoly has acted in the cases in question under the orders of the Court of Foujdaree Adalut of the 29th March 1827.-

30th June 1832.

/Signed/ G. L. Prendergast
Senior Dy. Regr.

No 368. To The Provincial Court of Circuit in the Western Division

Gentlemen

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 20th Instant reporting that certain Convicts have not been disposed of by the Criminal Judges of Madura and Salem and the Magistrate of Trichinopoly, according to the orders of the Foujdaree Adalut of 3d October 1817.-

The Magistrate of Trichinopoly having acted upon the subsequent orders of this Court dated 29th March 1827. I am desired to

Foujdaree Diary 30th June 1832.

to transmit copy of them for your information.

The Criminal Judge of Madura and Salem have been called upon thro' the Provincial Court in the Southern Division to explain their reason for having ceased to observe the orders of 3d October 1817.-

30th June 1832.

/Signed/ G. L. Prendergast
Senior Dy. Regr.

Foujdaree Diary 3rd July 1832.-

№369 To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

I am directed by the Judges of the
Foujdaree Adalut to transmit with reference to
letter of the 12th Ultimo and its enclosure the accom-
=panying copy of an Extract of the Minutes of Consul-
tation of the 28th Ultimo notifying that orders are about
to be issued for the transfer to the Jail at Cuddalore
of the Prisoners under the orders of the Officer Com-
=manding.-

2

The Joint Criminal Judge should be
informed by you that although the convicts are
placed under his control agreeably to the General
established by Government on the 25th May last and
the usual number of Prisoners are to be supplied
for the execution of the works pointed out by the
Commanding Officer.-

3

The portion of the Establishment
of the Criminal Court at Chingleput attaches to the
Prisoners thus transfered will accompany them and
appear hence forwards as incorporated with those
at Cuddalore. You will accordingly issue the
requisite instructions to the Acting Criminal
Judge at Chingleput and the Joint Criminal
Judge at Cuddalore for this alteration in their
respective Establishments.

3rd July 1832.

/Signed/ G. L. Prendergast
Senior Dy Registr

№36

Foujdaree Diary 9th July 1832.-

№377 To The Acting Judge on Circuit in the
Centre Division

Sir,

I am directed by the Judges of the Court
of Foujdaree Adalut to acknowledge the receipt of
your letter, dated the 4th Instant requesting their instruc-
=tions respecting a case in which the Mohummedan
"Law Officer has declared the accused to be convicted
of Kutt Shibah and or accidental homicide".-

2

Your reference to the provisions of
Clause fourth Section IV Regulation I of 1818, and
your opinion, that under the provisions of Clause
second Section XV Regulation VII of 1802 it is competent
to you to release the prisoner in this case have arisen
from a misconception of the meaning of the term
Kutt-i-shibeh-i-amd.-

That term may be rendered "Man-
3
=slaughter; but the cases of accidental homicide"
under the Mahummedan Law denominated
respectively Kutt-i-Khuta, Kutt-i-Kayjus mokam
to in Clause fourth Section IV Regulation I of 1818.-
Ka Khuta and Kutt ka Subbah are alone referred

4

In the case to which you refer if
you concur with the Law Officer in the conviction
of the Prisoner, it will be competent to you to com-
=mute the penalty of death to imprisonment for such
period, as you may consider adequate to the offence.-

9th July 1832.- /Signed/ J. C. Morris
Acting Register

№ 381. To The Acting Judge on Circuit

Centre Division

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 2nd Instant and to inform you that they do not think proper to comply with the request therein contained, that you may be allowed to indent for the sum of Rupees 150 to be disbursed in the employment of additional Translators and writers if required.-

2 In a letter recently received from the Court of Directors it has been strongly urged that every exertion should be made to reduce the enormous amount annually expended in the Judicial Department under the head of contingent charges and the Judges are therefore unwilling to recommend for sanction any extra charge which cannot be satisfactorily shewn to be indispensably requisite - They presume that you are aware that in cases of necessity you are authorized to call upon the Criminal Judge for assistance from his establishment, and they expect that arrangements will be made to relieve the Translator attached to the Court of Circuit from attendance in Court during trials, so that he may be enabled to devote his time exclusively to the preparation of translations.

a practice which is followed in other Courts, by which arrears are avoided and no extra charges incurred.-

11th July 1832. /Signed/ J. C. Morris

Acting Register

№ 383 To The 4 Provincial Courts of Circuit

Gentlemen

I am directed by the Judges of the Foujdaree Adalut to desire that you will inform the Criminal Judges and Joint Criminal Judges of your Division that they have resolved to dispense for the future with the transmission of the report in Form № 11 of the Appendix to Regulation X of 1816.-

13th July 1832. /Signed/ G. L. Prendergast

Senior Dy. Register

№ 384 To The Acting 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 of the 7th Instant and to state that as the case of Mr. Macdonald to which you therein refer is not included in the Calendar submitted to you by the Criminal Judge it will not fall within your

your province to take cognizance of it.

2. The Judges direct me to convey to you their authority for trying at Cuddapah the Prisoner committed by the Native Criminal Judge of Cumbum. 13th July 1832.

/Signed/ J. C. Morris
Acting Register

No 385. To The Judges of the Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter, dated the 9th Instant and to point out, that the concluding passage in Section IV. Regulation I of 1811 and their instructions formed on that Section, dated 16th April last obviously require that the 3rd Quarterly Sessions of Gail delivery at Chittoor for the present year should be held by the 1st Judge of the Provincial Court Circuit in the Centre Division.

13th July 1832.

/Signed/ J. C. Morris
Acting Register

No 386. To The Provincial Court in the Northern Division

Gentlemen,

The Right Honorable the Governor in Council having desired the Judges of the Foujdaree Adalut to use their discretion in reducing such amount of the Military Police Establishment at Masulipatam as they may upon due consideration esteem unnecessary, I am directed by them to transmit to you the accompanying copy of a correspondence with the Magistrate of that Station, and to request that you will give the subject your best consideration and furnish them with your sentiments as to the extent of reduction which may be expedient and proper.

13th July 1832.

/Signed/ J. C. Morris
Acting Register

No 52

No 396 To The Acting Chief Secretary to Government

Sir, I am directed by the Judges of the Foujdaree Adalut to request that you will submit to the Right Honorable the Governor in Council the accompanying copy of a letter dated the 9th Instant from the Provincial Court of Circuit in the Centre Division together with Copy of the letter to which it refers from the Joint Criminal Judge of Chinglaput, representing the circumstances under which he has been induced to commence operations for the enlargement of the Jail at Cuddalore without waiting for the requisite authority.

The Judges in consideration of the urgency of the case, as represented by Mr. Barrington beg to recommend that the sanction of Government may be granted for the construction of the new ward in question, the estimated expence of which amounts to Rupees 79-6-9.

18th July 1832

/Signed/ J. C. Morris
Acting Register

№397 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 14th Instant, transmitting for their consideration and orders, Copy of a correspondence with the Criminal Judge of Chittoor relative to certain interference on the part of that Officer with the Police arrangements of the Town of Chittoor.

The Judges direct me in reply to state that when there is a Magistrate or Assistant Magistrate present, any interference on the part of the Criminal Judge in Police Matters is illegal, in as much as it is only competent to that Officer, by the provisions of Section III Regulation III of 1817, to exercise Magisterial authority "when there may not be a Magistrate or "Assistant Magistrate present at the Zillah Station".

In the case at present under review, there appears to have been an Assistant Magistrate on the Spot, and the Judges have in consequence no hesitation in stating that they consider Mr Waters conduct to have been unauthorized and injudicious altho they have no doubt that that Gentleman was actuated, in the measures pursued by him, by a conviction that he was strictly performing his duty.

The Judges direct me further to explain

Foujdaree Diary 18th July 1832.

explain that the powers vested in a Justice of the Peace give him no authority over the general Police of the District, nor warrant any interference with the Magistrate in the preservation of the public peace.

18th July 1832. (Signed) J. C. Morris
Acting Register

№398. To The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter dated the 5th Instant and to transmit to you for the use of the Zilla Court of Nellore 2 Copies of the printed Statement №3.

2 A further supply of the above Statement will be sent as soon as practicable.

18th July 1832. (Signed) J. C. Morris
Acting Register

№399 To The Provincial Court of Circuit in the Western Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to request, with reference to the 14th Para of the Extract of your Proceedings on the Criminal Statements and reports from the Magistrate of Canara which accompanied your

letter

letter of the 2nd Instant, that the Magistrate of Malabar may be again called upon to submit without delay the Reports therein alluded to.-

The Judges desire that it may be pointed out to the Magistrate of Malabar that in consequence alone of his omission to furnish the Reports in question the several 1/2 yearly Statements remain in this office undisposed of.-

18th July 1832.-

(Signed) G. L. Prendergast
Senior Opr. Regr.

No. 400. To The Acting Joint Criminal Judge
Coimbatore

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 11th Instant and to state that they will be prepared to suggest to the Right Honorable the Governor in Council to grant a Conditional pardon under Section XX Regulation VIII of 1802, to any two of the Prisoners, not being Principals, in the postponed case No. 2 of the Coimbatore Calendar for the 1st Sessions of 1832 whom we may recommend as likely to give such evidence as may tend to the apprehension and conviction of the Principals and the recovery of the property.-

2 It is necessary however that the names of the parties to whom the offer of a conditional pardon is intended to be made should be specified.-

18th July 1832.-

(Signed) J. C. Morris
Acting Register

No. 401 To The Acting Magistrate in the Zilla of
Chingleput

Sir,

With reference to your Predecessor's letter of the 3rd of January last I am directed by the Judges of the Fouzdaree Adalut to transmit to you the accompanying extracts from a letter addressed by them to the Chief Secretary to Government under date the 31st May last and of the reply thereto dated the 6th Instant from which you will observe that Government have been pleased to sanction the entertainment of a Police Establishment by the Officer commanding Palaveram on a Monthly charge of Rupees 100, and to authorize an increase of the Establishment already entertained by the Officer Commanding St. Thomas' Mount to the amount of Rupees 80 per mensem.-

You will be pleased to make the requisite communications to these offices on the subject

18th July 1832.-

(Signed) J. C. Morris
Acting Register

No. 402 To The Acting 3rd Judge on Circuit in the
Southern Division

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 11th Instant and to state that if the charge to which you therein refer was laid under Regulation III of 1826, they are of opinion the Prisoner cannot be convicted

convicted of Perjury, to constitute which crime, as the law stands, two Depositions must have been given in direct and positive contradiction to each other.-
20th July 1832-

/Signed/ J. C. Morris
Acting Register

No 412. To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

With reference to the communication from your Court under date the 27th April and to the instructions contained in the letters from this Court under date the 25th of May and 9th Ultimo I am directed by the Judges of the Foujdaree Adalut to desire that you will give particular instructions to the Acting Criminal Judge of Bellary that the same number of Prisoners as was placed under the control of the Military authorities previous to the orders of Government of the 22d of May are still to be employed under the superintendence of the Criminal Judge in the execution of such works of public utility as may be pointed out by those authorities.-

A Copy of the order of Government to the above effect is furnished for the information and guidance of the Criminal Judge of Bellary.
23d July 1832-

/Signed/ J. C. Morris
Acting Register

No 53

No 413. To The Acting Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter No 433 dated the 17th Instant desiring that they will submit their opinion as to the mode in which it may be competent to Government to bring to trial the persons concerned in the case referred to by the Magistrate of Cuddapah in his letter of the 7th Instant, without waiting for the next and without interfering with the regular course of the present Sessions; and calling upon them to state whether the profanation of places of worship is punishable under the general or special provisions of the Mohummedan Law, or whether they consider any penal enactment for the protection of such places to be necessary.-

2 In respect to the former of the above questions it appears to the Judges of the Foujdaree Adalut that either of the following courses may be adopted consistently with the provisions of the Regulations, viz the Acting Judge on Circuit in the Centre Division may be directed to adjourn the Sessions after disposing of the cases committed for trial and to dispose of the case, or cases in question after delivering the Jail at Bellary: or he may in like manner be directed to adjourn the Sessions at Cuddapah and another Judge of the Provincial Court of Circuit, or a Judge specially

specially appointed under section IV Regulation III of 1825 may be deputed to complete the sessions, and to try such prisoners as may be brought before him in a supplemental Calender or lastly under the provisions of Regulation III of 1827 the prisoners referred to, may be sent for trial to whatever Court may appear most proper to the Right Honorable the Governor in Council for the furtherance of the ends of Justice.-

3 The Judges of the Court of Fouzdaree Adalut have ascertained by a reference to the Mohummedan Law Officers of the Court, that the profanation of Mohummedan places of worship is punishable by Tazeer: such cases appear therefore to be sufficiently provided for by the provisions of clause seventh Section II and clause third Section VIII Regulation XV of 1803.-

4 For the profanation of Christian Churches or Hindoo places of worship no penalty is provided by the Mohummedan Law and the Judges are not aware, that this offence calls "for an express denunciation of the "penalty to be incurred by committing the same."

23d July 1832.-

/ Signed / J. C. Morris
Acting Register

Question to be put to the Law Officers.

You are required to state whether under the provisions of the Mahomedan Law the profanation of places of worship, such as mosques Churches and Pagodas &c. &c. is punishable as a Criminal offence.-

Fouzdaree Diary 23rd July 1832.-

Answer

If a person should wilfully profane
"Masjeed out of spite or with the desire of disturbing
the people when reading namaz or prayers or of raising
disputes, he is liable to the capital Sookoot at the discre-
-cretion of the Judge.-

With respect to the profanation of
Churches and Pagodas, no provision is made in the
Mahomedan Law.- We can say nothing on the subject.-

N°55

N°414 To The Acting Chief Secretary to Government

Sir,

I am directed by the Judges of the Fouzdaree
1 Adalut to request that you will submit to the Right
Honorable the Governor in Council the accompanying
copy of a letter from the Provincial Court of Circuit
in the Centre Division transmitting copy of a letter
from the Joint Criminal Judge of Chingleput, and re-
-commending in reference thereto "that sanction may be
obtained for an additional establishment of 15 Peons and
that a Jemidars guard of Regular or Sepahis be allowed
to the Cuddalore Jail for the security of the Prisoners."-

2 Adverting to the number of Prisoners
confined in the Jail of Cuddalore the Judges of the
Fouzdaree Adalut consider the aid of a party of
Military highly requisite, and in consequence beg

to

to suggest that a Jemidar's Guard, either of Regulars or Irregulars, as may be most convenient, may be furnished in the same manner as guards are supplied to other Jails.-

3 The Judges have deemed it necessary, before recommending any increase to the present establishment of Peons at the Jail of Cuddalore, to make a further reference to the Joint Criminal Judge on the subject.-

23d July 1832.

/Signed/ J. B. Morris
Acting Register

No 415 To

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

Gentlemen,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 10th Instant, transmitting copy of a letter from the Joint Criminal Judge of Chingleput dated the 29th Ultimo requesting an increase to the Peons of his Jail establishment and that a Jemidar's Guard of 12 Peons may be stationed at the Jail.-

The

Fouzdaree Diary 23d July 1832.-

The Judges of the Fouzdaree Adalut

2 have recommended to Government that a Jemidars Guard may be furnished for the security of the Prisoners confined in the Jail at Cuddalore, but before suggesting any increase to the establishment of Peons they wish for further information relative to the strength of the guard attached to the Prisoners from Chingleput at present under charge of the commanding Officer and which has been directed to be transferred to the Joint Criminal Judge, with the Prisoners in question.

The Judges in consequence request that you will call upon the Joint Criminal Judge to state the number of persons containing the said guard, who will become available as part of his Jail establishment, on the Chingleput Prisoners being delivered over to him.-

I am further directed to

3 desire that you will intimate to the Joint

Joint Criminal Judge that he has been
prinatur in placing under the orders
of the Principal Collector and Magistrate
of South Arcot, a body of Prisoners from
his Jail, before receiving the instructions
of the Judges of the Foujdaree Wadut &
referred to in the Chief Secretary's letter to
their address of the 8th May last.-

I am instructed to transmit
herewith for the information of the Joint
Criminal Judge, copy of a letter which was
addressed to Government in reply to
the letter in question.-

I have the honor to be,

Gentlemen

Your most obedient

Servant.

/Signed/ J. C. Morris

Acting Register

Foujdaree Wadut
Register's Office
23rd July 1832.-

No.416 To The Judges of the Provincial Court of Circuit in the
Centre Division

Transmitting Copy of a letter from the
Acting Chief Secretary to Government dated the 20th
Instant sanctioning the construction by the Joint Criminal
Judge of a new ward to the Jail at Cuddalore at
Rupees 79-6-9.- Sent usual letter
23rd July 1832.

No.417 To The Judges of the Provincial Court of Circuit
in the Centre Division

Gentlemen,

I am directed by the Judges of the Court,
of Foujdaree Wadut to acknowledge the receipt of your
letter dated the 18th Instant and to transmit to you
for the use of the Magistrate of Cuddapah 6 Copies
of the printed Statement No.2.-

/Signed/ J. C. Morris
Acting Register

23rd July 1832.-

No.418. To The Acting Criminal Judge in the Zilla of
Chingleput

Sir

I am directed by the Judges of the Foujdaree
Wadut to desire that you will forward with the
utmost despatch to the Acting Superintendent
of Police at Madras the convicts in your Jail
under

under sentence of transportation, in order that they may be transported on the Honorable Company's Ship "London" now in the Roads and about to sail.-

26th July 1832.-

/Signed/ J. C. Morris
Acting Register

No 419. To The Provincial Court in the
Southern Division

Gentlemen,

I am directed by the Judges of the Court of Tanjore Vealut to acknowledge the receipt of your letter of the 18th Instant transmitting the explanations given by the Criminal Judges of Madura and Acting Criminal Judge at Salem of their having ceased to observe the Circular order of the 3d October 1817 regarding the return of Prisoners towards the expiration of their sentences to the places where the sentences been passed

2 The Judges perceive that the Acting Criminal Judge of Salem has fallen into an error in supposing the Circular Order in question "to have been annulled by the instructions conveyed in the Extract of the Proceedings of this Court under date the 7th March 1825 and you will accordingly communicate to him that the previous orders of the 3d October 1817 are not in any way affected by that of the 5th March 1825.

26th July 1832.- /Signed/ G. L. Prendergast
Senior Dy. Regr.

To The Provincial Court of Circuit in the
Western Division

No 420. Gentlemen

With reference to my letter of the 30th Ultimo informing you that the Criminal Judges of Madura and Salem had been called upon to explain why they had ceased to observe the Circular order of the 3d October 1817. I am directed by the Judges of the Tanjore Vealut to transmit the accompanying copy of the explanation of those officers and to state that the error of the Acting Criminal Judge of Salem in supposing those orders to have been annulled by the later order of the 7th March 1825 has been pointed out to him thro' the Provincial Court of Circuit in the Southern Division

26th July 1832.- /Signed/ G. L. Prendergast
Senior Dy. Register

No 421. To The Acting Third Judge on Circuit in the
Southern Division

Sir,

I am directed by the Judges of the Tanjore Vealut to acknowledge the receipt of your letter of the 18th and 19th Instant and to state that if the crime with which the Prisoner therein referred to, is charged was committed beyond the limits of the British Territories, he cannot be brought to trial without the special order of Government for which they desire the Dist. Magistrate if

of the Zillah may be directed to apply without delay according to the provisions of Regulation II of 1829.

2 It is stated however in the extract from the Proceedings of the Court of Circuit dated the 16th of July that the Prisoners are charged with having been found in possession of property which had been stolen from the temple of Sooryamala Santan Vn in the Travancore country. If the Prisoners obtained possession of the property while within the Madura District and not within the Travancore Territory they are subject to the Jurisdiction of our Courts notwithstanding the property was stolen in Travancore and an order of Government for the trial of the prisoners will not in that case be necessary.-

3. The Judges see no objection to your merely adjourning the Sessions on your departure from Madura, and trying the case in question in your return from Tinnevelly.-

28th July 1832.- /Signed/ J. C. Morris
Acting Register

No 428. To The Judges of the Provincial Court of Circuit in the Centre Division

Transmitting copy of a letter from the Acting Secretary to Government in the Judicial department that orders will be issued from the Military Department for placing a Lemader's Guard at the Lait at Cuddalore

30th July 1832.- Sent usual letter

No 429 To The Judges of the Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 23d Instant and to state that under the circumstances therein detailed, they authorize the immediate and unconditional release of the two Prisoners to whom it has reference.

30th July 1832.- /Signed/ J. C. Morris
Acting Register

A No 56

No 429. 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 your letter of the 25th Instant, and to transmit to you the accompanying Copy of a letter from the Criminal Judge of Chingleput with a list of 16 Convicts under sentence of Transportation, who have been forwarded by him to the Superintendent of Police at Madras

30th July 1832.- /Signed/ J. C. Morris
Acting Register

B.

No 429 To The Secretary to Marine Board

Sir,

I am directed by the Judges of the Foujdaree

Fouzdaree Diary 30th July 1832.-

Fouzdaree Adalut to acknowledge the receipt of your letter of the 28th Instant and to inform you that sixteen Convicts have been transmitted from Chingleput to the Superintendent of Police at Madras, for the purpose of being transported on the Honorable Company's Ship London.-

30th July 1832.-

/Signed/ J.C. Morris
Acting Register

Fouzdaree Diary 3d and 7th August 1832.-

No 441. To The Secretary to the Marine Board.

Sir,

I have the honor by desire of the Judges of the Fouzdaree Adalut, to acknowledge the receipt of your letter of yesterday's date, and to transmit herewith a list of the convicts to be transported on the Honorable Company's Ship London.-

3d August 1832.-

/Signed/ J.C. Morris
Acting Register.

No 445. To The Acting First Judge of the Provincial Court in the Southern Division

Sir,

The Judges of the Fouzdaree Adalut having been requested by Government to submit their opinion on the case referred to in your letter of the 20th June last and I am directed by them to transmit for your information and future guidance copy of a letter, which has in consequence been addressed to the Chief Secretary.-

To the C.S. 30th July 1832.

The Judges direct me to call your particular attention to the sentiments expressed in the 8th para of their letter relative to the course to be pursued by a Judge on Circuit to whom Petitions complaining of the proceedings of a Magistrate, may be presented and they desire in conformity with the directions contained in para 9 that the order issued by you on the 2d April last may be immediately cancelled.-

7th August 1832.- /Signed/ J.C. Morris- Sr. Regr.

No 446 To The 2d Judge on Circuit in the Northern Division

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the ruipt of your letter of the 25th

25th Ultimo and to inform you that the persons to whom you therein allude, as being under detention in the Vellore Jail, on requisition of Security, were transferred from the Jail at Guntoor, in consequence of its having been reported by the Medical Officer at that Station, transcript of whose letter is herewith furnished to you that the building in which the Prisoners were confined was crowded to such a degree as to be dangerous to their health.-

The Judges direct me to inform you that should you, on inspection of the Jail at Guntoor, be enabled to report to them that the persons in question can be suitably accommodated they will be prepared to issue instructions for their being retransferred to it.-

7th August 1832.-

/Signed/ S. C. Morris
Acting Register

№447 To The Joint Criminal Judge of
Masulipatam

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 21st Ultimo stating that the Peons dispatched by you to apprehend Colloory Venkajee, late a district Moonsiffy in your Zillah, have reported that the said person is concealed in the house of Zoleti Appiah, a Pleader in this Court.-

The Pleader in question on being referred to, states that Venkajee resided in his house for a short time in the month of April last, when he was not aware that any charge had been preferred against him, but that he started on a pilgrimage to Ramisseram on the 1st of May since which period he has received no intelligence of him.-

To

He voluntarily expressed his readiness to allow your Peons to institute a search throughout his house, which has been duly communicated to them in my presence.-

I am further directed to inform you that the sum of 10 Rupees has been advanced by this Court to the Peons on question and to request that the necessary measures may be taken for the repayment of the amount by a Bill on Madras.-

7th August 1832.- /Signed/ S. C. Morris
Acting Register

№448 To The Acting Judge of the Court of Circuit in the
Centre Division

Sir,

With reference to your letter of the 13th Ultimo and to the Provincial of this Court of the 23rd Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a letter from the Acting Secretary to Government in the Judicial Department dated the 31st Ultimo and to desire that obedience to the instructions contained in the 3rd para thereof you will state whether any specific instance of such neglect on the part of the Police, as you have described in the 15th para of your Report above referred to has been brought to your notice and if so, what measures have been adopted by you in consequence.-

7th August 1832.- /Signed/ S. C. Morris
Acting Register

To

Foujdaree Diary 9th August 1832.-

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

Gentlemen,

With reference to the Return from your Court under date the 4th and to the Proceeding of this Court dated the 18th July, I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a letter from the Acting Secretary to Government in the Judicial Department dated the 3d Instant and to desire that you will take the necessary measures for obtaining the information therein required.-

9th August 1832.- (Signed) J. C. Morris
Acting Register

№ 451. To The Acting 1st Judge late 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 3d Instant and to inform you that the Prisoners referred to, were under orders from this Court, transmitted by the Acting Criminal Judge of Salem to the Criminal Judge of Bellary in execution of your first Warrant dated the 25th April last.-

2 A different sentence having since been passed on the said Prisoners, the Court of Foujdaree Adalut desire, that you will instruct the Acting Criminal Judge of Salem to adopt the necessary measures for their recall to Salem, and on their arrival, to carry into effect your second warrant for their transmission to Chingleput, with a view to their transportation beyond sea, in pursuance of the sentence passed on them by this Court.-

9th August 1832.- (Signed) J. C. Morris
Acting Register

To

Foujdaree Diary 10th August 1832.-

№ 57

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

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will submit to the Right Honorable the Governor in Council the accompanying Copy of a letter dated the 30th Ultimo from the Provincial Court in the Centre Division together with Copy of the letter to which it refers and the original plan received from the Acting Criminal Judge of Chingleput requesting sanction for the erection of a Treadmill according to a plan transmitted by him and at an estimated expense of Rs. 1319-1-9.-

2 The Judges desire me to state that they doubt the expediency of incurring so considerable an expense at a Jail where there are but few Prisoners, and they are of opinion, that it would, at all events, be desirable to defer complying with Mr. Horsley's request, until the result of the trial of a Treadmill at Cuttack recommended in this Court's letter of the 26th December last, has been ascertained

10th August 1832.- (Signed) J. C. Morris
Acting Register

No.454 To

G. J. Casamajor Esqre

2nd Judge Provincial Court in the

Northern Division

Sir,

I am directed by the Court of Fouj.dary Adawlut to transmit to you extract of the correspondence noted in the margin and to acquaint you that Mr. D. Bannerman has been desired to complete the Circuit of the Northern Division and for that purpose to proceed to Guntoor where the establishment of servants and the Law-officer now with you should be directed to join him.-

The Court of Fouj.dary Adawlut authorize you under the orders of Government dated the 10th of August 1832 to entertain such extra servants as you may consider necessary to enable you to complete the Sessions at Cuddapah and they have issued instructions to the Provincial Court Centre Division to direct the Moofty of that Court to proceed to Cuddapah without delay for the purpose of holding the Sessions with you.-

13th August 1832.- (Signed) J. C. Morris

Acting Register

No.454 To D. Bannerman Esqre.

Acting Judge Provincial Court in the

Sir Northern Division

Government having appointed Mr. G. J. Casamajor

to officiate as an additional Judge of the Provincial Court in the Centre Division I am directed by the Judges of the Fouj.dary Adawlut to desire that you will complete the duties of the Circuit on which that Gentleman is at present engaged, and for that purpose, that you will proceed to Guntoor without delay.-

Mr. Casamajor has notified his intention of opening the Sessions at Guntoor on the 23rd Instant and the Judges trust that you will be enabled to perform that duty shortly after the same date.-

13th August 1832.- (Signed) J. C. Morris

Acting Register

No.58

No.466 To The Acting Secretary to Government

in the Judicial Department

Sir,

I am directed by the Judges of the Fouj.dary Adawlut to acknowledge the receipt of your letter of the 10th Instant transmitting for their consideration two Petitions from certain Inhabitants of the Village of Chandoor in the Southern Division of Arcot.-

2 The Judges having attentively perused the Petitions in question direct me to state that the Judge on Circuit and the Court of Circuit are the Officers whose duty it is to enquire on Petitions into complaints such as are therein described.-

3 If a party is dissatisfied with

the

the proceedings of a Magistrate should submit his grievance to the Judge on Circuit, who will adopt such measures as he may consider necessary for granting him redress, and if dissatisfied with the proceedings of the Joint Criminal Judge in disposing of a case he is authorized to apply to the Collective Court, who are authorized by section XXIV Regulation X of 1816 to call for the proceedings to call for the proceedings and to pass such orders as they may deem proper and consistent with the Regulations.-

4 The parties preferring the Petitions transmitted by Government do not appear to have made either of the applications alluded to and the Court of Foujdaree Adalut do not in consequence think there are grounds upon which they can regularly interfere in their case.-

5 They would therefore beg to recommend that the Petitioners be referred to the proper authorities.-

15th August 1832.-

(Signed) J. C. Morris
Acting Register

No. 59

No. 467 To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will submit to the Right

Right Honorable the Governor in Council the accompanying copy of a letter dated the 8th Instant from the 3d Judge officiating in the Provincial Court of Circuit in the Western Division forwarding a Medical Certificate of the inability of Mr Shakespear the 2nd Judge to proceed on Circuit.-

As there is now only one Judge of the Western Provincial Court fit for duty, the Judges of the Foujdaree Adalut beg to suggest that immediate measures be taken for supplying the vacancies on the bench of that Court.-

15th August 1832.- (Signed) J. C. Morris
Acting Register

No. 468. To The Judges of the Provincial Court of Circuit in the Centre Division

Gentlemen

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 9th Instant and with reference to the 4th para of the letter from the Joint Criminal Judge of Chinglepoot which accompanied it to request that you will furnish them with a copy of the instructions therein stated to have been issued to that officer by the Acting 3d Judge of your Court, under date the 9th April last to send all Prisoners sentenced to above six Months imprisonment to Chinglepoot specifying at the same time the authority under which the

the instructions in question were issued.-
15th August 1832.-

(Signed) J. C. Morris
Acting Registr

No 469. To T. Gahagan Esqre
2d Judge of the Provincial Court of
Circuit in the Centre Division

Sir

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 9th Instant reporting the death of G. Bapaya the Prisoner in case No 19 of the Bellary Calendar for the 1st Sessions of 1832, and to inform you that a reference of the case in question is no consequence deemed unnecessary.-
15th August 1832.-

(Signed) J. C. Morris
Acting Registr

No 470 To The Criminal Judge of
Cuddapah

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 12th instant and to inform you that the case to which you therein refer cannot legally be dealt with differently from any other.-

It appears to them that with the exception of making the customary translations, there will be no difficulty in preparing the case for trial before

Foujdaree Diary 15th August 1832.-

before the arrival of Mr Casamajor, and it is not improbable that translations may be deemed unnecessary by that Gentleman.-

At all events, the Foujdaree Adalut trust that you will use your utmost exertions to prepare the case at as early a period as practicable.-
15th August 1832. (Signed) J. C. Morris
Acting Register

No 471. To The Judges of the Provincial Court of Circuit
in the Centre Division

Gentlemen

I am directed by the Judges of the Foujdaree Adalut to inform you that Government have been pleased to appoint Mr G. L. Casamajor to officiate as an additional Judge of your Court, & have directed him to proceed with as little delay as possible to Cuddapah for the purpose of holding the trial of the persons supposed to have been concerned in the Murder of the late Mr Macdonald late Collector of that District.-

2 The Judges desire that you will direct the Moonsiff of your Court to proceed forthwith to Cuddapah to officiate as Law Officer at the continued Sessions, and that you will instruct the Criminal Judge to lay before the Court of Circuit in a supplemental Calendar the case or cases connected with the Murder in question.-
15th August 1832.- (Signed) J. C. Morris
Acting Register

No 473. To No 64

The Acting Secretary to Government in the Judicial Department

Sir,

1 With reference to my letter of the 30th July I am directed by the Judges of the Foujdaree Adawlut to request that you will submit to the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court in the Northern Division dated the 3rd Instant together with its enclosures, relative to the arrangements proposed to be made for the temporary accommodation of the Court Establishment at Berhampore, during the period the new Court House and Jail at that station are building.

2 The Court beg to state that they fully concur with the Provincial Court in opinion that the most advisable plan to be pursued, will be to engage at as low a rent as practicable, the house at present occupied as a Cutcherry for a Court House and as no house can be rented for the purpose, for purchase either Major Cleveland's or Captain Neill's Bungalows, as the Collector may recommend, for a Jail. The price of these houses is stated to be 1600 & 1400 respectively and the Court agree with the Provincial Court that it may reasonably be calculated that they will bring half the sum, when no longer required for the purpose for which the purchase was made.

To the Bd. in the Jud. D. 27 July 1832.

Rec'd 28th Aug. 1832.

3 Should Government concur in this recommendation, the Court would suggest that the necessary sanction be granted for carrying the arrangement into effect.

4 In conclusion the Court beg to request the attention of Government to the concluding part of the 2nd para of the Collector's letter, from which it will be observed, that the period at which the present Cutcherry will become available for a Court House, depends on sanction being granted for the purchase of the building, so much has been recommended for a new Cutcherry.

15th August 1832. (Signed) J. C. Morris
Acting Register

No 62.

No 478 To The Acting Secretary to Government in the Judicial Department

Sir,

With reference to my letter of the 15th Instant, I am directed by the Judges of the Foujdaree Adawlut to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter from Mr W. O. Shakespear reporting that he has cancelled the sick Certificate therewith transmitted and proposes to open the Sessions at Cuttack on the 22nd Instant.

20th August 1832. (Signed) J. C. Morris
Acting Registrar

No 479 To The 4 Provincial Court of Circuit

Gentlemen,

I am directed by the Judges of the Fouydaree Wadut to transmit to you the accompanying 4 Printed Copies of the Form No 4 for the half yearly Criminal statements to be furnished by your own Court - as also 12 Printed copies of Form No 3. 2 Copies for each of the Courts within your Division which I have to request you will forward to the several Criminal Courts within your Jurisdiction

20th August 1832 -

/Signed/ J. C. Morris
Acting Register

No 63

No 482. To The Acting Secretary to Government on the Judicial Department

Sir,

The Judges of the Court of Fouydaree Wadut, having received from the Criminal Judge of Canara an application for permission to make the tender of a conditional pardon to

Takoo
&
Uppaya

the 1st & 2nd Prisoners in Case 84 of 1832 on the Criminal File of his Court, wherein five persons are accused of an atrocious murder committed in the Town of Mangalore on the night of the 28th June last, "and being of opinion, from the circumstances represented by the Criminal Judge, that the measure is expedient with a view to the conviction of the principal offenders, direct

direct me to submit their recommendation that the Right Honorable the Governor in Council may be pleased to grant the requisite authority under the provisions of Section XX Regulation VIII of 1802.-

24th August 1832 - /Signed/ J. C. Morris
Acting Register

No 483. To The Acting First Judge late on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Court of Fouydaree Wadut to acknowledge the receipt of your letter of the 20th Instant and to transmit herewith a corrected copy of the sentence in Case No 1 on the Calendar of the Auxiliary Court at Coimbatoor for the 1st Sessions of 1832 which accompanied Mr Parker's letter of the 15th Instant.-

24th August 1832.- /Signed/ J. C. Morris
Acting Register

No 488. To The Acting Judge on Circuit in the Northern Division

Sir,

1 I am directed by the Judges of the Court of Fouydaree Wadut to acknowledge the receipt of your letter of the 13th Instant together with its enclosures, relative to the detention of certain persons, in the Jail of Chicacole, by the Magistrate of the District.-

2 The Court collect from Magistrate's Return of the 5th July last, that in his opinion, the Prisoner fall within the intent of the provision of Clause third Section VIII Regulation VI of 1827, and that

that it is not merely on the ground of the proceedings which came under the consideration of the Court of Circuit, in Case No. 32 of the Chicacole Calendar of the 2nd Sessions of 1831, that he has considered it necessary that they should be detained in confinement.-

3 The Court directs me to acquaint you that their Circular order of the 19th November 1822 was meant only to prohibit the detention of persons on a requisition of security by the Magistrate founded on evidence which the Court of Circuit have pronounced insufficient to warrant the requisition.-

4 Under this explanation, they request that you will call upon the Magistrate of Ganjam, to state, whether he is in possession of evidences, which has not been submitted to a Court of Circuit; that the persons who have petitioned you, are such as are described in Clause third Section VIII Regulation VI of 1827.-

27th August 1832.- (Signed) S. C. Morris
Acting Register

No. 489. To G. I. Casamajor Esqr.
2nd Judge of the Provincial Court of Circuit in the Northern Division
Cuddapah.

Sir,

I am directed by the Judges of the Foujdaree Sudder to acknowledge the receipt

of your letter of the 22d Instant and to transmit to you the accompanying copy of a letter which was addressed to you in the 13th Instant, but which it would appear had not been received by you on the dispatch of your letter.

By this communication you will observe that Mr. Bannerman has been instructed to complete the Circuit in the Northern Division on which you were engaged, when appointed to officiate temporarily in the Center Division.-

(Signed) S. C. Morris
Acting Register

27th August 1832.

No. 490. To The Criminal Judge in the Zilla of Nellore

Sir,

I am directed by the Judges of the Foujdaree Sudder Adawlut to acknowledge the receipt of your letter of the 22nd Instant and to forward to you the accompanying translation of the reply of the Mohummedan Law Officers of this Court to a Question similar to that therewith transmitted

27th August 1832.- (Signed) S. C. Morris
Acting Register

Fouzdaree Diary 27th August 1832.-

No. 491. To D. Bannerman Esqr.
Acting Judge on Circuit in the
Northern Division

Sir

I am directed by the Judges of the Court of Fouzdaree Adalut to acknowledge the receipt of your letter dated the 14th Instant requesting to be informed "in what manner a Judge on Circuit is to proceed" "in respect to "sentence which is unauthorized by Regulation, or the "opinion of the Law Officer, or which is contrary to reason "when there are no marks of insufficient investigation".
2nd

Your letter have led the Judges to reconsider the instructions, contained in the letter, addressed to you under date the 15th October 1831 which they find to have been founded on a more strict construction of the provisions of Section XXIII Regulation X of 1816 than that, declared in the proceedings of the Court of Fouzdaree Adalut dated the 29th May 1826, when their opinion was recorded, that "under a sound and liberal construction of that Section "the Judge on Circuit ought to refer cases" "in which a Criminal Judge had exceeded his jurisdiction, or any other "in which error was apparent, and remediable - the spirit "of the enactment being to obtain conection of error, when "practicable."-
3rd

The Judges desire that you will communicate to the Provincial Court of Circuit this letter, as repealed to modify the instructions above - mentioned of the 15th October 1831.-

27th August 1832.-

(Signed) J. C. Morris
Acting Registar

Fouzdaree Diary 27th August 1832.-

No. 492. To The Judges of the Provincial Courts of Circuit
in the
Southern & Western Divisions

Gentlemen

A reference having been made to the Judges of the Fouzdaree Adalut as to the manner in which a Judge on Circuit is to proceed in respect to a sentence by a Criminal Judge, which may be unauthorized by Regulation or the opinion of the Crown Law Officer, or which is contrary to reason, when there are no marks of insufficient investigation I am directed by the Judges to inform you that the Fouzdaree Adalut have ruled that under a sound and liberal construction of Section XXIII Regulation X of 1816 the Judge on Circuit may refer cases, in which a Criminal Judge may have exceeded his jurisdiction, or any "others in which error may be apparent, and remediable the spirit of the enactment being to obtain conviction of error when practicable.-

27th August 1832.- (Signed) J. C. Morris
Acting Registar

No. 493 To The Criminal Judge of
Canara

Transmitting copy of a letter from the Acting Secretary to Govt in the Judicial Department dated the 24th Inst, Granting authority to make a conditional offer of pardon to the two prisoners in a case of Murder No. 84 of 1832 on the Criminal Court of Canara.-

27th August 1832.- (Sent usual letter)

(No 64)

No 496. To The Acting Secretary to Government in the Judicial Department

Sir,

1 The attention of the Judges of the Court of Foujdaree Adaulut has been called, by a reference from the 3rd Judge of the Provincial Court of Circuit in the Western Division to the omission in Regulation IX of 1832 to provide for punishment of false charges preferred to Amenees of Police, appointed under the provisions of Section XI Regulation XI of 1816.

2 It appears to the Judges to be proper that this omission should be supplied, and they beg leave to suggest the insertion of the requisite provision in the Regulation, of which a draft was submitted, under date the 31st May last containing certain of the provisions of draft A submitted on the 7th December 1831.

30th August 1832.

(Signed) C. E. Mornington
Acting Registrar

No 497. To The Judges of the Provincial Court of Circuit in the Centre Division

Gentlemen,

1 I am directed by the Judges of the Foujdaree Adaulut to acknowledge the receipt of your letter of the 18th Instant and to state that they can see nothing in their order of the 27th October 1830 to warrant the instructions issued by Mr. Bushby to the Joint Judge of Chittagong on the 9th of April last.

2 By that order, authority was given to the Provincial Courts of Circuit to collect all the Prisoners in each division, not sent to one of the principal depots into such jail or jails, as they might consider best calculated to further particular objects in contemplation, but it was not competent to Mr. Bushby acting alone to issue any order or instructions on the subject.

In modification of the circular order of this Court above referred to, the Judges now desire that, whenever the Provincial Court may consider it expedient with a view to their more profitable employment on other objects, to congregate Prisoners in any particular Jail, they will apply for their sanction in each occasion before carrying the proposed transfer into effect.

30th August 1832.

(Signed) C. E. Mornington
Acting Registrar

(Circular)

No 498 To The Judges of the Provincial Court of Circuit in the Southern, Western and Northern Divisions

Gentlemen,

1 By the Circular of the Foujdaree Adaulut dated the 27th October 1830 authority was given to the Provincial Courts of Circuit to collect all the Prisoners in each division, not sent to one of the principal depots into such Jail, or Jails, as they might consider best calculated to further particular objects in contemplation.

2 In modification of these instructions the Judges now desire that whenever the Provincial Court may consider it expedient, with a view to their more profitable

profitable employment or other objects, to congregate Prisoners in any particular Jail, they will apply for their sanction on each occasion before carrying the proposed transfer into effect.-

30th August 1832.-

/Signed/ J. C. Morris
Acting Registr

№ 499 To /№ 65/

The Acting Secretary to Government
in the
Judicial Department

Sir,

With reference to my letter of the 10th Instant I am directed by the Judges of the Foujdaree Adawlut to request that you will lay before Government the accompanying copy of a further letter from the Provincial Court in the Centre Division relative to the Treadmill proposed to be erected in the Chinglepat Jail.-

2.

It occurs to the Judges that some difficulty may have been experienced in obtaining a Treadmill from Bombay for the use of the Cadiout Jail as suggested in this Courts letter of the 28th December last and in that case, they are of opinion that if the Right Honorable the Governor in Council doesnt consider the expenditure too great the plan proposed by Lieutenant Green presents an eligible opportunity of making trial of this mode of employing Prisoners and they would in consequence recommend that sanction be

to Govt 18th Aug.
From do 28th Dc.

be granted for the erection of a Treadmill in the Chinglepat Jail according to the plans submitted by that Officer the estimate expence of which is represented to be Rupees 1339-1-9.-

30th August 1832.- /Signed/ J. C. Morris
Acting Registr

№ 501 To The Judges of the Provincial Court in the
Northern Division

Gentlemen,

With reference to your letter of the 3d Instant, I am directed by the Judges of the Foujdaree Adawlut to transmit for your information and guidance the accompanying Copy of a correspondence with Government relative to the temporary arrangements proposed to be made for the temporary accommodation of the Court Establishment at Berhampore.

The observation contained in the 3d Para of the letter from Government should be communicated to the Collector and with reference to the concluding part of the 2nd para of Mr Stonhouses letter you will be pleased to report which of the two Bungalows that have been tendered, may be selected by the Collector for purchase as a Jail.-

31st August 1832.- /Signed/ J. C. Morris
Acting Registr

No 66

No 503. The Acting Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Fouzdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court in the Southern Division together with the correspondence with the Criminal Judge of Masulipatam to which it refers with their recommendation that sanction may be granted for the employment by that Officer of 5-7 Sepoys on pay not exceeding 5¼ Rupees per mensem, for the several periods at which they have been added to his establishment, in consequence of the arrival of Prisoners from other Districts

2 The Judges direct me to explain that no additional expense will be incurred by the transfer of the Prisoners in question to Masulipatam as a corresponding reduction will be made in the Jails from which they have been removed

3d September 1832.- (Signed) J. B. Morris
Acting Register

No 504. To The Third Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 27th Ultimo and in reference to the illegible

of the Criminal Judge of Madura affixed to the warrant for the execution of a Criminal therewith transmitted to request that you will call the attention of that Officer to the orders of Government bearing date the 27th July and published in the Fort St George Gazette of the 4th of August last, which direct that all public documents shall be authenticated in an uniform and legible manner.-

3d September 1832.- (Signed) J. B. Morris
Acting Register

No 505 To The Acting First Judge of the Provincial Court in the Southern Division

Sir,

1 I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 22d Ultimo and to state that it appears to them desirable from the representation therewith forwarded from the Magistrate of Trichinopoly, that a further number of Prisoners should be stationed at that place.-

2 The Judges concur with you in thinking that it is inadvisable to remove any of the Prisoners from the Jails at Salem and Combaconum, and they instruct me to inform you, that the Prisoners to whom you refer, in the 3d para of your letter, having been placed at the disposal of the Magistrate of Tanjore by order of Government it is not competent to them to recall them.-

3 Under these circumstances, they deem it preferable to direct that one hundred Prisoners should be transferred from the Jail at Madura to that at Trichinopoly, and they desire, that you will take the

the necessary measures for carrying this arrangement into effect directing that the Prisoners transferred be those sentenced to the longest period of confinement.-

3rd September 1832.- /Signed/ J.C. Morris
Acting Register

No. 510 To The Judges of the Provincial Court of Circuit in the Northern Division

Gentlemen,

With reference to your letter of the 2nd Ultimo, I am directed by the Judges of the Tonjidaree Adalut to transmit to you 30 Copies of the half yearly printed Criminal Statements No. 2 for the use of the General Magistrates in your Divisions.-

5th September 1832.- /Signed/ J.C. Morris
Acting Register

/No. 67/

No. 511. To The Acting Secretary to Government in the Judicial Department

Sir,

The Judges of the Court of Tonjidaree Adalut having received from the Criminal Judge in the Zilla of Cuddapa an application for permission to make the tender of a conditional pardon to "Boshah Burdar Abdool Khader" one of the individuals implicated in the Commitment ended in the violent death of Mr. M'Donald, and being of opinion, from the circumstances represented by the Criminal Judge, that this measure is expedient with a view to the conviction of the principal offenders, direct me to submit their recommendation that the Right Honorable the Governor in Council may be pleased to grant the requisite authority under the

the provisions of Section XX Regulation VIII of 1802.-

/Signed/ J.C. Morris
Acting Register

5th September 1832.-

/No. 68/

No. 512. To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Tonjidaree Adalut to request that you will submit to the Right Honorable the Governor in Council the accompanying copy of a letter from Mr. Bushby the Acting Judge on circuit in the Centre Division requesting permission to pass thro' the Presidency on his way to hold the Sessions at Chingleput.-

The Court beg to recommend that Mr. Bushby's request may be complied with.-

5th September 1832.- /Signed/ J.C. Morris
Acting Register

/No. 69/

No. 513. To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Tonjidaree Adalut to acknowledge the receipt of your letter of yesterday's date, communicating the death of Mr. Brunerman the Judge on Circuit in the Northern Division, and directing the Court to take immediate steps for the prosecution of the Circuit, on which that Gentleman was engaged.-

The Judges in reply, direct me to state, that as Mr. Cooke is the only Judge of Circuit remaining at Masulipatam, and cannot

in consequence, he deputed to continue the Sessions I have, in obedience to the above instructions, directed Mr. Casamajor the 2nd Judge of the Northern Provincial Court, as soon as he has brought to the duty on which he is at present engaged at Cuddapah to a termination to proceed with all possible expedition to Guntoor for the purpose of prosecuting the Circuit on which he was engaged previously to being relieved by you of Government.-

5th September 1832.

/Signed/ J. C. Morris
Acting Register

No. 514 To G. J. Casamajor Esqr.
2d Judge of the Provincial Court
Northern Division

Sir,

Intelligence having been received of the death of Mr. Bannerman, who was deputed to continue the Sessions, in the Northern Division, on which you were recently retained, I am directed by the Judges of the Fouydaree Adaulut to request that, as soon as you have brought the duty on which you are at present engaged, at Cuddapah, to a termination, you will proceed, with all expedition, to Guntoor, for the purpose of continuing the Sessions on which you were previously engaged.

The Judges desire that you will give notice to the Court Criminal Judge of Guntoor of the date on which you propose to open the Sessions at that Station.-

6th September 1832.

/Signed/ J. C. Morris
Acting Register

/No. 71/

No. 522 To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Fouydaree Adaulut to acknowledge the receipt of your letter No. 543, dated the 7th Instant and to transmit an amended draft of a Regulation to provide for the more effectual administration of Criminal Justice in certain cases containing the additional provision therein mentioned.-

10th September 1832.

/Signed/ J. C. Morris
Acting Register

No. 523 To The Second Judge of the Provincial Court in the Northern Division

Sir,

I am directed by the Judges of the Fouydaree Adaulat to acknowledge the receipt of your letter of the 3d Instant and to state that they are unable to give their support to the recommendation therein contained, that the batta withdrawn by the Moonshee of the Court of Circuit may be paid to a Moonshee of the Zillah Court at Nellore by whom the duty was performed during the Sessions at that place.-

The Judges observe that the batta in question is allowed to the Moonshees of the Court of Circuit to defray the extra expenses of travelling, and they think that a compliance with your request in this instance ought to be drawn into an inconvenient precedent.

For

for granting batta on all occasions when a Circuit Judge may require the services of the Zillah Court Establishment.

10th September 1832. / Signed / J. C. Morris
Acting Registr

No. 524 To G. J. Casamajor Esqr
2nd Judge of the Provincial Court of Circuit
in the Northern Division
Cuddapah

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter, dated the 3rd Instant stating that you are not aware under which enactment in the Regulations the acts of resisting the summons of a Head of Pergunnah and "forcibly removing the flags fixed to mark the Boundaries of certain Lands," - can be punished by a Magistrate, as a Criminal Offence.

2 With reference to the former of the cases here mentioned the Judges direct me to transmit to you an Extract of the proceedings of the Court of Foujdaree Adalut under date the 22nd January 18[illegible] and with respect to the latter, wherein the acts appear to be a trespass the Judges are of opinion that it falls within the scope of the provisions of Section XXXII Regulation IX of 1810 read in connection with Section XXXVI of the same Regulation.

10th September 1832. / Signed J. C. [illegible]
Acting [illegible]

No. 525 To The Provincial Court in the
Northern Division

Transmitting copy of a letter from the Acting Secretary to Government in the Judicial Department sanctioning the employment by the Joint Criminal Judge of Nundipatam of 57 Peons on payment not exceeding Rupees 5/- each per mensem.

10th September 1832. Sent usual letter

No. 526 To The Acting Magistrate of Northern Division of
Arcot

Returning the Summons enclosed in his letter of the 8th Instant with the endorsement of the Nazir of this Court.

10th September 1832. Sent usual letter

No. 527 To The Criminal Judge in the Zilla of
Cuddapah

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department, Authorizing to make a conditional offer of pardon to certain Person implicated in the tumult which ended in the violent death of Mr. McDonald on the file of the Criminal Judge of Cuddapa.

10th September 1832. Sent usual letter

/ No. 72 /

No. 532 To The Acting Secretary to Government in the
Judicial Department

Sir

The Judges of the Court of Foujdaree Adalut having received from the Joint Criminal Judge of the

№ 534 To The Judges of the Provincial Court in the
Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter of the 4th Instant, and to inform you that Mr. G.P. Casamajor has been directed to complete the circuit in the Northern Division, as soon as he has brought to a termination the duty on which he is at present engaged at Cuddapah and that the necessary instructions will be communicated by him to the Joint Criminal Judge of Guntoor in regard to the period at which he will be enabled to open the Sessions at that Station.-

2 The Judges direct me to add that the Prosecutors and Witnesses are of course entitled to batta for the whole period of their attendance on the Court.-

12th September 1832. /Signed/ J. C. Morris
Acting Register

№ 535 To A. Oakes Esqre
First Judge of the Provincial Court in the
Centre Division.

Sir,

I am directed by the Judges of the Foujdaree Adawlut to transmit to you the accompanying copy of a letter from the Acting Secretary to Government in the Judicial Department and to desire that in all the instructions therein contained you will

the auxiliary Court at Coimbatore an application for permission to make the under-mentioned person an object of

Gopaulan
and
Chinnapa Chitty

Prisoners, not being Principals in the postponed
№ 52 case № 2 of the Coimbatore Calendar for the
1st Sessions 1832, and being of opinion, from the
circumstances represented by the Joint Criminal
Judge, that this measure is expedient, and with
reference to the conviction of the principal offender
direct me to submit their recommendation to
the Right Honorable the Governor in Council
that he may be pleased to grant a pardon to the
under the provisions of Section XX Regulation
of 1802.-
12th September 1832.

№ 533 To Mr. H. Bushby
Acting Judge on Circuit in the
Centre Division.

Transmitting Copy of a letter from
the Acting Secretary to Government in the Judicial
Department Committing Mr. H. Bushby Acting Judge
on Circuit in the Centre Division to proceed through
the Presidency on his way to hold the Sessions at
Chingleput
12th September 1832

Circular Letter.

/Signed/ J. C. Morris
Acting Register

will take measures for completing the Circuit as soon
Mr. Bushby has recently been engaged..
The Judges desire me to intimate to you
that the 15th October has been fixed for opening the
Sessions at Chingleput..
14th September 1832.

/Signed/ J. C. Morris
Acting Register

No 541 To The Acting Secretary to Government in the
/No 75./ Judicial Department

Sir,

With reference to the 3d para of my letter
of the 23d July last, I am directed by the Judges of the
Fouydaree Adawlut to request that you will lay before
the Right Honorable the Governor in Council the
accompanying Copy of a correspondence with the
Provincial Court in the Centre Division relative to an
application made by the Judges of the auxiliary
Court at Cuddalore for an increase to his Jail estab-
=lishment..
2
The Judges direct me to state that on the
3d July last there were in the Jail at Cuddalore
204 Prisoners, whilst the Jail Establishment con-
=sists of 1 Jailor 1 Deputy Jailor, 3 Duffadars
and 46 Peons, which they are of opinion is not quite
sufficient, and they would in consequence beg to recom-
=mend that sanction may be granted for an increase
of 4 Peons, making 50 in all, which will place the
establishment on an equality with that at Coimba-
=toor, where there about the same..
17th September 1832.

/Signed/ J. C. Morris Actg Regr

/No 76/

No 542 To The Acting Secretary to Government in the
Judicial Department

Sir,

The Judges of the Court of Fouydaree Adawlut,
having received from the Criminal Judge in the
Zilla of Cuddapa an application for permission
to make the tender of a conditional pardon to

"Canal Mahummud
Bhooma Shingay and
Yellama Soobaroydoo alias
Ramasawmy"

three of the Prisoners implicated in the charge
of having placed a Pig in the Musjeed of the
Town of Cuddapah and thereby caused the Tumult
in which Mr. Mac Donald lost his life, and being
of opinion, from the circumstances represented
by the Criminal Judge, that this measure is expe-
=dient, with a view to the conviction of the principal
offenders, direct me to submit their recommenda-
=tion that the Right Honorable the Governor in
Council may be pleased to grant the requisite
authority under the provisions of Section XX
Regulation VIII of 1802..

17th September 1832.. /Signed/ J. C. Morris
Actg. Register

To

No 543. To Mr. G: J: Casamajor
Additional Judge of the Provincial Court
of Circuit in the
Centre Division

Sir,

1 I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 11th Instant, and to inform you that under the circumstances therein stated, they entirely approve of the arrangements you have made for opening the Sessions at Guntoor on the 25th proximo.-

2 Your letter to the Joint Criminal Judge of Guntoor has in consequence been forwarded to that Officer, the blank having been previously filled up as the date.-

17th September 1832.

/Signed/ J: G: Morris
Acting Registr

No 544 To The Joint Criminal Judge in the Zilla of
Masulipatam

Acknowledging the receipt of a bill for 10 Rupees advanced to the Peons in the Zilla of Masulipatam who brought a warrant.-

17th September 1832.

Sent usual letter

No 549 To The Criminal Judge in the Zilla of
Cuddapah.

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department, authorizing the conditional offer of a pardon to 3 Persons concerned in the charge of having thrown a fire into the Mosque at Cuddapah which caused the tumult in which Mr. McDonald was killed.-

19th September 1832.

Sent usual letter

No 550 To The Joint Criminal Judge
Coimbatore

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department, authorizing to make the offer of a conditional Pardon to certain Persons not being principals in the postponed Case No 2 Coimbatore Calendar of 1st Sessions 1832.-

19th September 1832.- Sent usual letter

No 551. To The Judges of the Provincial Court in the
Northern Division

Gentlemen,

I am directed by the Judges of the Fouzdaree Adalut to request that you will at your earliest convenience, forward to them the several trials which were under reference by the late Mr. Bannerman and of which a list is noted in the Margin.-

The Judges direct me to add that it is not necessary that the trials in question should be accompanied by the usual letter, furnishing an abstract of the case.-

19th September 1832. /Signed/ J: G: Morris
Acting Registr.

(Nos. 1, 14 & 35 of the Calendar of Sessions 1831 and No 2 of Sessions 1832.)

No 553 To The Second Judge of the Provincial Court of Circuit in the Centre Division

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial department, expressing the satisfaction of Government at the favorable report of the Judge on Circuit in the Centre Division for the 1st Sessions of 1832.

24th September 1832.

Sent manial letter

/No 77./

No 554 To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Sudder and Foujdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter dated the 15th Instant from the 3d Judge on Circuit in the Southern Division requesting two Months leave of absence from his station from the 1st of November next preparatory to his embarkation for England, and that arrangements may be made for relieving him from the duties of the Circuit on which he is at present engaged, when he shall have completed the delivery of the Jail at Combaconum.-

2 The Judges direct me, in submitting Mr Taylor's application, to state that owing to the absence

absence of Mr Dickenson there is no Judge in the Southern Division available for the completion of the Circuit on which the former Gentleman is now Employed and that the Sessions at Combaconum will commence on the 24th Instant.-

24th September 1832.- /Signed/ J. C. Morris
Acting Register

No 555 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

With reference to your letter of the 9th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copies of a letter to the Acting Secretary to Government in the Judicial Department and of his reply, from which you will observe that the Right Honorable the Governor in Council has been pleased to sanction an increase of 4 Peons to the Jail Establishment at Cuddalore.-

26th September 1832.- /Signed/ J. C. Morris
Acting Register

No 556 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 20th Instant and under the circumstances mentioned by the Assistant Surgeon of the Zillah of Cuddapah, in the letter therewith transmitted, to convey to you their sanction for the transfer

of

Foujdaree Diary 28th September 1832.-

of the Commits Nauraym and Copain from the Jail at Cuddapah to that at Chingleput.-
28th September 1832.-

/Signed/ J. C. Morris
Acting Registr

No 557. To Four Provincial Courts of Circuit

Gentlemen

The Court of Foujdaree Adalut having observed that mistakes are occasionally made in the designation given at the head of the column containing the abstract of the charges of the crimes of Prisoners committed to take their trial before the Courts of Circuit, I am directed by them to desire that you will instruct the Criminal Judges and Joint Criminal Judges and Native Criminal Judge of your Division, for the future, to insert the proper description of the crime, and merely to insert in the proper Column of their respective Calendars, the facts with which the Prisoners are charged.-
28th September 1832.-

/Signed/ J. C. Morris
Acting Registr

Foujdaree Diary 1st October 1832.-

/No 78/

No 361 To

The Acting Secretary to Government in the Judicial Department

Sir

1. I am directed by the Judges of the Foujdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the late Acting Judge on Circuit in the Centre Division requesting to be informed whether he is to submit certain trials under reference to this Court, or whether that duty is to be performed by the Judge who has been directed to complete the Circuit.-

2. The Judges direct me to state that not only are there the Cases to which Mr Bushby alludes that require to be referred to them, but there is also a voluminous trial of the Chittoor Calendar first Quarterly Sessions 1832. under reference, and it is likewise necessary that he should submit the Calendar of Prisoners who have been tried by him at Bellary, and furnish explanations called for by this Court on review of the Calendar of the late Sessions at Cuddapah.

3. These duties the Judges think can be satisfactorily performed by Mr Bushby, who presided at the trials, than by another Judge, unacquainted with the particulars of the Cases, and as their performance will in all probability occupy his time and attention until the termination of the year, the Judges would beg to propose, that in modification of the instructions which Mr Bushby has received to join his station by the 1st proximo he be required to complete the duties remaining unperformed by him in the Centre Division with as little delay as possible

and

of the Convicts Nauraycu and Coopain from the Jail at Cuddapah to that at Chingleput.-
26th September 1832.-

/Signed/ J. C. Morris
Acting Registr

No 557. To Four Provincial Courts of Circuit

Gentlemen

The Court of Foujdaree Adalut having observed that mistakes are occasionally made in the designation given at the head of the column containing the abstract of the charges of the crimes of Prisoners committed to take their trial before the Courts of Circuit, I am directed by them to desire that you will instruct the Criminal Judges and Joint Criminal Judges and Native Criminal Judge of your Division, for the future, to omit the general description of the crime, and merely to insert in the proper Columns of their respective Calendars, the facts with which the Prisoners are charged.-
26th September 1832.-

/Signed/ J. C. Morris
Acting Register

/No 78/

No 561 To

The Acting Secretary to Government in the Judicial Department

Sir

1. I am directed by the Judges of the Foujdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the late Acting Judge on Circuit in the Centre Division requesting to be informed whether he is to submit certain trials under reference to this Court, or whether that duty is to be performed by the Judge who has been directed to complete the Circuit.-

2. The Judges direct me to state that not only are there the Cases to which Mr Bushby alludes that require to be referred to them, but there is also a voluminous trial of the Chittoor Calendar first Quarterly Sessions 1832 under reference, and it is likewise necessary that he should submit the Calendar of Prisoners who have been tried by him at Bellary, and furnish explanations called for by this Court on review of the Calendar of the late Sessions at Cuddapah.

3. These duties the Judges think can be satisfactorily performed by Mr Bushby, who presided at the trials, than by another Judge, unacquainted with the particulars of the Cases, and as their performance will in all probability occupy his time and attention until the termination of the year, the Judges would beg to propose, that in modification of the instructions which Mr Bushby has received to join his station by the 1st proximo he be required to complete the duties remaining unperformed by him in the Centre Division with as little delay as possible

and

and to repair to Nellore in the Month of January your
there to open the 1st Sessions of 1833 which will fall to his
tour of duty as 3rd Judge of the Provincial Court in the
Northern Division.

4.

The Judges direct me to add that as no
of the Establishment can be spared by the Judges now on
Circuit in the Centre Division and it would occasion con
siderable inconvenience to bring Servants and Stores
from Chittoor to Madras, they are of opinion that
Mr. Bushby should be instructed to complete the
business remaining to be performed in the Centre
Division at the Sat of the Provincial Court
1st October 1832 /Signed/ J. C. Morris- Acting Regr

No 562. To

The Criminal Judge of the
Zillah of Chittoor

Sir,

I am directed by the Judges of the
Foujdaree Adalut to acknowledge the receipt
of the 26th Ultimo and to inform you that a plan of the
Treadmill invented by Lieutenant Green of the Engi
has already been submitted to Government, on an ap
plication from the Judge of Chingleput for its intro
duction into the Jail of his Zillah.
1st October 1832- /Signed/ J. C. Morris Acting Regr

No 563

To

W. B. Shakespear Esqre 1st Judge on Circuit in the
Western Division

Sir,

I am directed by the Judges of the Foujdaree
Adalut

No 557

Adalut to acknowledge the receipt of your letter of the 25th
Ultimo, and under the circumstances therein stated, to convey
to you their permission to hold the Jail delivery of North Ca
nara at Mangalore.
1st October 1832. /Signed/ J. C. Morris- Acting Register

No 564 To The Provincial Court in the
Southern Division

Sir,

I am directed by the Judges of the Foujdaree
Adalut to acknowledge the receipt of your letter of the 24th Ultimo
and in reply to state that they do not think proper to recom
mend any increase to the Jail Establishment at Combaco
num, but desire that your Court will relieve the Jail by trans
ferring to Trichinopoly such Number of Prisoners as may
be deemed expedient
1st October 1832. /Signed/ J. C. Morris- Acting Register

No 565 To The Third Judge of the Provincial Court of Circuit
in the Southern Division

Transmitting Copy of a letter from the Acting
Secretary to Government in the Judicial Department
with an Extract from the Minutes of Consultation
permitting Mr. W. R. Taylor 3rd Judge Provl Court S. D.
to be absent for 2 Months preparatory to his embarkation
for England.
1st October 1832. Sent usual letter.

No 566 To C. R. Cotton Esqre
3rd Judge of the Provincial Court in the
Southern Division

Sir,

I am directed by the Judges of the
Foujdaree

Fouzdaree Adalut to request that you will, in communication with Mr Taylor, fix the date on which you will open the Sessions at Salem, and that you will take the necessary measures for completing the circuit from which that Gentleman has been relieved, on the completion of the Sessions at Combaconum.-

1st October 1832.- /Signed/ J. C. Morris
Acting Register

No. 567. To The Criminal Judge in the Zillah of Chingleput.

Returning the Summonses enclosed in his letter of the 22nd Ultimo, with the endorsement of the Nazir of this Court.-

1st October 1832.- Sent usual letter

No. 568 To The Second Judge of the Court of Circuit in the Western Division

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department, acquainting that the Government concur in the Courts observations on receiving the Circuit Report of the 2nd Judge of the Court of Circuit in the Western Division for the 1st Quarter Sessions 1832.-

1st October 1832.- Sent usual letter

No. 571. To G. J. Casamajor Esqr
Officiating Additional Judge in the Centre Division

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 29th Ultimo and to inform you that although

authority is not expressly given by any provision in the Regulations to the Court of Circuit to direct a Magistrate to send to the Criminal Court a suspected person, yet it appears to them unquestionable that it is competent to you, under the circumstances stated in your letter, to apprize the Magistrate of the evidence against the District Moonsiff of Cuddapah and to instruct him to hold proceedings with a view to his committal by the Criminal Judge with reference to Section VIII Regulation X of 1816.-

3d October 1832.- /Signed/ J. C. Morris
Acting Register

No. 572 To 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 of the 20th Ultimo transmitting the Criminal Statements for the 1st half of the current year received from the Magistrate of Malabar and to remind you that similar Statements have not been received from the same officer for the last half of the year 1831, for the want of which the usual report from this Court to Government has been delayed many months.-

The Judges of the Fouzdaree Adalut desire that you will bring this circumstance to the notice of the Magistrate of Malabar and will require him to submit the Statements without further delay.-

3d October 1832.- /Signed/ J. C. Morris
Acting Register

No 576 To The late Acting Judge on Circuit in the Northern Division

Sir,

1 I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter of the 24th Ultimo transmitting copy of a letter from the Magistrate of Ganjam relative to the detention by him of certain persons in the Jail of Chicacole, and in reply to communicate to you the following observations and instructions.-

2 According to the orders of the Foujdaree Adawlut dated the 25th February 1824 it is not competent to a Magistrate to commit a person to jail under Section III Regulation II of 1822, without a personal examination of the case, and in consequence the order of the Magistrate of Ganjam founded on the proceedings of a Police officer was irregular, and the Court of Circuit, having had the proceedings before them directed the release of the Prisoners.-

3 Under Clause third Section VIII Regulation VI of 1827, the Magistrate's order must be founded in evidence adduced before him and if Mr Agitair has evidence to shew the persons referred to in his letter, to be what he therein states them to be well known to be the Court think that the provisions of that Clause may now be applied to them but you will be pleased to inform him that they cannot be detained excepting upon a requisition from him founded on proceedings to come under the review of the Court of Circuit and that those proceedings must be held by him in person.-

4 The Magistrate states that the persons referred to "undoubtedly" fall within the intent of Clause third Section VIII Regulation VI of 1827 but it should be explained to him that those provisions can only be applied in the manner therein described.-

5 It appears clear to the Court that there is at present no legal ground for detaining the parties, and they in consequence desire that the Magistrate may be informed that if he can obtain evidence of the facts stated in his letter they will be forwarded to him, with a view to their being regularly committed, but that if not, they will be discharged and their reapprehension prohibited.-

(Signed) J. C. Morris
Actg Register

5th October 1832.

No 582- To The Provincial Court of Circuit in the Centre Division

Transmitting Copy of a letter from the Actg Secretary to Government in the Judicial Department, transmitting Extract from the Minutes of Consultation of the same date at which it was resolved that Lieut Green of the Engineers should be authorized to construct in the Chingleput Jail a treadmill on a plan submitted by him at an estimated expense of Rupees 1309-1-9-

10th October 1832.- Sent usual letter.

No 589. To The Provincial Court of Circuit in the Centre Division

Gentlemen,

1 I am directed by the Judges of the Tanjore Zoulut to acknowledge the receipt of your letter of the 2nd Instant, transmitting copy of a letter from the Acting Joint Criminal Judge of Chingleput reporting the escape of six Prisoners.-

2 The Judges observe that the escape of the persons in question is mainly attributable to their having been allowed to leave the Jail under an insufficient guard, but it would likewise appear, from the deposition of the Prisoner Narrainen, referred to by the Acting Joint Criminal Judge, that a neglect of the Jail Rules, circulated by this Court on the 8th October 1821 has partly contributed to enable the Prisoners to effect their object.-

3 The Judges desire that particular inquiry may be made whether the 9th and 38th Rules, which enjoin a daily examination of the Prisoners persons and irons, have been strictly observed in the Cuddalore Jail, and in the event of such not proving to have been the case, that the Jailor may be immediately dismissed from his situation they also desire to be informed upon what authority, whether that of the Jailor or any subordinate officer 99 Prisoners were sent out under charge of 6 Peons.-

4 The Judges trust that every exertion will be made to effect the reapprehension of the Criminals now at large.-

In

5 In conclusion I am instructed to desire that you will explain the cause of your letter of the 2nd now under reply not having been received by this Court until the 9th Instant.-

13th October 1832.- (Signed) J. C. Morris
Acting Register

No 590 To The Acting Criminal Judge of Coimbatoor

Sir,

1 I am directed by the Judges of the Tanjore Zoulut to acknowledge the receipt of your letter of the 1st Instant and in reply to inform you that 70 Prisoners were transferred from the Jail at Trichinopoly to the charge of the Magistrate of Tanjore, to complete the number of convicts required by that officer, in the letter to which you refer.-

2 The Court direct me to add that the Provincial Court of Circuit have been instructed to relieve your jail by transferring to Trichinopoly such number of Prisoners as may be deemed expedient.-

In conclusion I am instructed to inform you that your letter now under reply should have been forwarded through the collective Court of Circuit.-

13th October 1832.- (Signed) J. C. Morris
Acting Register

No 591. To The Third Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Tanjore

Foujdaree Vakeel to acknowledge the receipt of your
letter of the 2nd Instant and to inform you that they
wish to defer passing orders on the case therein referred
to, until after the receipt of the Calendar of the present
Sessions.-

13th October 1832.-

/Signed/ J. C. Morris
Acting Register

No 592. To

H. T. Bushby Esqr

3rd Judge Provincial Court in the
Northern Division
at
Chittoor

Sir,

1 I am directed by the Judges of the
Foujdaree Vakeel to transmit to you the accompa-
nying Copy of a correspondence with Government
from which you will observe that it has been
deemed advisable that you should repair to Chittoor
to finish the business left unperformed by you in
the Centre Division.

2 As the Courts letter to Government spe-
cifies the particulars of work to be performed
they do not consider it necessary to furnish you
with further instructions. They trust however that
you will be able to bring the whole of the busi-
ness to a conclusion in time to enable you to
proceed to Nellore on Circuit to hold the 1st
Sessions of 1833 at the usual period, the necessary
arrangements for which you will be pleased
to make no communication with the Collective
Court of Circuit since this letter was dictated
by the

the Court have received intimation of your arrival
at Chittoor.-

13th October 1832.- /Signed/ J. C. Morris
Acting Register

No 593. To The First Judge of the Provincial Court of
Circuit in the
Southern Division

Sir,

1 I am directed by the Judges of the Foujdaree
Vakeel to acknowledge the receipt of your letter of the
5th Instant, transmitting copy of a letter from the Acting
Criminal Judge of Salem, reporting the attempt to
escape, of certain convicts, ten in number, on their
way from Bellary to Salem, that two had escaped
that of the remaining eight, one had died of the
wounds he received, another was not expected to live
and of the others, three were more or less hurt.

2 No further proceedings need be instituted
against each of the Convicts as have been sentenced
to transportation for life and those in custody may be
immediately forwarded to Chingleput, with a view
to their transportation beyond Sea in pursuance
of the sentence passed on them and the necessary mea-
sures should be adopted by the Acting Criminal
Judge for bringing to trial the others, not similarly
situated for the attempt to escape.-

3 The Judges desire that the Acting Criminal
Judge of Salem will strictly investigate the conduct
of the Peons on the present occasion, and should it
appear, that wanton cruelty has been practised
by them on the Convicts, that he will take the
necessary

No 5 necessary measures for bringing them to justice. The Judges
desire that the culpable negligence of the whole guard,
may be reported to the Magistrate of Bellary, with a
view to their dismissal from the public service.-

4 The Judges direct me to state that they cannot
concur with you in deeming it advisable that Guards
in charge of Prisoners, should be armed only with
sticks, for they are of opinion that if it were not for
the terror of the weapon they now carry, attempts at
escape would be more frequent, and would be
tenfold more successful than they have hitherto been.

5 The Judges remark that the case to which
you refer, is a solitary instance of the arms of a
guard having been turned against themselves.-

6 In conclusion the Judges desire me to
express their hope that every exertion has been made
to reapprehend the two Convicts who have effected
their escape.-

15th October 1832.-

/Signed/ J. C. Morris
Acting Register

No 598 To G. J. Casamajor Esqr
Officiating Additional Judge Provincial
Court in the Centre Division

Sir,

I am directed by the Judges of the
Board to acknowledge the receipt of your letter of
the 11th Instant and to desire if you concur in the
acquittal of the Prisoners in the case of polluting a
Mosque, that you will transmit to them an English
translation of the Proceedings with a view to their
being laid before Government in conformity with the
instructions contained in the concluding part of Mr
Stonhouse's letter of the 17th Ultimo; copy of which was
forwarded to the Criminal Judge of Cuddapah, with
my letter of the 19th of the same month.-

17th October 1832.- /Signed/ J. C. Morris
Acting Register

No 599 To H. Dickenson Esqr
2nd Judge in the Southern Division

Sir,

I am directed by the Judges of the Sudder Board
to transmit to you the accompanying Copy of a letter from
the acting Secretary to Government in the Judicial Depart-
ment dated the 18th Instant, and in pursuance of the instruc-
tions therein contained, to desire that you will, in commu-
nication with the 3rd Judge now on circuit, to be the
necessary measures for opening the 2nd Sessions of the
Current year at Salem.-

17th October 1832.- /Signed/ J. C. Morris
Acting Register

No 613 To The Second Judge of the Court of Circuit in the
Western Division

Sir,

1 I am directed by the Judges of the Sudder
Board to acknowledge the receipt of your letter of the
10th Instant and to inform you in reply that they are
of opinion that the cases of false swearing to which
you therein refer, clearly amount to Perjury.-

2 The inquiry into the alleged Malversation
of the Nazir in violation of the oath taken by him
under

under Section IV Regulation XII of 1802 can only be looked upon as a judicial proceeding which the Head of the Office was clearly competent to institute.-

3 The Judges are of opinion that the parties should be tried separately for the perjury and subornation. If either of the Witnesses are convicted of the former crime, the Subornor should be put on his trial but if they are both acquitted he must of course be discharged

4 The Judges desire me to point out to you that on the trial for subornation the case of perjury must be again proved, as it is a principle of Law that the Record of the conviction of the Perjurer is not evidence sufficient against the Subornor, but that the crime of perjury must be again regularly proved.-

27th October 1832

[Signed] S. C. Morse
Acting Registr

No 614

To The Provincial Court of Circuit in the Centre Division

No 615

To The Judges of the 4 Provincial Courts of Circuit

Gentlemen,

1 It being in contemplation to introduce into the Code of this Presidency the following provisions taken from Bengal Regulations X of 1811, and III of 1832, the Judges of the Court of Sudder Adawlut are desirous of obtaining your opinion as to the expediency of the proposed enactments with reference to the local circumstances of the provinces within the limits of your jurisdiction, it being borne in mind that by the provisions of the 51st G. III Cap. 23 the importation of slaves by sea into the British territories is already made penal.

2 The importation of slaves by land into the places immediately dependent upon the Presidency of Fort St. George is hereby strictly prohibited.-

3 Any person who may be convicted before a Criminal, Joint Criminal or Native

Criminal

Criminal Judge of the offence of importing by land a slave or slaves, into the territories subject to the Presidency of Fort St George subsequently to the promulgation of this Regulation, shall be sentenced to imprisonment for six months, and to pay a fine to Government, not exceeding two hundred rupees, commutable if not paid to further imprisonment, not exceeding six.

4 All slaves who subsequently to the promulgation of this Regulation may be removed by sea or land for purposes of traffic from any country, territory, or province, British or foreign into any district dependent of Fort St George, or who may be so removed from one or that may became hereafter dependent on the Presidency Zilla subject to that Presidency into another subject thereto, are hereby declared free.

5 After the promulgation of this Regulation all persons, concerned in the sale or purchase as a slave of any man, woman, or child, so removed, knowing him or her to have been so removed shall on conviction before a Criminal Saint Criminal, or Native Criminal Judge be sentenced to imprisonment for six Months, and to pay a fine to Government not exceeding two hundred rupees, commutable if not paid to further imprisonment, not exceeding six Months. The Judges of the Toudaree Adalut wish, that your opinion upon the expediency of enacting the foregoing provisions should be furnished without delay; but should you deem it advisable to conduct the Criminal Judges, or the Magistrates within your jurisdiction on the subject, you will do so.-

27th October 1832-

(Signed) J. C. Morris

Acting Regr

Toudaree Diary 2d November 1832-

No 622 To The Provincial Court of Circuit in the Southern Division

Gentlemen,

1 I am directed by the Judges of the Toudaree Adalut to acknowledge the receipt of your letter of the 23d Ultimo and to communicate to you the following instructions in respect to the Jail Establishments at Trichinopoly Madura and Combaconumm-

2 The Judges desire that the Trichinopoly Jail may be complemented to its full Complement of 350 Prisoners, by the transfer of the requisite number of Convicts from Combaconumm, and that the full Establishment of Peons which has received Sanction, Viz. one Jemedar, three Duffadars and 81 Peons may be entertained, which the Judges trust will be found sufficient for their safe Custody.-

3 If after the transfer above directed, the establishment of the Combaconumm Jail is still found sufficient the Judges desire that such increase as may be absolutely requisite, may be applied for until the number can be further reduced by filling up from that Jail all vacancies that may occur in the Jail at Trichinopoly.-

4 The Judges desire that a reduction in the Establishment at Madura may be made proportionate to the number of Prisoners recently transferred to Trichinopoly.-

(Signed) J. C. Morris-

Acting Register

2d November 1832-

(No 81)

No 629 To The Acting Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Toudaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from Mr G. J. Casamajor at present officiating as additional Judge of Circuit in the Centre Division reporting that, in consequence of the heavy press of business at Cuddapah, there is no probably of his being able to open the Sessions at Guntoor before the 1st proximo.-

2 Under these circumstances it will not be practicable for Mr Casamajor to deliver the whole of the Jails in the Northern Division within the current year, and

and the Judges of the Tongdaree Adalut in consequence, would beg to suggest, in adverstence to the provisions of Section XI Regulation VII of 1802 that a special arrangement may be made for the delivery of the Jails at Rajahmundry, Vizagapatam and Chicacole

6th November 1832

(Signed) J. C. Morris
Acting Register

No 630 To The Second Judge on Circuit in the Southern Division.

Sir

I am directed by the Judges of the Tongdaree Adalut to transmit to you the accompanying extract from their Proceedings under date the 3d instant in reviewof the Combaconum Calendar 2d Sessions of the present year, and as Mr Taylor has left the Division and is unable so to do to request that you will take necessary measures for the execution of the order contained in the 4th and 5th paras thereof--

8th November 1832

(Signed) J. C. Morris
Acting Register

No 631 To The Acting Judge and Criminal Judge in the Zillah of Cuddapa

Sir

I am directed by the Judges of the Tongdaree Adalut to acknowledge the receipt of your letter of the 31st Ultimo and under the circumstance therein stated, to convey to you their sanction for the adjournment of the Civil Court at your Station for six weeks-

8th November 1832-

Signed J. C. Morris
Acting Register

No 632 To The Joint Criminal Judge of Masulipatam

Sir

I am

I am directed by the Judges of the Court of Tongdaree Adalut to inform you that the sum of 10 Rupees was advanced by this Court in the month of October to the Peons deputed by you to apprehend Colloory Veerasee, late a district moonsiff in your Zillah, and to request that you will take the necessary measures for the repayment of the amount by a bill on

Madras-
12th November 1832

(Signed) J. C. Morris
Acting Register

No 82

No 638 To The Acting Secretary to Government in the Judicial Department

Sir

I am directed by the Judges of the Tongdaree Adalut to acknowledge the receipt of your letter of the 6th Instant, and in reference to the Petitions therewith transmitted, stated to be from the Inhabitants of certain Talooks in the district of Chingleput though without signature, to state that the Provincial Court of Circuit in the Centre Division have been directed to call upon the Magistrate of Chingleput to submit without delay a special report on the state of his District, and at the same time to instruct him to publish a proclamation in the Talooks in question, notifying that all persons having charges to prefer against the Police should address the Judge on Circuit the proper authority to investigate complaints of that nature

12th November 1832

Signed J. C. Morris
Acting Register

To

should be given to Private Daugherty for superintending the work in question

14th November 1832.- /Signed/ J. C. Morris
Acting Register

No 641. To C. H. Stromboom Esqr
Criminal Judge of Cuddapah at
Cuddapah

Sir,

I am directed by the Judges of the Foujdaree Adawlut to acknowledge the receipt of your letter of the 7th Instant and in reply to inform you that they do not think proper to comply with the request therein contained, as they do not feel themselves called upon to interfere with the proceedings of the Court of Circuit to which you refer.

14th November 1832.- /Signed/ J. C. Morris
Acting Register

/No 83./

No 646. To The Acting Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adawlut to request that you will lay before the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court of Circuit in the Western Division forwarding copy of a communication from the Criminal Judge of Malabar, reporting the escape of four convicts from Cotacamund.

After the conduct of the guard on the

the occasion does not appear to be entirely free from blame, and the Judges will in consequence consider their duty to enforce [illegible] in any [illegible] to suppose that the conduct of the Prisoners in question is mainly to be attributed to the insecurity of the building in which they were confined, and the Judges would therefore suggest, that unless other accommodation better suited to the preservation of the health and safety of the convicts than that at present allotted is represented to be, can be provided, they should be returned to the Jail from which they were transferred.-

15th November 1832.-

[signed] J. C. Morris
Acting Register

No. 847 To The Provincial Court in the
Southern Division

Gentlemen,

A considerable number of convicts drawn from the Jail at Calicut being at present employed under the orders of Government on the Neelgherries, I am directed by the Judges of the Foujdaree Adalut to desire that the Judges proceeding on circuit to Coimbatoor, will invariably consider it a part of his duty to visit the Jail Establishment at Ootacamund, and to make such report to this Court in regard thereto as may appear to be necessary.

15th November
1832.-

[signed] J. C. Morris
Acting Register

No. 84

No. 848 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 of the 2nd Instant, transmitting extract from the Minutes of Consultation, in the Military Department, with Copy of the letter therein referred to from the officer commanding on the Neelgherries, and requesting that they will submit their opinion as to the best mode of coercing and punishing for refractory conduct - the Convicts placed under his orders.-

2 The Judges in reply direct me to state that the evils complained of by Major Crewe might be remedied by an extention of the provisions of Regulation X of 1832 empowering the Governor in Council to vest other officers in charge of Jails than those therein specified, with the powers given by that Regulation

3 It appears to them however that the single case of Prisoners under charge of the officer Commanding on the Neelgherries does not present a sufficient ground for a special enactment, and they are not aware of any other case to which such an enactment would apply.-

4 In regard to the refractory individual referred to by Major Crewe, the Judges think that if he were for a time placed under the Joint Criminal Judge of Coimbatoor, the example might probably have a salutary effect on the rest of the Prisoners.

In

In suggesting this measure however, they direct me to add, that it could hardly be adopted as a general rule, as the records of the Foujdaree Adalut shew that the climate of Coimbatoor generally speaking, proves extremely unsalubrious to Natives of Malabar.-

5 The Judges have thought it proper to issue instructions that the Judge proceeding on circuit to Coimbatoor shall visit the Jail Establishment at Ootacamund and make to them such report in regard thereto as may appear to be necessary.-

16th November 1832.- (Signed) J. C. Morris
Acting Register

(No. 35.)

No 649. To The Acting Secretary to Government in the Judicial Department

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court of Circuit in the Northern Division dated the 8th Instant submitting an application from the Criminal Judge of Ouseudiapotam Zillah for an increase of twelve Peons to his Jail Establishment their services being rendered necessary by the unusually large number of persons at present in confinement.-

2 The Judges beg to recommend that sanction may be granted for the entertainment of the Peons in question with the understanding, that they are to be discharged as soon as their services can be dispensed with.-

16th November 1832.- (Signed) J. C. Morris
Acting Register

No 650 To H. Bushby Esqr
late Acting Judge of Provincial Court in the Centre Division

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you herewith the opinion of the Cazee and Coozat referred to in your letter of the 9th Instant which was inadvertently omitted to be sent with the Courts Proceedings of the 5th Instant.-

16th November 1832. (Signed) J. C. Morris
Acting Register

No 655 To H. Bushby Esqr
late Acting Circuit Judge in the Centre Division

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 13th Instant and to inform you, that as the 2nd Prisoner in Case No. 22 of the Cuddapah Calendar 2nd Sessions of 1832 has been convicted by the Law Officer it would be contrary to the Regulations to dispose of the case in the manner therein suggested by you.-

2 You will in consequence be pleased to submit the whole of the proceedings of the trial with as little delay as practicable.-

19th November 1832.- (Signed) J. C. Morris
Acting Register

No 656 To The Provincial Court of Circuit in the
Centre Division

Gentlemen,

I am directed by the Judges of the Court of Toujdaree Adalut to transmit the accompanying statement of Crimes and Misdemeanours forwarded with your letter of the 27th Ultimo and to state that it should distinctly shew how many of the persons to which reference is made in the note in red Ink at the foot of the statement were concerned in going Robbery - in housebreaking by night - and in Theft.

You will cause the statement to be corrected on this particular and returned to this Court as early as practicable.-

19th November 1832.-

/Signed/ J. B. Morris
Acting Register

No 657. /Circular/

To The 4 Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Toujdaree Adalut to transmit to you the accompanying copy of a general letter from the Honorable the Court of Directors dated the 1st February 1832 and to desire that you will issue the necessary instructions on the subject therein referred to

to the subordinate authorities in your division.-

19th November 1832.- /Signed/ J. B. Morris
Acting Register

No 658 /Circular/

To The 4 Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Toujdaree Adalut, under orders from the Honorable the Court of Directors, to desire that in all future cases in which Prisoners may break out of, or escape from Gail, the Criminal Judge or other in charge thereof, may be required to submit with his own report of the circumstances of the case, the depositions on full oath of all persons, who may have been witnesses to the affair, and that the Circuit Judge who may next visit the station will inquire into the subject on the spot, and submit in his Circuit report, his opinion of the conduct of the parties entrusted with the case of the Prisoners.-

The Judges desire that the necessary instructions may be communicated to the subordinate authorities in your Division accordingly.-

19th November 1832- /Signed/ J. B Morris
Acting Register

No 659 To The Provincial Court of Circuit in the
Northern Division

Gentlemen,

I am directed by the Judges of the

Toujdaree

Foujdaree Adalut to transmit to you the accompanying Extract from a General Letter from England dated the 1st February last and to desire that you will call for and transmit to them, without delay, the whole of the Proceedings of the Magistrate of Nuncolpatam in the case to which reference is therein made.

19th November 1832.

(Signed) J. C. Morris
Acting Register

N.B. paras 72. 73. 74 & 75.

(No. 87.)

No. 865 To The acting Secretary to Government in the Judicial Department

Sir

I

A Native Criminal Court having been established at Vizagapatam, I am directed by the Foujdaree Adalut to suggest that an order in Council may be passed, under the provisions of Section II Regulation II of 1831, directing that the Jail of the Native Criminal Judge of Vizagapatam shall be delivered at the station.

2 A similar course of proceeding was adopted on the establishment of the Native Criminal Courts at Guntoor and Cuddalore.

23d November 1832.

(Signed) J. C. Morris
Acting Register

(No. 88.)

No. 866 To The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Foujdaree Adalut

Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the Provincial Court of Circuit in the Southern Division and of its enclosures, from which it will be observed that in consequence of the great increase in the number of Prisoners at Combaconum, the acting Criminal Judge has found it necessary to add a Naik and 12 Peons to his Jail Establishment.

2 The Judges beg to request that the additional Establishment may be sanctioned, as a temporary measure, until they shall be enabled to relieve the Jail at Combaconum by the transfer of some of the Prisoners to other Jails.

23d November 1832.

(Signed) J. C. Morris
Acting Register

No. 867. To G. I. Casamajor Esqr
officiating Additional Judge in the
Centre Division

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 13th Instant and in reply to inform you that they fully concur in the view taken by you of the illegality of the proceedings of the Criminal Judge of Cuddapah in the case referred to and direct the unconditional release of the Individual in question.

The Judges desire that in communicating this order to the Criminal Judge, you will inform

inform him that his proceedings in the case have
incurred the censure of the Foujdaree Adawlut.-
23d November 1832.

/Signed/ J. C. Morris
Acting Judge

No. 668 To
The Judges of the Provincial Court of Circuit
in the
Northern Division

Transmitting Copy of a letter from the
acting Secretary to Government in the Judicial
Department sanctioning a temporary increase of Rs
Peons, to the Jail Establishment of the Criminal Judge
of Rajahmundry.-
23d November 1832.-

Sent usual letter
/No. 89./

No. 674. To The Acting Secretary to Government
in the
Judicial Department

Sir,

I am directed by the Judges of the Fouj-
Adawlut to request that you will lay before the Right
Honorable the Governor in Council the accompa-
nying Copy of a letter and its enclosures from the
Provincial Court of Circuit in the Centre Division
requesting sanction for the payment of the sum
of Rs. 100 as a reward to certain persons for the
reapprehension of a Prisoner who effected his
escape from the Jail at Cuddalore on the 27th April
last.-

The

The Joint Criminal Judge in reporting
the escape of the Individual in question, stated that
he had been concerned in no less than four cases of
Gang robbery tried at the Sessions, at which he was
convicted, and as it would appear that considera-
ble trouble was taken by his Captors, the Judges beg
to recommend that the necessary sanction may be
granted for the payment to them of the sum of
Rs. 100.-
28th November 1832.- /Signed/ J. C. Morris
Acting Register

No. 675. To The Joint Criminal Judge of
Malabar

Sir,

I am directed by the Judges of the Foujdaree
Adawlut to acknowledge the receipt of your letter of
the 18th Instant, and under the circumstances therein
represented, to desire that the Prisoner Tecan Soo-
kany porat alias Brandan Checkoo may be deli-
vered over to his friends, if able and willing to
take charge of him.-
28th November 1832- /Signed/ J. C. Morris
Acting Register

No. 676 To H. Bushby Esqre
late Acting Judge of Circuit in the
Centre Division

Sir,

I am directed by the Judges of the
Foujdaree

Foujdaree Diary 29th November 1832.

Foujdaree Woakil to acknowledge the receipt of your letter of the 23d Instant and to state that as the Prisoner D. Chengadoo is dead, it is not now necessary that the trial in Case No 22 of the Cuddapah Calendar 2nd Sessions of 1832 should be referred to them.

28th November 1832.

(Signed) J. C. Morris
Acting Register

No 680 To The Joint Criminal Judge
of
Masulipatam

Acknowledging the receipt of his letter together with the Bill for Rupees ten, advanced by the Judge Court to the Prisoners who brought warrant from his Woakil to the Prisoners who brought warrant from his Court.

29th November 1832.

Sent usual letter

No 681. 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 Adawlut to acknowledge the receipt of your letter dated the 21st Instant and to transmit to you for the use of the several Magistrates within your Division 30 Copies of the printed Statement No 2.

29th November 1832. (Signed) J. C. Morris
Acting Register

Foujdaree Diary 30th November 1832.

(No 90)

No 687. To The Acting Secretary to Government in the Judicial Department

Sir

I am directed by the Judges of the Court of Foujdaree Adawlut to acknowledge the receipt of your letter No 727 dated the 29th Instant, and to submit the accompanying draft of a Regulation for extending the provisions contained in Regulation X of 1832 to officers other than those therein specified, who may be placed in charge of convicts, and for restricting the powers of punishment to be exercised by such officers according to the pleasure of the Right Honorable the Governor in Council.

2 The provisions contained in Section III of the accompanying draft appear to the Judges to be necessary, and the removal of the offenders in the cases therein mentioned to the Jail from which they may have been originally transferred rather than to that in which they may happen to be immediately contiguous to the station at which they may be employed has been provided with immediate reference to the convicts from Mahabar, placed under the charge of the officer commanding the Dindigherry Hills.

3 The provisions of Section IV of the accompanying draft appear to the Judges to be requisite in order to secure to the convicts in question the same

same protection from erroneous or irregular proceedings as is enjoyed by convict under charge of Judicial officers.-

30th November 1832.-

Signed J. C. Morris
Acting Register

No. 688 To the Provincial Court in the
Northern Division

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department transmitting an Extract from the Minutes of Consultation under the above date directing the delivery of the Native Criminal Court of Vizagapatam at the same station under the provisions of Section II Regulation II of 1831.-

30th November 1832.- Sent usual letter

No. 689. To the Provincial Court in the
Southern Division

Transmitting Copy of a letter from the Acting Secretary to Government in the Judicial Department sanctioning an increase of 12 Peons and a Naik to the Jail Establishment of the Zillah of Cuddapah.-

30th November 1832.- Sent usual letter

No. 91.

No. 592.

To

The Acting Secretary to Government in the Judicial Dept.

Sir

I am directed by the Judges of the Court of Zillah Hoogly to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the Provincial Court of Circuit in the Southern Division, together with the correspondence to which it refers relative to a charge to which the Civil Auditor has objected in the accounts of the Magistrate of Trichinopaly for last July for a Duffadare on his Jail Establishment on a Salary of Rupees 10 per mensem.

2. The Jail Establishment proposed by the Court of Circuit and sanctioned by Government on the 10th May 1831. was 1 Jemedar and 3 Duffadars the latter on 7 Rupees each but some mistake appears to have arisen from one of these persons having previously received Rupees 10 per mensem which has since been continued to him.

3. As however there can be no doubt that the money has actually been expended on account of the public service the Judges beg to recommend that sanction may be granted for the Salary of the Individual in question during the time he has been employed and that the appointment be discontinued for the future.

4. The Judges consider it proper to explain that no more than the number of Duffadars sanctioned have been entertained and that the additional charge to Government involved in

in this recommendation as the difference between 7 and 10 f. —
Rupees per mensem. —

3d December 1832. (signed) J. C. Morris.

No 693 Jo. No 92. Register

The Acting Secretary to Government in the Judicial Dpt.

Sir,

I am directed by the Judges of the Court of Tovjdaree Udalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter and of its enclosure from the Provincial Court of Circuit in the Centre Division dated the 19th Instant and to state that as it appears desirable that Mr. Anslow the Acting Judge and Joint Criminal Judge of Cuddalore should be enabled to act as a Justice of the Peace, they would suggest that if Mr. Dent has qualified as a Justice of the Peace he be authorized to administer the oath to Mr. Anslow in the Court House. —

3d December 1832. (signed) J. C. Morris

Register

Forwarding Copy of the foregoing letter to the Provincial Court of Circuit in the Centre Division

No 695 Jo

(Sent usual letter No 696)

The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Tovjdaree Udalut to acknowledge the receipt of your letter of the 15th Instant and in reply to inform you that any interference on the part of the Magistracy with the grain Market is not only wholly unauthorized by the

the Regulations, but has been frequently deprecated by the Government.

3d December 1832. (signed) J. C. Morris

Register

No 696 Jo.

G. J. Casamajor Esq. Officiating Additional Judge in the Centre Division.

Sir

I am directed by the Judges of the Court of Tovjdaree Udalut to acknowledge the receipt of your letter of the 13th Instant and in reply to state that they are of opinion you acted quite correctly in declining to furnish Mr. Stromboom Judge and Criminal Judge of Cuddapah with Copies of the papers for which he made application in his letter to your address of the 7th Instant. —

3d December 1832. (signed) J. C. Morris

Register

No 699 Jo,

The Provincial Court in the Northern Division

Gentlemen

1. I am directed by the Judges of the Court of Tovjdaree Udalut to acknowledge the receipt of your letter of the 22d Ultimo and in reference to the 2d para thereof, to state that they approve of your having directed the Assistant Judge to engage such additional buildings as may be absolutely necessary for the accommodation of the Prisoners until the new Jail ordered to be erected at Guntoor is completed. —

2. It is necessary however that the arrangement which that Officer may effect for the purpose, should receive the sanction of Government for which application must be made thro' this Court. —

5th December 1832. (signed) J. C. Morris

Register

Jo,

No. 704 To

The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Tongdaree Udalut to acknowledge the receipt of your letter of the 2d inst. Ultimo and in reply to inform you that they are of opinion the Acting 3d Judge of your Court should proceed on Circuit on January next.—

8th December 1832. Signed / J. C. Morris.—

Register

No. 705 To

The Provincial Court of Circuit in the Northern Division

Gentlemen,

1 I am directed by the Judges of the Court of Tongdaree Udalut to transmit for correction the accompanying statements forwarded by you in your letter of the 7th Ultimo.—

2. It would appear that 378 should be entered in Column 1 of the Statement No. 1 of Nellore instead of 315.—

3. In the Statement No. 4 of Crimes and Misdemeanors Column 4 in Note B. the crimes in which the four persons who died were concerned should be specified. In Column 7 the number of Records of trials referred should be entered but not of those referred by letter for mitigation of punishment—and in Colum 10. the number of Cases returned to the Criminal Judges to be disposed of by them should not be entered but should be noted as under the crimes in which the absent Prisoners were concerned should be shown in the same manner.—

8th December 1832. Signed / J. C. Morris

Register

To

No. 705 To

No. 93.

The Acting Secretary to Government in the

Sir, Judicial Department

I am directed by the Judges of the Court of Tongdaree Udalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the Provincial Court of Circuit in the Northern Division transmitting Copy of a letter from the Criminal Judge of Rajahmundry reporting that in consequence of the great influx of Prisoners into his Jail he has been under the necessity of increasing the number of Beds from 63 the present establishment to 75 and requesting sanction for the arrangement which the Judges beg to recommend may be granted as a temporary measure, it being clearly understood that a proportionate reduction is to be made in the Jail Establishment on the discharge of any number of Prisoners.—

8th December 1832.— Signed / J. C. Morris

Register

No. 707. To

The Provincial Court of Circuit in the

Gentlemen. Centre Division

I am directed by the Judges of the Court of Tongdaree Udalut to transmit for correction the accompanying Statement of Crimes and Misdemeanors from the Acting Criminal Judge of Bellary received with your letter of the 27th October last.—

It appears from the former Statement that the

number

numbers in Column 2 "Robbery and Murder" should be 2-5-six instead of 3-10 and "Gang Robbery" 7-12 instead of 6-3-5-

You will cause the Statement to be corrected in the particulars returned to this Court as soon as possible-

8th December 1832- Signed / J. C. Morris

No. 714 To Register

The Acting Secretary to Government in the Judicial Department-

Sir,

I am directed by the Judges of the Court of Adawlut and Toyjdaree Udalut to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the Provincial Court in the Centre Division under date the 3d Instant, forwarding Copy of a letter from the Acting Joint Criminal Judge of Chittagong, in which that Officer requests sanction for the disbursement of Rupees 81 eighty one, for making three Cutcherry Boxes which appearing to be requisite for the comfort of the Peons in Guard at the Jail at Baddalaire, the Judges beg to recommend may be sanctioned accordingly-

10th December 1832- Signed / J. C. Morris

No. 715 To Register

The 1st Judge of Circuit in the Southern Division

Sir,

1. I am directed by the Judges of the Court of Toyjdaree Udalut to acknowledge the receipt of your letter of the 1st Instant reporting

reporting the execution of the Sentence passed on the Prisoner in Case No. 19 of the Tinneelly Calendar 2d Sessions of 1832-

2. From the Return of the Joint Criminal Judge in this Case, it appears that Seven days intervened between the communication to the Prisoner of the Sentence of death and his execution-

3. Such a course of proceeding being in direct opposition to the terms of the Warrant and to the Injunctions of Section XIII Regulation VIII of 1802 the Judges desire that the attention of the Joint Criminal Judge may be drawn to the irregularity of the delay and that he be cautioned against a recurrence thereof in future- on which grounds and sufficient Cause to be shewn at the time of making Return-

10th December 1832 Signed / J. C. Morris

Register

No. 716. To

W. Buckley Esq. late Acting Circuit Judge in the Centre Division

Sir,

1. I am directed by the Judges of the Court of Toyjdaree Udalut to acknowledge the receipt of your letter of the 30th Ultimo, in the 2d para of which you state that the observations contained in the 4th & 5th paras of the Court's proceedings of the 26th November last, relative to certain Prisoners declarations not having been read over to them, according to the Standing orders of the Court are not applicable to you, as you "cannot charge your recollection with the omission pointed out by the

the higher Court.

2. The Judges direct me to state that the Records of the trial on which alone their proceedings were founded, clearly shewed that the omission pointed out had taken place, the questions to the Witnesses commencing "look at the Declaration" by no means shew that the declarations had been read at the trial.

3. The Judges desire that in future you will enter in the Record that the declarations have been read and direct that instead of making captious and disrespectful objections to their orders you will without comment implicitly obey them.

4. In conclusion I am directed to desire that your letters may always be addressed to the Register of the Court.

10th December 1832. (Signed) J. C. Morris
Register

No. 717. To

The 1st Judge on Circuit in the Centre Division

Sir,

I am directed by the Judges of the Toyidaree Udalut to acknowledge the receipt of your letter of the 1st Instant and in reply to request that you will explain why the Establishment you have with you on Circuit is not sufficient to enable you to prepare the trials requiring to be referred to this Court, as they are extremely reluctant to solicit the sanction of Government for any additional expenditure not absolutely requisite.

10th December 1832. (Signed) J. C. Morris
Register

No. 722. To

The Acting Secretary to Government in the Judicial Department

No. 725 To The 1st Judge of the Provincial Court of Circuit
Sir, in the Northern Division

1. I am directed by the Judges of the Court of Fouydaree Adalut to acknowledge the receipt of your letter of the 27th Ultimo together with the Copy of a letter from the Superintending Engineer in the Northern Division and plan of a Jail proposed to be constructed at Guntoor, which accompanied it in regard to the latter of which the Judges desire me to communicate the following observations.

2. The Judges are decidedly of opinion that a distance of 30 feet between the outer wall of the Jail and the inner building is insufficient. They agree with you in thinking that it should not be less than 56 feet on all sides.

3. The Judges still adhere to the opinion expressed in their letter of the 30th July last, that the wards should be double not only on account of reasons stated by you, but with reference to the probable increase in the Number of Prisoners consequent on the change of the Constitution of the Court.

4 The Judges likewise see no reason to depart from the opinion expressed in the letter above quoted that the Lunatic wards should adjoin the Hospital instead of being placed in the front of the Jail.

5. The Judges desire that the foregoing sentiments may

may be communicated to the Superintendant of Engineers and that he be requested to construct the plan of the Jail accordingly unless he is aware of any objections which should be communicated to the Court.

6. The plan which accompanied your letter is herewith Returned.

15th December 1832 Signed J. C. Morris
Register

No. 726. To The 1st Judge of the Provincial Court of Circuit
Sir, in the Northern Division

With reference to your Return dated the 5th Instant to the Court's Precept under date the 28th November last calling upon you to transmit the cavil and the Causes which preceded the cavil and transmission of the Record in Case No. 8 of the Bellary Calendar for the 4th Sessions of 1832. I am directed by the Judges of the Court of Fouydaree Adalut to desire that you will inform them whether the conduct of the Vakeel, by whom the trial is reported to have been misled was properly investigated and a suitable punishment inflicted for the neglect of which he was guilty.

15th December 1832. Signed J. C. Morris
Register

No. 727. To
A. D. Anslow Esqr. Acting Assistant Judge at
Sir, Cuddalore

I am directed by the Judges of the Court of Fouydaree Adalut in reference to your letter of the 19th Ultimo to transmit to

to you the accompanying Copy of a letter from the Acting Secretary to Government in the Judicial Department and its enclosure, and to desire that you will furnish the information therein called for without delay.—

15th December 1832.— Signed / J. C. Morris

Registrar

No. 728 To

G. L. Casamajor Esqre. 2d Judge of the Provincial Court of Circuit in the Northern Division.

Sir,

I am directed by the Judges of the Court of Tondjdarce Udalut to call to your notice that the Return on the 3d Trincomalee Quarter Sessions of 1831 held by you has not been received, and to desire that it may be transmitted without further delay.—

15th December 1832.— Signed / J. C. Morris

Registrar

No. 729 To

J. A. Oakes Esqre. 1st Judge of Circuit in the Centre Division

Sir,

I am directed by the Judges of the Court of Tondjdarce Udalut to call to your notice that the Report on the 2d and 3d Chittoor Quarter Sessions of 1832 held by you has not been received and to desire that it may be submitted without delay.—

15th December 1832.— Signed / J. C. Morris

Registrar

No. 730 To

J. Vaughan Esqre. 2d Judge of the Provincial Court of Circuit in the Western Division

Sir,

I am directed by the Judges of the Court of Tondjdarce Udalut to

3d & 4th Quarter Sessions of 1831 and 1st Sessions of 1832 and 3d Quarter Sessions of 1832.— to call to your notice that the Reports on the Sessions noted in the margin which were held by you, have not yet been received, & to express to you their dissatisfaction at the great delay which has occurred in their transmission.—

2 The Judges desire that the whole of the Reports in question may be transmitted to them without further delay.—

15th December 1832.— Signed / J. C. Morris

Registrar

No. 732 To

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

Gentlemen,

I In order to prevent the inconvenience & objection in respect to the Officer upon whom the duty of providing on the next ensuing Circuit will devolve, I am directed by the Judges of the Court of Tondjdarce Udalut to inform you that Mr. Lascelles is to perform the duty.—

2 The 1st Judge of the Provincial Court will of course not quit the Chief Station before the arrival of the Division.—

18th December 1832.— Signed /

Registrar

No. 733 To No. 96

The Acting Secretary to Government in the Judicial Department

Sir,

The Judges of the Tondjdarce Udalut having observed in the Fort St. George Gazette of this day the appointment of Mr. Turnbly to succeed as Judge of Bellary on the departure of Mr.

Mr Montgomerie for Europe; I am directed by them to convey their respectful request that the Gentleman who may be appointed to succeed Mr Ewbank as Judge of the Provincial Court in the Northern Division may be rendered available for the duties of his office at the earliest date possible as the usual Registration Sessions should that the 1st Sessions of the ensuing year must be held at Bhoglepore on the 2nd January next & no arrangement has been made for the discharge of the Criminal & Magisterial business of Chittagong & Cuttack

Chittagong & necessarily the Superintendent committed in this Court letter of the 6th of December last, the nature of Northern Circuit will prevent it being duly done

Mr Commissioner is not present engaged in holding the Sessions at Cuttack but I am to add, that he will be able to effect the delivery of the Jail at that station during the present year.

19th December 1832.

To

The Provincial Court of Circuit in the Southern Division

(Signed) J. C. Morris

Registr

Copy of the letter dated the 8th Inst from the Acting Secretary to Government in the Judicial Department sanctioning the increased charge of Rupees 3½ per annum incurred to the payment of a Duffadar on the Establishment of Dacheenpaly Jail of Rupees 10 per mensem & of 7 Rupees per mensem

To

The Provincial Court of Circuit in the Centre Division Forwarding

(Sent in final letter No 736)

Copy

Copy of the letter dated the 14th Inst from the Acting Judicial Secretary to Government sanctioning a charge of 81 Rupees for Twenty Boxes for the Peons guarding the Cuddalore Jail.

Sent in final letter No 735.

No 739

To

The Acting Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 7th Instant referring for their consideration and report a copy of a letter and its enclosures from the Magistrate of Ganjam relative to the exercise of the Police authority at the Military station of Chicacole.

2. The question proposed for the determination of the Court with reference to the correspondence in question, appears to be whether or not as stated in Major Baxters letter of the 12th Ultimo the provisions of Regulation VII of 1832 as apply specially and to their full extent at such stations as are already or may hereafter be designated Military Bazar stations in GO by the Honorable the Governor in Council and generally but in a limited degree at all other stations not designated Military Bazar stations.

3 The Court of Sudr and Foujdaree Adalut having given their attentive consideration to the subject, have no hesitation in stating that the interpretation of the Regulation intimated

intimated in Major Baxter's letter in question is perfectly correct namely for the petty Offences specified in Section XIII the persons therein referred to can only be legally tried by Courts Martial to be assembled as provided in Article XI Section IX of the rules and articles of War for the government of the native Army under this Presidency.

4. Section XXXVIII of the Regulation to which the Magistrate of Ganjam refers renders it competent to the Governor in Council to declare all or any part of this Regulation "which may more specially apply to Commanding Officers at Military Bazar Stations only to be applicable to Commanding Officers at any other Military Station besides Military Bazar Stations" and does not in any way affect and indeed has no reference to, the general powers vested in Court Martial by the Regulation.

22d December 1832 /signed/ J. C. Morris

No 740. To (No 98.) Register

The Acting Secretary to Government in the Judicial Department

Sir,

From P.C. in the C.C. 7th November 1832
To Do. 24th Do.
From Do. 11th Dec.

1. I am directed by the Judge of the Court of Toungdaree Udatut to request that you will lay before the Right Honorable the Governor in Council the correspondence noted in the margin, relative to an offer made by Private W. Dougherty of H. M. 55 Regiment to the Criminal Judge of Chingleput to construct a loom similar to those now in use in England in the Jail

Jail at that station.

2. A considerable advantage appears likely to accrue from the introduction of an improved loom in to this Country and the remuneration demanded by Private Dougherty for superintending the work are extremely moderate, the Judge would beg to propose that sanction may be granted for erecting one loom in the manner proposed & in the event of its answering the expectations of the Judge of Chingleput that three others may subsequently be constructed.

With a view to carrying this arrangement into effect the Judge beg to suggest that the services of Private Dougherty may be placed at the disposal of the Judge of Chingleput and that authority be granted for the purchase of the materials requisite for the construction of the loom which in consideration of there being Carpenters and Iron-Smiths among the Prisoners in the Jail will not exceed 20 Rupees.

22d December 1832 /signed/ J. C. Morris

Register

No 741. To

The Provincial Court of Circuit in the Northern Division

Gentlemen, I am directed by the Judge of the Court of Zoujdaree Udalut to acknowledge the receipt of your letters of the 29th Ultimo and 1st Instant together with their respective enclosures.

The Judge does not see that any good would result from an application to the Board of Revenue for assistance in

intimated in Major Boarder to the in question in perfectly
correct namely for the petty Officers specified in Section
XIII the persons therein referred to can only be legally tried by
Court Martial to be assembled as provided in Article
XI Section IX of the rules and articles of War for the government
of the native Army under this Presidency.

4. Section XXXVIII of the Regulation to which the
Magistrate of Ganjam refers renders it competent to the
Governor in Council to declare all or any part of this Regulation
which may more specially apply to Commanding Officers
at Military Bazar Stations only to be applicable to Commanding
Officers at any other Military Station besides Military Bazar
Stations, and does not in any way affect and indeed has no
reference to, the general powers vested in Court Martial
by the Regulation.

22d December 1832. (signed) J. C. Morris

No 740. To (No 98.) Register

The Acting Secretary to Government in the
Judicial Department

Sir,

1. I am directed by the Judge of the Court of
Fouydaree Udaitut to request that you will lay before the Right
Honorable the Governor in Council the correspondence noted
in the margin, relative to an offer made by Private W. Dougherty
of H. M. 55 Regiment to the Criminal Judge of Chingleput to
construct a loom similar to those now in use in England in the
Jail

From P.C. in the C.D. 7th November 1832
To Do. 8th to Do.
From Do. Do. 11th Dec.

Jail at that station.

2. A considerable advantage appears likely to
accrue from the introduction of an improved loom in to this
Country and the remuneration demanded by Private Dougherty
for superintending the work are extremely moderate, the Judge
would beg to propose that sanction may be granted for erecting
one loom in the manner proposed & in the event of its
answering the expectations of the Judge of Chingleput that
three others may subsequently be constructed.

With a view to carrying this arrangement
into effect the Judge beg to suggest that the services of Private
Dougherty may be placed at the disposal of the Judge of
Chingleput and that authority be granted for the purchase
of the materials requisite for the construction of the loom
which in consideration of there being Carpenters and Iron-
smiths among the Prisoners in the Jail will not exceed
20 Rupees.

22d December 1832. (signed) J. C. Morris

No 741. To Register

The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Fouydaree
Udaitut to acknowledge the receipt of your letters of the 29th
Ultimo and 1st Instant together with their respective enclosures

The Judges do not see that any good would
result from an application to the Board of Revenue for assistance in

in the mode suggested by the Criminal Judge of Tajahauzidy and desire that that Officer will adopt such measures as he may consider most expedient for procuring an adequate supply of grain for the consumption of the Prisoners in the Jail at that station.

I am desired that he has through the means of the C. Master obtained a supply for one month from the 26th Ultimo and they doubt not he will be able to procure further grain for him from the same source, the price perhaps at an increased rate.

In respect to the suggestion of the Court that Criminal Judges should be authorized to dispose of Cases of grain stealing without reference to the Courts of Circuit the Judges direct me to state that they cannot sanction any departure from the existing Regulations.

The Judges desire me to take this opportunity of drawing your attention and they desire you will do the same with the subordinate authorities in your Division to their Circular instructions dated the 6th April 1830 on the subject of grain stealing.

22nd December 1832.

/ signed / J. C. Harris

Register

No. 7142

To

J. H. Oake Esqre 1st Judge of the Provincial Court of

Sir,

Circuit in the Centre Division

I am directed by the Judges of the Court of Tondiarre Adalut to

to acknowledge the receipt of your letter of the 12th Instant and to request that you will state to them what establishment you have with you on Circuit as without this information they are not able to decide whether any Extra charge is necessary for the preparation of the trials under reference to them.

22nd December 1832

/ signed / J. C. Harris

Register

No.

To

The Acting Secretary to Government in the

Judicial Department

Sir,

I am directed by the Judges of the Court of Tondiarre

1.

Adalut to acknowledge the receipt of your letter dated the 22nd

Instant to which they beg to refer in the mode in which the Courts Martial, are required to be convened and constituted, it being particularly the subject of Government to determine what description of persons, whether European or Native the Courts are to be composed the number of members required to constitute the Court and the mode in which the proceedings are to be conducted also whether it is required that a Judge Advocate should be appointed to conduct the trials.

2. Section II Regulation VII of 1808 empowers the Governor in Council to establish Martial Law within the territories subject to the Government of the Presidency of Fort St. George and to direct the immediate trial by Courts Martial of all persons owing allegiance to the British Government who shall be taken in arms in open hostility to the British

Government

Government who shall be taken in arms in open hostility to the British Government or in the act of opposing by force of arms the authority of the same or in the actual commission of any overt act of rebellion against the state or in the act of conspiring with or openly aiding and abetting the enemies of the British Government within any part of the said territories: and Section III of the Regulation declares that any such persons who shall be convicted of any of the crimes specified in Section II by the sentence of a Court Martial during the establishment of Martial Law shall be liable to immediate punishment of death and shall suffer the same accordingly by being hanged by the neck until he is dead.

3 As Regulation VII of 1806 contains no specific rules on the subject and as there is nothing contained in the general Regulations which points out the distinction between the provisions of Martial and Military Law upon the several points stated in your letter. The Judges of the Court of Fouzdaree Adalut direct me to express their regret, that they do not possess the means of solving the questions which are therein propounded to them. The Judges observe at Page 383 of Vaughn's practice of Courts Martial the following observations.

"When Martial Law is proclaimed, Courts Martial are thereby vested with such a summary proceedings, that neither time, place nor persons are considered. Necessity is the only rule of conduct, nor are the punishments which Courts Martial may inflict under such an authority, limited to those which are, under ordinary circumstances prescribed by the M. A. and articles of War; they may inflict the punishment of death, even, where the inferiority necessity of the case and the existing circumstances warrant

"warrant it, when such penalty would not, for such cases, "be visited with such severity by the ordinary, common Courts "but such powers cannot be assumed: they must be duly delegated by proper authority."

5 If however it is proposed to enquire what would be the operations of the articles of war promulgated in Regulation V of 1827, as applied to the cases contemplated in Regulation VII of 1808 the Judges have agreed upon the following construction of those rules as applicable to the questions proposed to them.

6. Article 1 Section XI, Regulation V of 1827 provides, that no soldier shall be tried for any crime not entailing a punishment extending to life or inflicted by a Court Martial other than a General Court Martial.

7. Article VII Section IX provides, that no sentence of death shall be given against any offender by any General Court martial consisting of less than thirteen members (except the same shall be holden in a place out of

trials before those Courts should be conducted by a Judge in
Advocate.

With reference to the provisions of Article X
Section IX Regulation V of 1827 it would appear to be necessary
in order to the immediate execution of the sentence under Section
III Regulation VII of 1808 that there should be upon the spot
some authority competent to confirm the same.

24th December 1832. Signed J. C. Harris
Fdy Register

No 746. To

The Provincial Court in the Northern Division
Goalpara

I am directed by the Judges of the Court of
Fonjdaree Adawlut to acknowledge the receipt of your letter of the
12th instant and in reply to direct that the Assistant Judge
of Rungpore may be authorized to rent such buildings
as may be necessary for the accommodation of the Prisoners the
Court will be submitting our application for
sanction for the adoption of temporary measures until authority
can be obtained for increasing the size of the Jail, for
which the Court will be furnished with
an estimate of the expenses.

26th December 1832. Signed J. C. Harris
Register

No 747. To

The 3d Judge or Circuit in the Northern Division

Sir,

I am directed by the Judges of the Court of
Fonjdaree

intimated in Major Baxter's letter in question is perfectly correct namely for the petty Officers specified in Section XIII the persons therein referred to can only be legally tried by Court Martial to be assembled as provided in Article XI Section IX of the rules and articles of War for the Government of the native Army under this Presidency.

4. Section XXXVIII of the Regulation to which the Magistrate of Ganjam refers renders it competent "to the Governor in Council to declare all or any part of this Regulation which may more specially apply to Commanding Officers at Military Bazar Stations only to be applicable to Commanding Officers at any other Military Station besides Military Bazar Stations" and does not in any way affect and indeed has no reference to, the general powers vested in Court Martial by the Regulation.

22d December 1832 (signed) J. C. Morris

No. 740. To (No. 98) Register

The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Adawlut to request that you will lay before the Right Honorable the Governor in Council the correspondence noted in the margin, relative to an offer made by Private W. Dougherty of H. M. 55 Regiment to the Criminal Judge of Chingleput to construct a loom similar to those now in use in England in the Jail

From R.C. in the C.J. 7th November 1832
To Do. 24th Do.
From Do. Do. 11th Dec.

Jail at that station.

2 A considerable advantage appears likely to accrue from the introduction of an improved loom in to this Country and the remuneration demanded by Private Dougherty for superintending the work is extremely moderate, the Judges would beg to propose that sanction may be granted for erecting a loom in the manner proposed & in the event of its answering the expectations of the Judge of Chingleput that three others may subsequently be constructed.

With a view to carrying this arrangement into effect the Judges beg to suggest that the services of Private Dougherty may be placed at the disposal of the Judge of Chingleput and that authority be granted for the purchase of the materials requisite for the construction of the loom which in consequence of there being Carpenters and Iron-Smiths among the Prisoners in the Jail will not exceed 20 Rupees.

22d December 1832. (signed) J. C. Morris

Register

No. 741. To

The Provincial Court of Circuit in the Northern Division

Gentlemen, I am directed by the Judges of the Court of Foujdaree Adawlut to acknowledge the receipt of your letters of the 29th Ultimo and 1st Instant together with their respective enclosures.

The Judges do not see that any good would result from an application to the Board of Revenue for a [illegible] in

in the mode suggested by the Criminal Judge of Bajahmundry and desire that that officer will adopt such measures as he may consider most expedient for procuring an adequate supply of grain for the consumption of the Prisoners in the Jail at that station.

2. He adds that he has through the means of the Collector obtained a supply for one month from the 26th Ultimo and they doubt not he will be able to procure further supplies from the same source, though perhaps at an increased rate.

3. In respect to the suggestion of Mr. Elliot that Criminal Judges should be authorized to dispose of Cases of grain stealing without reference to the Courts of Circuit the Judges direct me to state that they cannot sanction any departure from the existing Regulations.

4. The Judges desire me to take this opportunity of drawing your attention and they desire you will do the same with the subordinate authorities in your Division to their Circular instructions dated the 6th April 1830 on the subject of grain stealing.

22d December 1832.

/ signed / J. C. Morris

Register

No. 7/42

To

J. H. Cake Esqre 1st Judge of the Provincial Court of Circuit in the Centre Division

Sir,

I am directed by the Judges of the Court of Fouzdaree Adawlut to

to acknowledge the receipt of your letter of the 12th Instant and to request that you will state to them what establishment you have with you on Circuit as without this information they are not able to decide whether any Extra charge is necessary for the preparation of the trials under reference to them.

22d December 1832 / signed / J. C. Morris

Register

No. 7/42

To

The Acting Secretary to Government in the Judicial Department

Sir,

1. I am directed by the Judges of the Court of Fouzdaree Adawlut to acknowledge the receipt of your letter dated the 22d — to the mode in which the Courts convened in Regulation VII of 1808 Courts Martial, are required to be formed and constituted, it being particularly the subject of Government to determine what description of persons, whether European or Native the Courts are to be composed the number of members required to constitute the Court and the mode in which the proceedings are to be conducted also whether it is required that a Judge Advocate should be appointed to conduct the trials.

2. Section II Regulation VIII of 1808 empowers the Governor in Council to establish Martial Law within the territories subject to the Government of the Presidency of Fort St. George and to direct the immediate trial by Courts Martial of all persons owing allegiance to the British Government who shall be taken in arms in open hostility to the British Government

Government who shall be taken in arms or open hostility to the British Government or in the act of opposing by force of arms the authority of the same or in the actual commission of any overt act of rebellion against the state or in the act of conspiring with or of openly aiding and abetting the enemies of the British Government within any part of the said territories: and Section III of the Regulation does declare that any such persons who shall be convicted of any of the crimes specified in Section II by the sentence of a Court Martial during the establishment of Martial Law shall be liable to immediate punishment of death and shall suffer the same accordingly by being hanged by the neck until he be dead.

3 The Regulation VII of 1808 contains no specific rules on the subject and as there is nothing contained in the general Regulations which points out the distinction between the provisions of Martial and Military Law upon the several points stated in your letter. The Judges of the Court of Soojdaree Adalat direct me to express their regret, that they do not possess the means of solving the questions which are therein propounded.

4. The Judges observe at Page 383 of Vaughs practice of Courts Martial the following observations.

"When Martial Law is proclaimed, Courts Martial are thereby vested with such a summary proceedings that neither time, place nor persons are considered. Necessity is the only rule of conduct, nor are the punishments which Courts Martial may inflict under such an authority limited to those which are, under ordinary circumstances prescribed by the M. A. and articles of War; they may inflict the punishment of death, even, where the imperious necessity of the case and the existing circumstances warrant.

Soojdaree Diary 24th December 1832.

"warrant it; when such penalty would not, for such Cases "be visited with such severity by the ordinary common Law "but such powers cannot be assumed; they must be duly "delegated by proper authority."

5 If however it is proposed to enquire what would be the operations of the articles of war promulgated in Regulation V of 1827, I am to add to the Cases contemplated in Regulation VII of 1808 the Judges have agreed upon the following construction of those Rules as applicable to the questions proposed to them.

6. Article II Section XI Regulation V. 1827 provides, that no soldier shall be tried for any crime involving a punishment extending to life or transportation by a Court Martial other than a General Court Martial.

7. Article VII Section IX provides that no sentence of death shall be given against any offender by any General Court Martial consisting of less than thirteen members (except the same shall be holden in a place out of

Government who shall be taken in arms in open hostility to the British Government or in the act of opposing by force of arms the authority of the same or in the actual commission of any overt act of rebellion against the state or in the act of conspiring with or openly aiding and abetting the enemies of the British Government within any part of the said territories: and Section III of the Regulation declares that any such person, who shall be convicted of any of the crimes specified in Section II by the sentence of a Court Martial during the establishing of Martial Law, shall be liable to immediate punishment of death and shall suffer the same accordingly by being hanged by the neck until he is dead.

3 As Regulation VII of 1808 contains no specific rules on the subject and as there is nothing contained in the general Regulations which points out the distinction between the provisions of Martial and Military Law upon the several points stated in your letter. The Judges of the Court of Soojdaree Adalut direct me to express their regret, that they do not possess the means of solving the questions which are therein propounded.

4. The Judges observe at Page 383 of Haughs practice of Courts Martial the following observations.

"When Martial Law is proclaimed, Courts Martial are thereby vested "with such a summary proceedings, that neither time, place nor persons "are considered. Necessity is the only rule of conduct, nor are the punishments "which Courts Martial may inflict under such an authority, limited "to those which are, under ordinary circumstances prescribed by the "M. A. and articles of War; they may inflict the punishment of death "even, where the imperious necessity of the case and the existing circumstances warrant

Soojdaree Diary 24th December 1832.

"warrant it; when such penalty would not, for such Crimes, "be visited with such severity by the ordinary common Law- "but such powers cannot be assumed; they must be duly "delegated by proper authority."

5 If however it is proposed to enquire what would be the operation of the articles of war promulgated in Regulation V of 1827, if applied to the Cases contemplated in Regulation VII of 1808 the Judges have agreed upon the following construction of those Rules as applicable to the questions proposed to them.

6. Article II Section VI, Regulation V. 1827 provides, that no soldier shall be tried for any Crime involving a punishment extending to life or limb by a Court Martial other than a General Court Martial.

7. Article VII Section IX provides, that no sentence of death shall be given against any offender by any General Court Martial consisting of less than thirteen members (except the same shall be holden in a place out of

Government who shall be taken in arms in open hostility to the British
Government or in the act of opposing by force of arms the authority of the same or in the actual commission of any overt act of
rebellion against the state or in the act of conspiring with or
to open aiding and abetting the enemies of the British Government
within any part of the said territories: and Section III of the
Regulation declares that any such persons, who shall be convicted
of any of the crimes specified in Section II by the sentence of a
Court Martial during the establishing of Martial Law shall be
liable to immediate punishment of death and shall suffer the
same accordingly by being hanged by the neck until he is dead.

3 As Regulation VII of 1808 contains no specific
rules on the subject and as there is nothing contained in the
general Regulations which points out the distinction between the
provisions of Martial and Military Law upon the several points
stated in your letter. The Judges of the Court of Soojdaree Adalut
direct me to express their regret, that they do not possess the
means of solving the questions which are therein propounded.

4. The Judges observe at Page 383 of Haughs practice of Courts
Martial the following observations.

"When Martial Law is proclaimed, Courts Martial are thereby vested
"with such a summary proceedings that neither time, place nor persons
"are considered. Necessity is the only rule of conduct, nor are the punishments
"which Courts Martial may inflict under such an authority limited
"to those which are, under ordinary circumstances prescribed by the
"M. A. and articles of War; they may inflict the punishment of death,
"every where the imperious necessity of the case and the existing circumstances
warrant

Soojdaree Diary 24th December 1832

"warrant it; when such penalty would not, for such Cases,
"be visited with such severity by the ordinary common law
but such powers cannot be assumed: they must be duly
delegated by proper authority.

5 If however it be proposed to inquire what would
be the operations of the articles of war promulgated in Regulation
V of 1827 if applied to the Cases contemplated in Regulation VII of 1808

the Judges have agreed upon the following construction
of those rules as applicable to the questions proposed to them.

6. Article 1 Section XI. Regulation V. 1827
provides that no soldier shall be tried for any crime
involving a punishment extending to life or limb by a
Court Martial other than a General Court Martial.

7. Article VII Section IX provides that no
sentence of death shall be given against any offender by
any General Court martial consisting of less than thirteen
members (except the same shall be holden in a place out
of

intimated in Major Baxter's letter in question is perfectly correct namely for the petty Officers specified in Section XIII the persons therein referred to can only be legally tried by Courts Martial to be assembled as provided in Article XI Section IX of the rules and articles of War for the government of the native Army under this Presidency.

4. Section XXXVIII of the Regulation to which the Magistrate of Cuttack refers renders it competent "to the Governor in Council to declare all or any part of this Regulation "which may more specially apply to Commanding Officers "at Military Bazar stations only to be applicable to Commanding "Officers at any other Military Station besides Military Bazar "Stations" and does not in any way affect and indeed has no reference to, the general powers vested in Court Martial by the Regulation.

22d December 1832 (signed) J. C. Morris

No 740. To (No 98) Register

The Acting Secretary to Government in the Judicial Department

Sir,

I am directed by the Judge of the Court of Joygdaree Ulaitut to request that you will lay before the Right Honorable the Governor in Council the correspondence noted in the margin, relative to an offer made by Private W. Dougherty of H. M. 55 Regiment to the Criminal Judge of Chinglepaut to construct a loom similar to those now in use in England in the Jail

From P.C. in the C.C. 7th November 1832
To Do. 24th Do.
From Do. 11th Dec.

Jail at that station.

2. A considerable advantage appears likely to accrue from the introduction of an improved loom in to this Country and the remuneration demanded by Private Dougherty for superintending the work is extremely moderate, the Judges would beg to propose that sanction may be granted for erecting a loom in the manner proposed & in the event of its answering the expectations of the Judge of Chinglepaut that three others may subsequently be constructed.

With a view to carrying this arrangement into effect the Judges beg to suggest that the services of Private Dougherty may be placed at the disposal of the Judge of Chinglepaut and that authority be granted for the purchase of the materials requisite for the construction of the loom which in consideration of there being Carpenters and Iron-smiths among the Prisoners in the Jail will not exceed 20 Rupees.

22d December 1832 (signed) J. C. Morris

Register

No 741. To

The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Joygdaree Ulaitut to acknowledge the receipt of your letters of the 29th Ultimo and 1st Instant together with their respective enclosures.

The Judges do not see that any good would result from an application to the Board of Revenue for assistance in

Government who shall be taken in arms or in open hostility to the British Government or in the act of opposing by force of arms the authority of the same or in the actual commission of any overt act of rebellion against the state or in the act of conspiring with or openly aiding and abetting the enemies of the British Government within any part of the said territories: and Section III of the Regulation declares that any such persons who shall be convicted of any of the crimes specified in Section II by the sentence of a Court Martial during the establishment of Martial Law shall be liable to immediate punishment of death and shall suffer the same accordingly by being hanged by the neck until he is dead.

3 As Regulation VIII of 1808 contains no specific rules on the subject and as there is nothing contained in the general Regulations which points out the distinction between the provisions of Martial and Military law upon the several points stated in your letter. The Judges of the Court of Fovjdaree Adalut direct me to express their regret, that they do not possess the means of solving the questions which are therein propounded.

4. The Judges observe at Page 383 of Haughs practice of Courts Martial the following observations.

"When Martial Law is proclaimed, Courts Martial are thereby vested "with such a summary proceedings, that neither time, place nor persons "are considered. Necessity is the only rule of conduct, nor are the punishments "which Courts Martial may inflict under such an authority, limited "to those which are, under ordinary circumstances prescribed by the "M. A. and articles of War; they may inflict the punishment of death "even, where the imperious necessity of the case and the existing circumstances warrant

Fovjdaree Diary 24th December 1832.

"warrant it; when such penalty would not, for such Crimes, "be visited with such severity by the ordinary common Courts "but such powers cannot be assumed: they must be duly "delegated by proper authority."

5 If however it is proposed to enquire what would be the operation of the articles of war promulgated in Regulation V of 1827 as applied to the Cases contemplated in Regulation VII of 1808 the Judges have agreed upon the following construction of those Rules as applicable to the questions proposed to them.

6. Article II Section XI Regulation V of 1827 provides, that no soldier shall be tried for any crime involving a punishment extending to life or inflicted by a Court Martial other than a General Court Martial.

7. Article VII Section IX provides that no sentence of death shall be given against any offender by any General Court Martial consisting of less than thirteen members (except the same shall be holden in a place out of

of the two foregoing under the Provisions of Reg. X of 1829

5.

Article II of IX prescribing that the

Sentence of Death passed by the Court

at all General Courts Martial

9.

Regulation III of 1821 & that of the foregoing

VI of 1824 refer to Courts Martial composed of Native

and the fifteen allowed by Article I Section II

III of 1829 is restricted to persons under the

orders for trial, and shall by law try Civil

by a European General Court Martial.

10.

With the exception

the cases last mentioned it would

that Courts Martial held under the foregoing

of Regulation VII of 1808 if convened by the

non-commissioned Officers of Regulations VI

to general Courts Martial established

Native Inhabitants of the Interior and that

Fonjdaree Diary 24th & 26th December 1832.

trials before those Courts should be conducted by a Judge

Advocate.

With reference to the provisions of Article X

Section IX Regulation V of 1827 it would appear to be necessary

in order to the immediate execution of the sentence under Section

III Regulation VII of 1808. that there should be upon the spot

some authority competent to confirm the same.

24th December 1832. (signed) J. C. Morris

Fdz. Register

No. 746. To

The Provincial Court in the Northern Division

Gentlemen, I am directed by the Judges of the Court of

Fonjdaree Adawlut to acknowledge the receipt of your letter of the

12th instant and in reply to observe that the Assistant Judge

at Jessore apprehends may be instructed to rent such buildings

as may be necessary for the accommodation of the Prisoners the

Court will not contemplate submitting any application for

sanction for the accommodation by temporary measures until authority

can be obtained for increasing the size of the Jail, for

which the Court will be prepared to apply, on receipt

of an estimate of the expense.

26th December 1832. (signed) J. C. Morris

Register

No. 747. To

The 3d Judge on Circuit in the Northern Division

Sir, I am directed by the Judges of the Court of

Fonjdaree

Governor in Council has been pleased to grant you leave of absence for one week on sick certificate and to convey to you their authority to practise the Sessions at Vellore from the 2d to the 9th proximo.

29th December 1832. Signed J. C. Morris

No. 772 To, Register

The Acting Secretary to Government in the

Sir, Judicial Department

I am directed by the Judges of the Court of Soojdaree Adalut to acknowledge the receipt of your letter of the 11th instant transmitting for their consideration a copy of a correspondence from the Magistrate of Tinjaga relative to the manner of recovering there the opinion of the to the course of proceeding it would be advisable to pursue in regard to the 17 Prisoners therein referred to.

2 The Judges in reply direct me to state that it appears to them that the case of 17 persons in question falls within the provisions of Clause third Section VIII. Regulation XI of 1827 and that they should be dealt with according to that and the two subsequent Clauses.

3. The Judges desire me to add that the Court of Soojdaree Adalut have repeatedly stated to Government their opinion that Regulation XII of 1829 should be amended and their dissents from the instructions is recorded in their Proceedings

Proceedings dated the 29th July 1830 on the draft of Regulation IX of that year.

31st December 1832. Signed J. C. Morris Register

No. 773. To, Folio

The Acting Secretary to Government in the

Sir, Judicial Department

1. With reference to my letter of the 11th ultimo I am directed by the Judges of the Court of Soojdaree Adalut to request that you will submit to the Most Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court in the Centre Division dated the 10th instant transmitting a Special Report from the Magistrate of Chingleput on the state of this District, & the measures called for in consequence of the assertions contained in the Petition forwarded with your letter of the 4th instant which is herewith returned.

31st December 1832. Signed J. C. Morris Register

No. 774. To, Folio

The Acting Secretary to Government in the

Sir, Judicial Department

1. With reference to your letter of the 7th instant I am directed by the Judges of the Soojdaree Adalut to request that you will lay before the Right Honorable the Governor in Council the accompanying copy of a letter from Mr. Anelay Acting Assistant Judge of Cuddapah furnishing the explanation therein called for.

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It appears that Mr. Onslow did not consider himself qualified to act as a Justice of the Peace, in consequence of his not having taken the oath of qualification as a Justice of the Peace since the accession of His present Majesty and the Judges doubt not but that in adherence to the practice in England it seems to them that his view of the subject is correct that fresh oaths are necessary, but as this opinion involves the necessity for the several Judges and Principal to go to Cuddalore a new for this office, it may be considered proper to refer the question to the Advocate General -

31st December 1832 — Signed J. Ca. Morris -

No. 775. To — No. 105.

Register

The Acting Secretary to Government in the

Sir, Judicial Department -

1. I am directed by the Judges of the Court of Tonjidaree Udiatul to request that you will lay before the Right Honorable the Governor in Council the accompanying Copy of a letter from the Assistant Judge of Tanjore and enclosures from the Provincial Court in the Northern Division and under the circumstances represented by Mr. Angelo, to recommend that authority may be granted to that Officer for the entertainment of 11 additional Peons as long as their services may be indispensably requisite -

2. The Judges also beg to recommend that the Assistant Judge of Guntoor may be authorized to entertain two additional Criminal Peons at 10 Rupees each per mensem

From the P.C. in the J.D. 18th Dec. 1832

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with the understanding that they are to be discharged as soon as their services can be dispensed with -

31st December 1832 - Signed J. Ca. Morris

No. 776. To — No. 106. Register

The Acting Secretary to Government in the

Sir, Judicial Department

1. I am directed by the Judges of the Court of Tonjidaree Udiatul to request that you will lay before the Right Honorable the Governor in Council the Copy of a letter from the Acting Assistant Judge at Coimbatore requesting that in consequences of the present scarcity and dearness of grain he may be allowed to purchase a quantity to distribute the same to the inferior servants of the Court at cost price -

2. The Judges consider it proper to lay Mr. Popham's letter before Government although they cannot recommend that his suggestions should be adopted -

31st December 1832 - Signed J. Ca. Morris

No. 777. To — No. 107. Register

The Acting Secretary to Government in the

Sir, Judicial Department

Agreeably to the instructions contained in your letter No. 767 dated the 17th September I am directed by the Judges of the Court of Tonjidaree Udiatul to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council the English translation of the proceedings held

held in the late trial at Cuddapah for the offence of Peculation
& Fines) together with a copy of the remarks upon the case
submitted with the Calendar by Mr. Casamajor late officiating
Additional Judge of the Provincial Court of Circuit in the
Centre Division.

31st December 1832. Signed / W. Hudleston

Register

No. 1778. To

The 1st Judge on Circuit in the Centre Division

Sir

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 21st Instant and in reply to inform you that they consider the establishment you have with you on Circuit amply sufficient for the preparation of the trials under reference to this Court and do not in consequence think proper to solicit sanction for any additional expence on account of Writers.

31st December 1832. Signed / J. C. Harris

Register

No. 1779 To

The Acting 3d Judge of the Provincial Court of Circuit in the Centre Division.

Sir

I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of your letter of the 20th Instant and to inform you that the provisions of Regulation VIII of 1827 now apply to Cuddapah, at which station it has not been directed under Section II Regulation II of 1831. that the Sessions

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shall be held and that therefore with reference to Section VIII of 1827 all committed prisoners should have been forwarded to Cuddapah.

The Judges desire that you will communicate this letter to the Provincial Court of Circuit in order that the necessary instructions may be issued to the Native Commissioner at Cumlum to avoid irregularity for the future.

31st December 1832 Signed / J. C. Harris

Register