303

1169

412

Tanjore Diary 2nd January 1836

No. 1 A

To

The Chief Secretary

to Government

Sir,

I have the honor of the Tanjore Magistrate to solicit the attention of the Government in Council to the fact that although a considerable period of time has elapsed since Mr. E. B. Wray was relieved from his office as Judge of the Provincial Court in the Western Division, the Gentleman has hitherto made not the least progress in bringing to a close the business connected with his late office.

In their proceedings under date the 7th of September 1835 the Court of Tanjore called our reviewing the last portion of the Criminary Calendar and the Supplemental Calendar of the same Zillah for the Session of the present year, pointed out to Mr. Wray that he had in overlooked the provisions of the Regulations laid down for the guidance of Judges of Circuit, and in seven Cases passed illegal sentences, and noted that these sentences should be revised that second Futwas should be taken from the Mahommedan Law Officer of the Court, and the Cases be disposed

in the mode prescribed by Law and of case
No. 47 on the same Calendar. Mr. Wray was instructed
to prepare and submit without delay an english
Translation, as from the abstract of evidence, the
conviction of the Prisoner by the Court of Circuit
appeared to rest upon insufficient grounds.

3. Again in their proceedings
under date the 18th. September 1835. the Court of
Foujdaree Adalut on reviewing the above
Calendars for the first Sessions of the last year,
required Mr. Wray to send up the English and
Persian Translations of three Cases for their
consideration and final Judgment as in
two of these cases, he had illegally presumed to
pass sentence on the accused upon a simple Letter
of "Suspicion" delivered by the Mahommedan Law
Officer, in contravention of the provisions of clause
Sixth Section II Regulation XV of 1793, and
in the third case, when the Mahommedan Law
Officer rejected the evidence of the principal
witnesses for the prosecution on the ground that
they did not recognize the Prisoner among the
others charged in the indictment, the Court
over-ruled the objection as Technical although
it was manifest that it was not an objection
of the nature contemplated by Section VIII Regu-
lation I of 1825 or specified in Clause first
Section II Regulation VI of 1829.

Foujdaree Diary 2d. January 1836

4. The proceedings above mentioned
moreover involved questions of mitigation of
the sentences passed by the Court of Circuit,
the determination of which the interests of the
parties affected, obviously demanded that no
unnecessary delay should occur.

5. It must also be added that the
case No. 9 on the Cuttack Calendar, First Sessions,
the English Translation called for by the Court
of Foujdaree Adalut in their proceedings of
the 4th. July last has not yet been submitted.

6. Of the Precepts above mentioned
that of the 7th. September was made returnable
within twenty-five and that of the 16th. of Sep-
tember, within fifteen days: but as they remained
so unnoticed, a further precept was issued
on the 10th. November and another on the 16th.
Ultimo: the latter conveying a warning
to Mr. Wray that unless replies to the former
proceedings were immediately submitted
it would be requisite to make his systematic
neglect of duty the subject of a grave repre-
sentation to Government.

7 On the 21st. Ultimo Mr. Wray's
first Return was received in which he
acknowledged only the Precept of the 16th. Sep-
tember last: and of this document the Board
the Foujdaree Adalut directed me to

you a copy; as in their opinion it affords internal evidence that the irregularity by which Mr Way's proceedings while on Circuit were so strongly characterized, still continues to pervade his official acts.

8 But further, this Return itself is in the opinion of the Tanjore Court most unsatisfactory: for past neglect the chief excuse attempted by Mr Way to be offered is that "the lapse of time has completely escaped him"; it yields no information whatever of the nature or extent of the progress made in fulfilling the instructions issued for his guidance: while with the experience they already possess of his extreme dilatoriness while on Circuit in the Northern Division the Judges entertain but slender hopes that any strenuous assertion will follow the assurance with which Mr Way's reply concludes that he will proceed to return the "delay" "day?".

9 In bringing these circumstances to the notice of the Governor in Council, the Judges of the Tanjore Court feel assured that it is unnecessary for them to dwell upon the grievous hardship which must inevitably be entailed upon the

individuals who have already been many months in confinement, if the reference of the cases in which they are respectively concerned should be longer delayed.

10 On the foregoing grievances the Judges would respectfully suggest that such instructions may be issued to Mr Way as to the Governor in Council may seem fit, with the view of inducing that Gentleman to conform immediately and strictly to the several orders issued for his information and guidance which, though mandatory from his immediate superiors, have not received from him that attention which is appertaining in their nature to the liberties of many of his fellow men and their importance imperatively demands.

11 I am directed to add that since the above was written, Mr Way has forwarded the Records of two of the cases called up, both however incomplete.

2nd January 1836. (Signed) W. Dangerfield
Register.

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

Gentlemen

1 I am directed by the Judges of the Court of Tanjore Zillah to request you

communicate to the Magistrate of Salem that the Governor in Council has intimated to this Court in an extract from the Minutes of Consultation under date the 22d Ultimo that he will be prepared to entrust the execution of the work of clearing the Fort at Salem to the Magistrate of the District agreeably to the request contained in his letter of the 8th October last, but that the circumstances represented in the 5th para. of the letter from the Register to the Tanjore Court dated the 2d Ultimo, a copy of which is appended, it is considered inexpedient to place at his disposal for this work a party of 150 Convicts. The Governor therefore desires that after inspecting what has already been done by the late Criminal Judge towards clearing the Fort the Magistrate will report what he considers still essential to be done with a view to remove the nuisance complained of, and to improve the healthiness of the place, and will suggest at the same time any mode that may occur to him free from the objections noticed by the Tanjore Court to the accumulation of Prisoners in the Gaol at Salem.

In calling upon the Magistrate to submit the required report at his earliest convenience, you will at the same time direct the Medical Officer in charge of the Gaol at Salem

to report for the information of Government whether the great mortality which is stated to have existed since 1815 amongst the Prisoners at that Station, prevails throughout the year or only at particular Seasons, whether Convicts might not without any risk of danger to their health be sent from the Gaols of the neighbouring Districts at those Seasons when sickness is prevalent at Salem.

4th January 1836. (Signed) W. Douglas.
Register.

No. To
The Third Judge on Circuit
in the
Centre Division

Sir

Adverting to your letter of the 4th December 1835 I am directed by the Judges of Tanjore Court to inform you that on their recommendation Government were pleased under date the 26th December 1835, to sanction the charge amounting to Rupees Thirty five incurred by Mr Assistant Surgeon E. Smith in attending before the Court of Circuit as a witness in case No. 1 on the Chinglepet Calendar for the Sessions of 1835.

4th January 1836. (Signed) J. R. Cole
Asst. Agent

To

Lieutenant Colonel W. Garrard.

Chief Engineer

In charge of the Government

Lithographic Press

Sir.

I am directed by the Judges of the Court of Tanjore Zillah to acknowledge the receipt of your letter of the 31st Ultimo transmitting thirty seven lithographed copies of the papers on the subject of Puggee.

4th January 1830.

/signed/ W. Douglas

Register.

/No: 1/

To

The Chief Secretary

to Government

Sir.

I am directed by the Judges of the Court of Tanjore Zillah to acknowledge the receipt of the Extract from the Minutes of Consultation under date the 11th Ultimo communicating copy of a letter from the Secretary to the Government of India in which it is suggested that the course indicated in the 27th para: of the general letter from the Honorable Court of Directors relating to the principal of native Police Officers be pursued, and requesting the Judges to reconsider

reconsider the objection noticed in the 2d para: of their communication of the 30th of September last to issuing instructions to the Judges of Circuit to the effect suggested by the Honorable Court.

The Judges of the Court of Tanjore Zillah still continue of opinion that nothing but a legislative enactment can deprive the Judges of Circuit of a power vested in them by a Regulation of Government, but in compliance with the desire of Superior Authority, the Court have communicated to the Judges of Circuit the wish of the Honorable Court of Directors that they should exercise the powers vested in them by Section III Regulation XII of 1832 as much as possible only to the limited extent indicated by the Honorable Court in the 27th para: of their dispatch dated the 23d July 1834.

5th January 1830.

/signed/ W. Douglas

Register.

/No: 2/

No: To

The Chief Secretary

to Government

Sir,

I am directed by the Judges of the Court of Tanjore Zillah to request you will bring to the Notice of the Governor in Council that in consequence of the recent abolition

the Auxiliary Court at Honore, it has become necessary with reference to the provisions of Section VII Regulation VIII of 1827 that all Prisoners committed by the Native Criminal Judge at Siree for trial before the Court of Circuit should in future be forwarded to the Criminal Court at Mangalore, in as much as the Auxiliary Court having been abolished the Prisoners cannot longer be forwarded to Honore under the discretionary power vested in the Governor in Council by Section XII Regulation VIII of 1827 and the Court of Tanjore Zillah are not of opinion that any permanent arrangement for the trial of such persons at Honore can be sanctioned by the Governor in Council under the provisions of Section III Regulation III of 1827.

2. The only modification which Section XII Regulation VIII of 1827 has undergone is contained in Section II Regulation II of 1831 which declares that it shall be competent to the Governor in Council by an order in Council to direct that the Trials of any of the Native Criminal Judges shall be conducted at the Stations of the Native Courts but with reference to the very limited number of Cases committed by the Native Judge of Siree, as shewn in the margin of this letter

and to the impracticability of the Court of Circuit proceeding to the Station of that Native Court the Judges direct me respectfully to suggest that they be authorized by the Governor in Council to prepare the draft of an Enactment in which provision should be made for the delivery of the Jail of the Native Criminal Judge of Siree at the Station of the Native Court at Honore.

6th January, 1836. (Signed) W. Douglas
Register.

(No. 3.)

No. To
The Chief Secretary
to Government

Sir,

I am directed by the Judges of the Court of Tanjore Zillah to acknowledge the receipt of your letter of the 15th Ultimo and to request you will lay before the Governor in Council the original Records of the Trials noted in the margin connected with the case of the Murder of Ramasamy Vellalen Clerk to the Conjeevaram at the Village of Veeranatchelly in the Talook of Coliroor in the pro-

Trial No. 1. Tellicherry Asst. Cal's 3d Quarterly Sessions of 1832
No. 1. Tellicherry Calendar 2d Quarterly Sessions of 1833
No. 1. 6th Asst. Cal's 1st & 2d Quarterly Sessions of 1833.
No. 1. 2d Asst. Cal's 1st & 2d Quarterly Sessions of 1834.

of Malabar in April 1832, together with copies of the recorded Minutes of the Judges in disposing of them, and the papers as per List appended which tend to elucidate the case of Amboaty and Coonjamboo.

7th January 1836. (Signed) W. Douglas
Register

Original Letters

F. Et. No. 606 of 1832. from 2d Judge of the C. of C. W. D.
" - No. 320 of 1834 from 3d Do. - - Do. - - Do.
" - No. 324 of - Do. - from - - Do. - - Do. - - Do.
" - No. 606 of - Do. - from - - Do. - - Do. - - Do.
" - No. 1230 of - Do. - from - - Do. - - Do. - - Do.
" - No. 1230 A of - Do. - from - - Do. - - Do. - - Do.
" - No. 1053 of - Do. - from - - Do. - - Do. - - Do.

To

C. E. Oakes Esqr
late Acting Judge in the
Zillah of Chittoor

Sir,

1 I am directed by the Judges of the Court of Tanjore Zillah to transmit to you, for such explanation as you may be enabled to offer, copy of a letter and its enclosures addressed to this Court by the Criminal Judge in the Zillah of Chittoor under date the 12th November last in which it is stated that a Prisoner named Chinnapien

"Chinnapien" with a view of ascertaining whether he could speak has frequently been most severely "flogged" by your order with a Cat o' nine tails but that how often is doubtful as the only record kept of the punishments is a memorandum "mum magee" at the time by the Jailor.

2. It may be within your recollection that the Prisoner Chinnapien was placed in the Jail at Chittoor then under your charge on a charge of having murdered his infant daughter, and in the depositions given before the Criminal Judge (a copy of which accompanies this letter) it is stated by the Jailor that this person was flogged by your order on the 15th July, 31st of August and again on the 13th of September 1834 and on this last occasion in the presence of the Assistant Surgeon.

3 This punishments it is observed were inflicted before any order had been passed upon a doubt as to the Sanity of the Prisoner, and when he was about to be placed on his Trial for murder, which took place on the 13th October 1834 at the 4th Quarterly Sessions of that year.

4 Explanation is also required of the flogging said to have been inflicted on the 12th February 1835, after the Prison

had been by order of the Tanjoaree Cloalut placed
under the inspection of the Medical Officer
with a view to the actual state of his mind
being ascertained.

7th January 1830. /Signed/ W. Douglas
Register.

No.

To

The Acting Joint Criminal Judge
of
Masulipatam

Sir,

I am directed by the Judges of the
Tanjoaree Cloalut to desire that you will im-
mediately submit the account Particulars
of the number and the amount of the pay
of the extra Peons employed during Fasly 1244
to guard the Prisoners at work outside the
Jail at Masulipatam, which was called for
in my letter of the 10th October 1835.

8th January 1830. /Signed/ T. H. Davison
A. Agt to the Regr

No.

To

The Criminal Judge
of
Chittoor

Sir,

I am directed by the Judges of the
Court

Court of Tanjoaree Cloalut to acquaint you
with reference to the letter from this Office to
the late Acting Judge dated the 17th February
last, that Government were pleased
under date the 29th Ultimo to issue order
to the Military Board for deferring the
construction of the Tread mill in the Jail
at Chittoor until the requisite number
of Convicts may be conveniently available
for the purpose".

8th January 1830. /Signed/ G. C. Prendergast
Lieut & Dep Sec

No.

To

The Provincial Court of Circuit
in the
Northern Divisi

Gentlemen,

With reference to the letter
from this Office dated the 21st of September
last and the replies received from your
Court dated respectively the 5th and 27th
of November last, I am directed by the
Judges of the Court of Tanjoaree Cloalut
to desire that the Criminal Judge of
Rajahmundry may be called upon im-
mediately to report his opinion of the
manner in which the Suor Ameens have
been found to exercise the Criminal
Jurisdiction

jurissiction vested in them by the provisions of Section II Regulation III of 1833. and that that Officer be required to explain why the requisite information was not submitted at an earlier period.

9th January 1830. (Signed) W. Douglas.
Register.

No.

To
The 4 Provincial Courts of Circuit.

Gentlemen,

I am directed by the Judges of the Court of Fouj.dare Adalut to communicate to you the following extract (para. 27) from a general letter from the Honorable Court expressing their opinion that it shall be competent to a Circuit Judge to recommend to the Magistrate the dismissal of a Native Police Officer on the ground of any particular misconduct or neglect which may have been established against him in the Circuit Court", and that "the general question of fitness or unfitness of the Police Officer for his place shall be determined by the Magistrate with whom alone the responsibility shall rest." But that "it shall be by a judicial act only under a general power to review the Magistrate's proceedings and to reverse his orders, that the

the Circuit Judge should be vested with authority to direct the dismissal of an Officer of his Establishment."

2 This Court in consequence submitted to Government the draft of an Enactment modifying the provisions of Section III Regulation XIII of 1833 in so far as to direct that the dismissal of any Native Police Officer shall hereafter be directed by a Judge of Circuit only by a judicial proceeding, and not in the manner prescribed in that Section.—

3 It has been intimated however by the Court of Fouj.dare Adalut thro' the Chief Secretary to Government that as the Law Commissioners are now engaged in the formation of a Criminal Code which will embrace the powers and duties of the Magistrates and Criminal Courts relative to the appointment and removal of Police Officers, the Governor General in Council is of opinion that it will be preferable to refrain from legislating on the subject for the present, and I am instructed therefore in the mean time to convey to you the desire of the Court of Directors that the Judges of Circuit should exercise the powers vested in them by Section III Regulation XIII of 1833 as much as possible only to the extent completed by them.—

4

You will be pleased to furnish
copy of this communication to the Judge now
on Circuit in the Western Division
9th January 1836. /Signed/ W. Douglas
Register

No. 3

To the 4 Provincial Courts of Circuit

Gentlemen

I am directed by the Judges of
the Tanjore Zillah Court to request that you will
furnish transcripts of the annexed copy of
parah 10 of a letter addressed to the Right
Honorable the Governor in Council by the Hy
Medical Board under date the 3rd of Septem
ber 1835, to the several Officers in charge of
Jails in the Northern Division, with the ne
cessary application for sanction whenever in their opi
nion founded on the Report of the Medical
Officer any modification of the Court Jails
and under grounds and rules may be
absolutely necessary.

11th January 1836. /Signed/ T. H. Davidson
Asst Collr & Mag.

/No. 5/

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the
Court

Court of Tanjore Zillah to acknowledge the
receipt of an extract from the Minutes of Consul
tation under date the 22nd December 1835 trans
mitting copies of two letters from the Commissary
General dated respectively the 24th of Novem
ber and 19th of December last together with
copies of their enclosures, for such observations
as the Tanjore Zillah may think proper
to record.

In the Commissary General's
letter of the 24th of November last addressed
to the Chief Secretary to Government forward
ing copy of a letter from the Sub Assistant
Commissary General in the Northern Division
together with copy of a communication from
the Magistrate of Masulipatam requesting
information respecting the Military Police
Establishment maintained at Masulipa
tam for conveying into effect the provision
of Regulation VIII of 1832, it is submitted
that on any information of the nature now
applied for to a subordinate Officer of
the Department being hitherto required
it has been usual for the Commissary
General who is under Government vested
with the superintendence and General
Control of all Military Bazars and the
Establishments to receive this instructi

4

that effect direct from that high authority.

The information sought from the Commanding Officer by the Magistrate of Masulipatam was requisite to by the Court of Tanjore Zealut to enable them to report for the information of the Honorable the Court of Directors the exact amount of Charge which has been incurred on account of the Military Police Establishments maintained under the provisions of Regulation VII of 1832, and in that the application for a statement of the Establishment at present entertained was made direct to the Commanding Officer, the Court of Tanjore Zealut are of opinion that the proper course was observed by the Magistrate of Masulipatam in as much as by the provisions of Sections III and IV Regulation VII of 1832. the Police authority and the maintenance of the peace at Military Bazar Stations is vested in the Officer Commanding and under his orders in the Senior Commissariat Officer of the Station," or in such other Officer as may be specially appointed by the Government." and as it is essential that the Officer thus specially appointed

appointed should be under the orders of the Officer Commanding it does not appear to the Judges of the Tanjore Zealut that the Commissary General can legally be vested under Government "with the superintendence and General Control of all Military Bazars and their establishments at Stations designated as Military Bazar Stations."

The further reference to the Officer Commanding made by the Provincial Court of Circuit in the Northern Division was at the instance of the Tanjore Zealut who having been desired by the Right Honorable the Governor in Council to use their discretion in reducing such amount of the Military Police Establishment at Masulipatam as they may upon due consideration esteem unnecessary, required the Provincial Court to give the subject their best consideration and to furnish the Tanjore Zealut with their sentiments as to the extent of reduction which "may be expedient and proper; and the reduction proposed by the Provincial Court in consequence of these instructions not appearing to have been considered in communication with the authorities in charge of the Military Police, the Provincial Court of Circuit were called upon to report whether the reduced Establishment proposed

proposed to be maintained has the concurrence of the Commanding Officer.

The reason therefore of the requisition made by the Provincial Court under date the 5th Ultimo to the Officer Commanding Manilipatam being within the knowledge of the Court of Tanjore Vizt the Judges have directed me to submit this statement of the Case in order to avoid the delay that must be occasioned by a reference to the Provincial Court for explanation.

11th January 1830. (Signed) W. Douglas.

Register

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

Gentlemen,

I am directed by the Judges of the Court of Tanjore Vizt to acknowledge the receipt of your letter date the 23d Ultimo submitting copy of a communication from the Criminal Judge of Malabar soliciting instructions for his guidance in the cases of the Prisoners who have been sent up to the Criminal Court charged with escaping from the Jail Guard at Cotacamund and both of whom are also charged in other murders

with Gang Robbery committed in the District of Malabar since their escape.

2 As the Commitment of the two Prisoners for the graver offence of Gang Robbery may in the event of Conviction render their being placed on their Trial for the minor offence unnecessary, it appears to the Judges of the Tanjore Vizt but, as at present informed sufficient to observe that should it eventually be found requisite with reference to the circumstances under which the escape from the Jail at Cotacamund was effected or from other cause, to bring the Prisoners forward on the charge escape; the Court will be prepared on reference to the provisions of Clause 2d Section II Regulation III of 1827 to submit to Government their recommendation that they should be tried in the Zillah of Malabar.

11th January 1830. (Signed) W. Douglas.

Register.

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

Sir,

I am directed by the Judges of the Tanjore Vizt to acknowledge the receipt of your letter of the 18th Ultimo. and to inform

you that under the circumstances therein brought to notice, and on their recommendation Government were pleased under date the 5th Instant, to authorize you to employ an extra Coomastah on a Monthly Salary of /20/ Twenty Rupees for a period not exceeding two Months or until the arrival at Calicut of the Maliyalum and Canarese Coomastah attached to the Court of Circuit and at present with the first Judge on Circuit in Canara.

11th January 1835. /signed/ J. H. Daniell

A. A. to the Regt.

/No. 6/

To

The Chief Secretary

to Government

Sir

I am directed by the Judges of the Court of Tanjore Zillah to acknowledge the receipt of the Extract from the Minutes of Consultation dated the 24th November last No. 900 forwarding for enquiry and report an Extract from the Minutes of Consultation in the Military Department with a letter from the Military Auditor General relative to the employment of Private Wm Dogherty of His Majesty's 55th Regiment at Chinglepet out of the regular line of duty.

The

2. The Judges having called upon the Provincial Court of Circuit for the Centre Division and the Criminal and Acting Criminal Judge of Chinglepet for their opinions whether the services of Private Dogherty in superintending the manufacture of looms in the Gaol at Chinglepet are any longer required, I am directed to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copies of their replies, and respectfully to refer for additional information on the point in question to the letter from this Court to Government under date the 29th November 1834.

3. The Criminal Judge in his letter of the 4th Instant points out the advantages which he contemplates will be derived from continuance of the superintendence of Private Dogherty over the meaning carried on in the Gaol, and of the Manufacture of cloth being kept up in it as a suitable and useful means of employment for the Prisoners, and it would seem also from his letter that the circumstance chiefly dwelt upon by the Acting Criminal Judge Viz. that there is no demand for the cloth manufactured is likely to be obviated when the knowledge of the Manufacture becomes more general. His "conviction", he states, is "that the looms repay the amount expended and the

cir-

cost of Superintendence; and he proposes on his return to Chinglepet to furnish a statement in support of his opinion.

4. This Statement I am directed to add will be laid before Government immediately on its receipt. The Right Honorable the Governor in Council will then have to decide whether Private Dogherty has lately obtained his discharge, and if it is stated by the Acting Criminal Judge of Chinglepet that he has done so under the expectation of being continued in his present employment.

12th January 1836. /Signed/ W. Douglas

Register.

To

The 1st Judge on Circuit in the

Western Division

Sir,

1 I am directed by the Judges of the Court of Thuggaree Adalut to acknowledge the receipt of your letter dated the 9th Instant with the papers therewith transmitted.

2 The Judges are of opinion that in a case of perjury before the Assistant Judge the Criminal Judge should proceed in the same manner as in cases of perjury before the Court of Circuit or the Provincial Court of Appeal. That is he should prepare

1.

the case for trial, in the manner indicated in para: 4 of your letter.

3. And the Judges are further of opinion that the Criminal Judge is bound to commit the party for trial, in such a case as he would be in a case of Perjury before a Superior Court.

13th January 1836. /Signed/ W. Douglas

Register.

No 7

To

The Chief Secretary to Government

Sir,

1 With reference to para 2 of the Minutes of Consultation under date the 8th Instant No 933 and to your letter dated the 5th Instant I am directed by the Judges of the Court of Thuggaree Adalut to transmit to you 6 copies of all papers on the subject of Thuggee which have been circulated to the several Magistrates in the Provinces previously to the receipt of the Minutes of Consultation above alluded to.

It was found absolutely necessary

2 to employ extra Writers for the performance of this work, and the remuneration to which they are entitled under the 39th Article of the Rules published at page 845 of the Fort George Gazette of 1833 amounts in the aggregate to Rupees sixty five and Annas Eleven

for

for the payment of which sanction is requested.
Note. This sum is inclusive of the charge
amounting to Rupees 6. 3. 1. for writing 37 co-
copies of the Extract from the Minutes of Con-
sultation under date the 24th November 1833
omitted to be lithographed by the Chief Engineer.
15th January 1830.

/Signed/ W. Douglas.
Register.

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

Gentlemen,

With reference to your letter of the
7th Ultimo, forwarding the translation of a communica-
tion from the Acting Native Judge of Honore, in
which that Officer after reporting that Vyencoonta
Shanabogue has offered to execute the proposed
alterations to the Jail at Honore in the mode
proposed by Captain Lane, the Superintending
Engineer in Malabar and Canara, for Rupees
Thirteen hundred, suggests, as the number of con-
victs (who are to be employed in making tiles
and Chunam, cutting stones and carrying them
to the Jail and bringing sand and the timber
which the contractor will bring and leave on
the river side, to the Jail) liable to work is at
present but thirty six; and the period of their
sentences

sentences is short. that a certain number be sent for
from the Zillah Jail. I am directed by the Judges of
the Tongdaree Adalut, under instructions received fr
Government to request that you will call upon the
Acting Native Judge to ascertain and report on
what terms Vyencoonta Shanabhogue would be
willing to undertake the execution of the work in
the event of its being found impracticable to p
the services of any convicts, at his disposal.
15th January 1830.

/Signed/ T. H. Daun
Asst to the

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

Gentlemen,

With reference to your letter dat
the 18th Ultimo I am directed by the Judges of the Ton
Adalut to request you will communicate to the M
gistrate of Madura, that a copy of his letter of
16th of December last, disclaiming with referen
to his return to the precept of the 27th of July l
any intention of disrespect towards his Superi
having been laid before the Government, th
Governor in Council was under date the 7th Ins
pleased to express himself "quite satisfied" wi
Mr Blackburn's explanation.
15th January 1830.

/Signed/ W. Douglas
Regist

/. No. 8/

No. To

The Chief Secretary

to Government

Sir,

I am directed by the Judges of the Court of Tanjore Zealut to acknowledge the receipt of the order of Government dated the 9th Instant accompanied by an Extract from the Minutes of Consultation in the Military Department of the same date in which the following questions in reference to Act XI Section XII Regulation V of 1827, are referred for the opinion of the Judges of the Tanjore Zealut.

2. 1st. "Whether Prisoners under trial for extensive fraud and embezzlement can be released on bail from confinement?" and 2nd "If Prisoners under trial for such offences can be released on bail, the nature of the security that should be furnished, and its amount relatively with the total amount of alleged fraud and embezzlement?"

3. In Clause first Section X Regulation IX of 1810 it is declared that "persons accused of treason, murder, Robbery, Setting fire to any house or Village, house breaking, theft or counterfeiting of the coin, provided there shall appear sufficient grounds for believing the charge, shall not be admitted

to bail."

4. In Clause first Section XII of the same Regulation is distinctly recognized the principle of applying the rule, of not admitting bail, to crimes, which tho' not expressly declared, not bailable may involve such dangerous breach of the peace, or degree of criminality as from the facts reposed to before the Magistrate, may appear to require the immediate apprehension of the accused, and to render the admission of bail unsafe and improper.

5. In Section XI Regulation X of 1817 it is declared that "in all cases of trial before the Court of Circuit if the admission of bail have not been prohibited by the Regulations and the bail tendered shall appear sufficient for securing the appearance of the party accused, he shall be admitted to bail until sentence be passed upon the charge against him."

6. There is no provision in the Regulations of this Government, which expressly declares the crime of "embezzlement" to be not bailable but in Clause first Section XVIII Regulation IX of 1816 it is declared that in cases of an aggravated kind brought before a Criminal Judge under the foregoing Section" (which last mentioned section refers to the offences enumerated in Clause second Section II of the Regulation) "if he shall be of opinion that the sentence which he is authorized to inflict is not adequate to the punishment of the

the offence, he shall commit the parties to take their trial before the Court of Circuit.

7 Here no provision is made for the admission of bail and "embezzlement" is one of the offences alluded to in Clause 2nd Section II of the Regulation.

8 From the analogy of this provision and with reference to that part of clause first Section XII Regulation IX of 1816, alluded to in the 4th para. of this letter, it appears to the Court of Tanjore that a person charged with embezzlement of an aggravated nature" is not intended by the Regulations to be admitted to bail.

9 And as in bailable cases it rests with the Judicial tribunals to determine as to what bail shall be deemed sufficient to answer the purpose intended by it; it appears to the Court of Tanjore right to follow as an inevitable consequence that in a case where from peculiar circumstances it may be evident that an amount of bail will suffice to secure the appearance of the party accused, when required, it is not the intention of the Regulations to allow to the accused as a matter of right, the option of remaining at large on bail, until sentence be passed upon the charge against him".

10. Under the provisions of Section XI Regulation X of 1816, however, it is competent to the Court of Circuit, should they deem it just and proper

Tanjore Diary 15th January 1830.

proper to admit to bail a person charged with an offence not bailable under the general provisions contained in the Regulations; and accordingly should it be deemed expedient to authorize the release of the Prisoner in question the Court are of opinion that the security demanded should be such as is considered sufficient to secure their appearance when required, and in a sum considerably exceeding the amount which they are charged with having embezzled.

11 I am directed to return the three original letters from the Adjutant General of the Army, dated respectively the 30th of December 1830 the 4th and 7th Instant which accompanied the order of Government of the 9th Instant No. 29.

12. Unable to concur in the opinion the given by his colleagues, the Acting Judge has recorded his opinion in the separate Minute of which a copy is enclosed.

15th January, 1830. (Signed) W. Douglas. Register.

Minute of the Acting Judge.

At first I was inclined to think with my colleagues, that although fraud and embezzlement are not, by name, included among the crimes in which the acceptance of bail is prohibited by the Regulations, yet cases of them might occur involving such a degree of criminality as to "render the admission of bail unsafe and improper"; and therefore, to justify its acceptance

or refusal, on consideration of the circumstances of the case and the character of the party accused" as contemplated in Section X and XII Regulation IX 1816.

But, on further examination, I find that the exercise of the discretionary power, in this respect, certainly authorized by the law, is most strictly confined to the Magistracy exclusively. In heinous offences, Magisterial proceedings constitute neither commitment, nor trial, but are merely preliminary, to ascertain not only the criminality of the accused, but also the exact nature of the offence. murder or homicide. bailable or not bailable by law, cannot be ascertained accurately, until such preliminary investigation has been completed, that the Law, in order to prevent the acceptance of bail, in cases in which it has prohibited it, widely vests in the Magistracy, so long as the nature of the crime has not yet been ascertained a discretionary power, against the liberty of the subject, which it altogether denies to the higher tribunal before whom the nature of the offence must be apparent. The form of the warrants, expressly referred to in Section XII Regulation IX 1816, given in its appendix, confirms this impression.

Accordingly, in heinous offences, often such preliminary inquiry by the Police,

Fowjdaree Diary 15th January 1830

or Magistracy, it is expressly declared, by clause 3d Section IX Regulation X 1816, that the Criminal Court, or committing authority on proof of the offence, and of the concern in it of the accused, shall commit him to prison, or hold him to bail, according as the offence may be bailable or not, to take his trial" and the following Section XI is peremptory that "In all cases of trial before the Court of Circuit, "if the admission of bail have not been prohibited "by the Regulations, and the bail tendered shall "appear sufficient for securing the appearance "of the accused, he shall be admitted to bail, until "sentence be passed against him".

The Law of these territories, like that of England, therefore, so soon as the nature of the offence is ascertained, declares the prohibition in the law itself against the acceptance of bail the limit of the power of the higher tribunals against the liberty of the accused. It even goes further; for as in the case of the late Manager of this Court, sentenced, for embezzlement, to 14 years transportation, and confiscation of the whole of his property whilst the English law which admits to him to bail surrendered him to actual custody to take his trial before his Majesty's Court, the law of these territories expressly annexes the

the accused to bail "until sentence be passed against him". It then goes on in the spirit of the English law, in Section XI Regulation X 1810, to give to the tribunal by which he is to be tried, discretionary power, not at all against, but expressly in favor of his liberty by enabling them to admit to bail a person charged with an offence not bailable under the general provisions of the Regulations.

With respect to Regulation IX 1822, I consider it a penal enactment, to be construed strictly, as applicable to revenue embezzlements alone; and in regard to that special offence, my opinion is that the partial provisions contained in Section XVIII do not repeal the minor enactment expressly declared applicable to all cases of trial before the Court of Circuit, because as provided in Section XX Regulation I 1803 the new can be legally construed to repeal the old enactment only when the new one is couched in negative terms, or by its matter necessarily implies a negative. I cannot think it implies more than that the crime is to be tried before the Court of Circuit, but even supposing it imperative on the Criminal Court to commit, in that particular offence it is, under Section XI Regulation X 1810, imperative on the Circuit Court,

Court to admit those committed for it to bail - for the words are "in all cases of trial" even pending before it Not admitting, however, the construction given by my colleagues, to Section XVIII Regulation IX 1822, its analogy of course is inadmissible by me.

For these reasons, I am decidedly of opinion that as the admission of bail has not been prohibited by the Regulations, in cases of fraud and embezzlement, however extensive, persons charged therewith under Regulation V 1827 Section 12 Article 6 are, under the positive enactments contained in Section XI Regulation X 1810, by law, entitled to release on bail, until sentence is passed against them.

I am further of opinion that the same law requires the amount and nature of the bail demanded to be confined to what is sufficient to secure the appearance of the accused: but that, subject to this restriction, both are determinable at discretion by the authority which commits, liable to revision by the tribunal which tries, and also by that which ultimately, like this Court, decides on the Case all of whom, no doubt, will in determining these points give due consideration to the statement made by one of the accused that a large part of his property is already in public custody.

15th January 1836. (Signed) A. D. Campbell
Dy Judge.

No. 8.

To

The 4 Provincial Courts of Circuit

Gentlemen,

With reference to the mass of this Court of the 7th November last I am directed by the Judges of the Court of Fyzabaree Mealut to forward to you Lithographed and manuscript copies of certain further communications from the Superintendent in the Thuggee Department and of the depositions which accompanied them transmitted to the Chief Secretary to Government thro' the Secretary to the Government of India, and to request that one copy of these communications together with a copy of the extracts from the Minutes of Consultation under dates the 24th of November and 15th of December last may be furnished with the least of possible delay to each of the Magistrates and Joint Magistrates within your Division.

You will be pleased at the same time to recommend to the several Magistrates the adoption of simultaneous measures for the apprehension of Thugs and secure them with reference to para: 1. of the Minutes of Consultation under date the

the 24th of November last to consider the best means of carrying into effect the orders of Government in respect to the interchange of communication between adjoining Villages and Talooks by which the safe progress of Travellers may be ascertained and the route of suspected Strangers traced. You will also issue instructions to the Magistrates to give immediate intimation to Captain Reynolds of any murders which may come to their knowledge which there may be the smallest reason to suspect have been perpetrated by Thugs and obtain from him such further information from time to time as he will doubtless be able and willing to supply and enjoin the Magistrates and all Officers under their control to use their most active exertions in the prosecution of the great object of suppressing Thuggee throughout the Country.

16th January 1830. (Signed) W. Douglas.
Register.

(No. 9.)

No. 9

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Fyzabaree Mealut to transmit for the purpose

purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 19th Ultimo from the Acting Joint Criminal Judge at Vizagapatam representing the necessity of building a new Jail and submitting a few suggestions on the subject.-

2. The Acting Joint Criminal Judge has been informed that Government under date the 10th of November last sanctioned a revised plan and Estimate for constructing a new Jail at Vizagapatam, amounting to Rupees 4309. 13. 3 after deducting Rupees 56. 14. 3 on account of work to be performed by Convicts; there is therefore reason to believe that measures are in progress for commencing the required work.-

3. The object of the Judges in submitting the above communication, is respectfully to bring to the notice of Government as worthy, in their opinion of adoption, the suggestion that in choosing a site for a new Jail, a spot may be selected which shall afford room for the erection hereafter of a Court house.-

18th January 1830. (Signed) W. Douglas.
Register.

No.
To
The Acting Joint Criminal Judge
at Vizagapatam.

Sir,

I am directed by the Judges of the Court of Sanjaree Adalut to acknowledge the receipt of your letter of the 19th Ultimo. representing the necessity of building a new Jail at Vizagapatam and submitting a few suggestions on the subject, and to inform you that Government under date the 10th November last sanctioned a revised plan and Estimate for constructing a new Jail at Vizagapatam, amounting to Rupees 4309. 13. 3. after deducting Rupees 56. 14. 3 on account of work to be performed by Convicts; there is therefore reason to believe that measures are in progress for commencing the required work.-

The Judges have directed a copy of your letter to be laid before Government considering your suggestion that in choosing the site for a new Jail a spot may be selected which shall afford room for the erection hereafter of a Court house, to be unobjectionable and worthy of adoption.-

3 I am desired to request your attention to the Circular Order of the 31st of August 1829. recorded amongst the orders of the Sudr Adalut. but equally applicable to correspondence with the Sanjaree Adalut agreeably to which your present communication should have been forwarded through the Provincial Court of Circuit. you will be pleased to furnish that Court with copy of your letter of the 19th Ultimo and of this reply for their information.-

see page 95 of letter orders.

18th January 1830. (Signed) G. L. Prendergast
Sen. Dy. Regr.

N: To
The Provincial Court of Circuit
in the
Northern Division

Gentlemen

I am directed by the Judges of the Court of Tanjaore Zealut to acquaint you with reference to the statement which accompanies the Civil Report of the Northern Division for the 3d Quarter of the past year, that the Right Honorable the Governor in Council was pleased under date the 14th Instant to sanction the charge amounting to Rupees 5.6.7 incurred from 21st May to the 30th September 1835 on account of Batta paid to the Children of Prisoners in the Jail at Vizagapatam.

You will be pleased to communicate the sanction of Government to the Acting Joint Criminal Judge at Vizagapatam from whom the Judges have received, in a letter dated the 23d Ultimo, copy of the above statement.

21st January 1830. (Signed) G. L. Prendergast
Lieut. Dep. Regr.

N: To
The Acting Joint Criminal Judge
of
Coimbatore

Sir,

With reference to your letter 11th Instant reporting the escape from the Court of

at noon of the 24th Ultimo, of two Prisoners named Mayadeen and Cantoovanah, I am directed by the Judges of the Tanjaree Zealut to acquaint you that the practice of detaching Prisoners to gather firewood in the Jungles at a distance from the Jail, may in future be discontinued as unauthorized and inexpedient.

23d January 1830. (Signed) J. H. Davidson
Asst to the Regr.

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

Gentlemen,

I am directed by the Judges of the Court of Tanjaore Zealut to acknowledge the receipt of your letter dated the 21st Ultimo and to transmit to you the accompanying 24 duplicate forms of N: 3 for the use of the Criminal Courts in your Division.

25th January 1830. (Signed) W. Douglas.
Register.

N: To
The 1st Judge on Circuit
in the
Centre Division

Sir,

I am directed by the Judges of the Court of Tanjaore Zealut to acknowledge the receipt of

No. To

The Provincial Court of Circuit
in the
Northern Division

Gentlemen

I am directed by the Judges of the Court of Tanjoaree Cadut to acquaint you with reference to the statement which accompanies the Civil Report of the Northern Division for the 3d Quarter of the past year, that the Right Honorable the Governor in Council was pleased under date the 14th Instant to sanction the charge amounting to Rupees 5. 6. 7 incurred from 21st May to the 30th September 1835 on account of Rations paid to the Citizens of Prisoners in the Jail at Vizagapatam.

You will be pleased to communicate the sanction of Government to the Acting Joint Criminal Judge at Vizagapatam from whom the Judges have received, in a letter dated the 23d Ultimo, copy of the above statement.

21st January 1830. /Signed/ G. L. Prendergast
Lieut. Depy
Asst to the Regr

No. To

The Acting Joint Criminal Judge
of
Coimbatore

Sir,

With reference to your letter of the 11th Instant reporting the escape from the Court of

at noon of the 24th Ultimo, of two Prisoners named Mayeaeen and Cantoovanah, I am directed by the Judges of the Tanjoaree Cadut to desire that the practice of detaching Prisoners to gather firewood in the Jungles at a distance from the Jail may in future be discontinued as unauthorized and inexpedient.

23d January 1830. /Signed/ T. H. Davidson
Asst to the Regr

No. To

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

Gentlemen,

I am directed by the Judges of the Court of Tanjoaree Cadut to acknowledge the receipt of your letter dated the 21st Ultimo and to transmit to you the accompanying 24 blank forms of No. 3 for the use of the Criminal Courts in your Division.

25th January 1830. /Signed/ W. Douglas.
Register.

No. To

The 1st Judge on Circuit
in the
Centre Division

Sir,

I am directed by the Judges of the Court of Tanjoaree Cadut to acknowledge the receipt of

of your letter dated the 15th Instant bringing to notice certain circumstances connected with case No. 1 of the Cuddapah Calendar for the 1st Sessions of 1830 and requesting instructions as to the latter in the event of the witnesses for the 1st and 3d Prisoners not making their appearance you should again postpone the Trial of the three Prisoners or after taking the Futwa of the Mahommedan Law Officer pass sentence on the second Prisoner, or whether as the prosecution was closed by Mr Davis, you should not transmit to him the Record of Trial with the additional evidence taken before yourself for his final judgment.

In the case reported in your letter the course of proceeding sanctioned by the Circular Order of the Tanjore Zillah dated 24th August 1826 and circulated on 28th June 1827 has been thus far observed, that the Judge late on Circuit has taken the evidence for the prosecution and then postponed the trial and according to that Circular Order it remained only for you to "complete the Trial," which as respects the 2d Prisoner appears to have been done.

The witnesses for the first and 3d Prisoners however being still absent they are entitled to a further postponement of the Trial should they insist on having the testimony of these absent witnesses.

The case of the 2d Prisoner having been closed a Futwah should be taken as regards that Prisoner and sentence passed upon him by yourself.

With reference to the question put at the conclusion of your letter now under acknowledgement I am directed to refer you to the Circular Order of 24th August 1826 circulated on the 28th June 1827 which directs that the record of the Trial with the depositions already taken be left for the use of the Judge who may complete the Trial.

25th January, 1830. /Signed W. Douglas.
Register.

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

Gentlemen,

I am directed by the Judges of the Court of Tanjore Zillah with reference to your letter of the 15th Instant, to request you will call upon the Magistrate of Trichinopoly to report what number of Peons he considers will suffice for the full protection of the Cantonment with the aid of a portion of the Cavilgars entertained as Peons, and in the event of these persons being deemed unfit to be entertained in the service of the Government what number of Peons will be required without their aid.

/Signed W. Douglas.
25th January, 1830. Register.

No. To

The Acting Joint Criminal Judge

at

Manlipatam.

Sir

No instruction having been issued by the Judges for the direct transmission to this office of the half yearly Criminal Statements I am directed to return the accompanying Criminal Statement for the 2d half year of 1833 which you will be pleased to forward through the Provincial Court of Circuit.

25th January 1830. (Signed) G. L. Prendergast

Sent. Depy Regr.

No. To

The Provincial Court of Circuit

in the

Southern Division.

Gentlemen,

1 I am directed by the Judges of the Tanjoaree Adalut to acknowledge the receipt of your letter of the 14th Instant: forwarding the copy of a communication from the Acting Criminal Judge of Salem, in which that officer represents his inability to comply with the orders of this Court communicated in their Registers letter of the 31st Ultimo, for the transfer from the Jail of Salem to that of Chittoor of 100 convicts,

the unexpired period of whose sentences may not be less than six months.

2. On the present occasion it appears proper to state for the information and guidance of the Acting Criminal Judge that in consequence of a reference recently submitted to Government on the subject of the mortality which has for a series of years prevailed throughout the Jails of Salem, the Tanjoaree Adalut have been empowered, as fast as convicts accumulate at that station to order their removal to other Districts: and it was under the discretionary authority with which they have been thus vested, that the Court issued their instructions of the 31st Ultimo.

3 The object in view, the preservation of human life, being therefore of paramount importance, I am directed to request that you will advise the Acting Criminal Judge of Salem of the absolute necessity of conforming to the instructions already issued for his guidance, so soon as the required number of convicts of the description referred to in the second paragraph of the Register's letter, may have accumulated in the Jail at that Station, with this modification, that the Prisoners may be despatched in parties of twenty four instead of fifty as originally directed.

4 In all other respects, the instructions contained

contained in the second and third paragraphs of Mr. Douglas's letter, are to be strictly attended to.

And in conclusion, I am directed to request that you will intimate to the Acting Criminal Judge that security Prisoners are on no account to be removed.

26th January, 1830. /Signed/ S. R. Davison
Asst to the Regr.

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

Gentlemen,

I am directed by the Judges of the Sanjoaree Adalut to forward to you herewith a copy of a letter addressed under date the 11th Instant to the Chief Secretary to Government by Major S. R. Simons, Acting Military Secretary to the Right Honorable the Governor, and of the communication which accompanied it from Lieutenant R. Henderson of the Engineers, on the subject of the alterations and repairs to the Jail at Cannanore proposed by Colonel Crewe the officer in charge of the Jail in an Estimate prepared by him, and submitted with the Return of the Provincial Court of the 6th November, and sanctioned under date the 24th November 1835. and to request that you will call upon Colonel Crewe

to

to explain for the information of the Sanjoaree Adalut and of the Governor in Council the cause of the defectiveness of his estimate and instruct him to prepare and submit without delay an additional Estimate for the further repairs and alterations which are represented in Lieutenant Henderson's Report to be necessary.

26th January, 1830. /Signed/ S. R. Davison
Asst to the Regr.

/No. 11/

No. To
The Chief Secretary
to Government.

Sir,

With reference to the fourth paragraph of my letter of the 18th Ultimo, I am directed by the Judges of the Sanjoaree Adalut to state that the Acting Criminal Judge of Canara has reported that the Magistrate of that District has intimated to him his intention of not applying for the one hundred and fifty Convicts referred to in the order of Government No. 882 dated the 17th November 1835. until the completion of "a line of road leading from Mangalore towards the North" which those officers have "personally inspected" and which they are both agreed would be highly advantageous to the inhabitants of "that place, and perhaps more so than any other in the District".

The Acting Criminal Judge further states that the Magistrate "suggests that all the

available

available convicts both at Honore and Soory be made over to him for the repair of the roads in that part of the country" and does that "there can be no doubt that their employment in this manner will be of great public utility."

In this point I am directed to observe that on the date of the last returns there were sixty only four and at Honore only twenty five convicts: and the Judges of Foujdaree Adaulut refrain from offering any opinion on the suggestion of the Magistrate until they have been made acquainted with the result of the reference which under instructions received from Government has been recently made by the Court of Circuit in the Western Division to the Acting Native Criminal Judge of Honore, with the view of ascertaining the precise terms on which the Contractor will execute the proposed alterations to the Sait at that Station without any assistance from the labour of the Prisoners.

27th January 1830. (Signed) W. Douglas.
Register.

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

Sir,

I am directed by the Judges of the Court of Foujdaree Adaulut to acknowledge the receipt of

Foujdaree Diary 27th January 1830.

your letter dated the 16th Instant submitting copy of a correspondence between yourself and the Judge on Circuit, and requesting to be informed whether under the opinion expressed by the 1st Judge of Circuit as to the probability of the conviction of two persons charged with highway Robbery, it is your duty to release the Prisoners and to allow the Prosecutors to return to their homes or to include the case in the Calendar to be laid before the 1st Judge at the ensuing Sessions.

Under the circumstances detailed in your letter the Court of Foujdaree Adaulut have no hesitation in declaring their opinion that the Prisoners in question should be committed to take their trial before the Court of Circuit, and the opinion expressed by Mr. Oakes to the contrary must have been given without reference to the Circular Order of the 25th February 1829.

The reference made by you to the Judge on Circuit to ascertain whether the Prosecutors might be permitted to return to their Country and the Government Vakeel directed to prosecute in their stead appears to the Court of Foujdaree Adaulut to have been as unnecessary as it was extraordinary, inasmuch as if the two Prosecutors were not forthcoming at the Trial there would be left no evidence at all in support of the charge: having however solicited the opinion of Mr. Oakes on the subject you will

will be pleased to lay this further correspondence before the 1st Judge at the ensuing Sessions of Circuit Delivery.

27th January 1835. /Signed/ W. Douglas.

No. 8 /No. 127/ Register.

The Chief Secretary to Government.

Sir

I am directed by the Judges of the Tanjore Court to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying two Bills from the Church Mission Press 250 copies of the Circular Orders of the Tanjore Court including the charge for paper and binding amounting together to Rupees 705.6. and to request that the same may receive the sanction of Government.

28th January 1835. /Signed/ W. Douglas.

Register.

No. 9 To

E. B. Wrey Esqre

late Acting Third Judge late on Circuit in the Northern Division

Sir I am directed by the Judges of the Tanjore Court to return to you the Persian Translation of the Proceedings held in case

No.

No. 9 on the Cuntoor Calendar for the first Sessions of 1835, and to refer you to the sixth paragraph of the Extract from the Courts proceedings under date the 14th July 1835, on which an English Translation was alone called for.

28th January 1835. /Signed/ T. H. Davison

Hr. Asst to the Regr.

No. 10 To

The 1st Judge on Circuit in the Western Division

Sir,

In reply to your letter dated the 16th Instant I am directed by the Judges of the Court of Tanjore Vaakut to inform you that with reference to the Statement of the Characters of "Baloon Siva Singa Canada" and "Baloon Moosea," two individuals confined in the Jail at Honore in default of finding the Security required from them under the provisions of Clause third Section VIII Regulation VII of 1827, the Court of Tanjore Vaakut approve of your proceedings in directing their removal to the Jail at Mangalore.

28th January 1835 /Signed/ W. Douglas.

Register.

No. 11 To

The Criminal Judge of Combaconum

Sir,

In reply to your letter of the 21st Instant requesting

in the proceedings of the Tanjoaree Cutchery under date the 26th August 1833.-

28th January, 1834. /Signed/ T. H. Davidson

Asst to the Resr

No. To /No. 15./

The Chief Secretary to Government.

Sir.

I am directed by the Judges of the Court of Tanjoaree Cutchery to acknowledge the receipt of an extract from the Minutes of Consultation in the Judicial Department under date the 25th Instant referring for the consideration and report of the Tanjoaree Cutchery copy of a letter from the Adjutant General of the Army addressed to the Secretary to Government in the Military Department under date the 16th Instant in which it is represented that a necessity exists for bringing to Trial an Individual (a Native) serving with the troops at present stationed in Coorg for murder, and soliciting instructions as to the legal procedure for so doing:-

Coorg having been declared a British Province, the case cannot be brought before a Military Court under the provisions of Article XI Section XII Regulation V of 1827, and not having been attached to any Zillah

requesting with reference to the Tanjoaree Cutchery Circular Orders of the 26th August 1833 and the 25th June 1834 to be favored with the instructions of the Judges as to whether one or two Extra Duffadars are to be entertained if the number of Extra Peons be less than 50, and above 25. I am directed to communicate to you the opinion of Court that when the number of Extra Peons may amount to forty two, Extra Duffadars may be entertained, but that for any number less than forty though above twenty five, the orders above quoted must be strictly observed.

28th January 1834. /Signed/ T. H. Davidson

Asst to the Resr

No. To

The Criminal Judge of

Rajahmundry

Sir,

I am directed by the Judges of the Tanjoaree Cutchery to desire that you will immediately forward to this office in the form prescribed by their Circular order dated the 16th August 1834, an account Particular of the number and the amount of the pay of the Extra Peons employed during July 1834 to guard the convicts working without the Jail at Rajahmundry, on the revised scale issued in

Foujdaree Diary 29th January 1830

Zillah the Judges are of opinion that the individual in question should be delivered over to the Commissioner for the affairs of Coorg to be disposed of by the Civil authority under such rules as may have been established for the trial of persons charged with offences committed in that Territory.

29th January 1830. (Signed) W. Douglas.

Register.

Foujdaree Diary 2nd February 1830.

(No. 16)

To The Chief Secretary to Government

Sir,

With reference to my letter of the 18th instant No. 9 I am directed by the Judges of the Foujdaree Adalut to forward to you to be laid before the Government, the annexed copy of a communication dated the 18th instant from the Acting Joint Criminal Judge of Vizagapatam in which that officer reports that "in enquiring into the practicability of employing the prisoners advantageously" in the mode indicated by the Superintending Engineer of the Division, he "found that the land in the neighbourhood belongs entirely to the Zemindar who has let the Brickfields to Renters who thus enjoy a monopoly of the manufacture of Bricks" and that "under these circumstances" he has not taken any further measures for their manufacture and "has stated to the Superintending Engineer these reasons."

2 I am further directed to observe that the orders of Government to which the Acting Joint Criminal Judge refers as having been "conveyed in the orders of the Foujdaree Adalut of the 16th February 1833" are contained in Mr. Secretary Wheatly's letter of the 8th February 1833, on which the Judges are acquainted that "the Right Honorable the Governor

Governor in Council attaches the greatest importance to the
condition of the public roads at every station: and that
"if the prisoners are too few in number to be adequate
repair of them, no part of those confined ought to be em
employed in other and less necessary works."

3 It will be seen that the number of C
-victs at present at Vellagoatam is only 43, and of
Security prisoners 6, and that they are insufficient to
keep in repair a road made by Government at a con
-siderable expence about three years ago."

2nd February 1836. (Signed) H. Douglas
Register

(No 17)

To The Chief Secretary to Government.

Sir,

With reference to my letter of the 27th Inst
-ther last, and to the order of Government therein under
date the 17th of the same month relative to the transf
of one hundred convicts from the Jail of Tuticorin to
the charge of the Civil Engineer on the Cauvery Di
with the view of their being employed in Clearing the
required for the Coleroon Anicutt I am directed by the
Judges of the Tuyyaree Circuit to forward to you
be laid before the Governor in Council, the annexed
of a letter received on the 28th instant through the
Magistrate of Trichinopoly from the Assistant C

Engineer of the third Division, reporting a desperate attempt
at escape made by a gang of the Convicts in question,
while marching from the quarry towards the Jail, which
it appears terminated in the death of June, the wounding
of eleven and the escape of six of the Gang.

2 The Magistrate reports that "the necessa
-ry measures have been taken for apprehending the six
Convicts who have effected their escape" and he states
that a thorough investigation shall be made into the
conduct of the Peons alluded to in the Quarterly's letter.

3 The result will be communicated to the Govern
-ment.

3d February 1836. (Signed) H. Douglas
Register

(No 18)

To The Chief Secretary to Government

Sir,

With reference to the 5th para of the
Extract from the Minutes of Consultation under date the 15 Ultimo
desiring that the Judges will submit the Draft of such
notification or Circular Order as they may consider necessary
with a view to the prevention of the re-employment of dis
charged servants, I am directed by the Judges of the Court
of Tuyyaree Adalut to suggest that on the occasion of
servants in the Police and judicial Department being
dismissed for misconduct such as may be deemed to dis
-qualify

disqualify them for future employment in the Public Service the Officer from whose establishment such servant may have been removed, be directed to furnish to the Governor Office for publication in the Fort St George Gazette a descriptive Roll of the individual so discharged.-

2 The Tests drawn up on the form appended to this Letter, the Judges would propose should be published at the expiration of each half year, and should the Governor in Council approve of these suggestions a draft of a Circular Order to the above effect will be prepared and submitted without delay.-

3d February 1836. (Signed) W. Douglas Register

(No 19)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Vadalut to return to you the original correspondence on the subject of remuneration to the Heads of Villages noted in the Margin of the 3d para of the Minutes of Consultation of the 15th Ultimo copies having been taken and lodged in the records of this office.-

3d February 1836. (Signed) W. Douglas Register

To The 3d Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the

Fraydaree Vadalut to acknowledge the receipt of your Letter of the 20th Ultimo submitting a translation of the Tistuva given and a copy of the sentence passed on Case No 5 on the Calicut Calendar for the first Sessions of 1836, and soliciting instructions on the question whether that sentences passed under Clause Seventh Section III Regulation XV of 1803 can be enforced, or whether it should not be modified with reference to Clause Second Section XVII, Regulation IX of 1822, according to which Clause the term of imprisonment must be limited to seven years.-

It is clear that if the prisoner comes properly within the designation of a Native servant of the Collectors Public establishments in the intendment of Clause Third, Section II Regulation IX of 1822, the sentence must be determined by the provisions of Clause Second Section XVIII of that Regulation and although in the second paragraph of your Letter you have expressed a doubt on this point, the Judges of the Fraydaree Vadalut are of opinion that the prisoner is entitled to the benefit of the more favorable construction.-

4th February 1836. (Signed) T. H. Davidson

Asst to Regr

To
The Joint Criminal Judge of
Sir, Chingleput

In the column of Remarks in the State-
ment of Contingent charges incurred in Fusly 1244 in the
Auxiliary Court of Cuddalore it is stated that "although
the peons have been entertained at the rate of one for
four prisoners, there is still a small excess from Sep-
tember to February 1835 owing to a double guard, that is
1 Peon to 2 prisoners being employed to watch over the
Convicts sent out to cut firewood and Palmyras
for the Jail work as detailed in the letter from Fouyd-
aree Vaulut dated the 26th June 1834."

I am directed to request that you will
immediately forward to this office a copy of the Letter
alluded to.-
4th February 1836. (Signed) T. H. Davidson
Asst to the Regr

To
The Joint Criminal Judge of
Sir, Tinnevelly

I am directed by the Judges of the Fou-
daree Vaulut to desire that you will immediately for-
ward to this office in the form prescribed by the
Circular Order No 11 dated the 16th August 1834. an
account Particulars of the number and the amount of

the pay of the Extra Peons employed during Fusly 1244
to guard the prisoners worked outside the Jail at
Tinnevelly.-
5th February 1836. (Signed) T. H. Davidson
Register

To The Provincial Court of Circuit
in the Entire Division
Gentlemen, I am directed by the Judges of the
Fouydaree Vaulut to call your attention to my Letter
of the 5th December last, in the third paragraph of
which the Nature. Criminal Judge of Cumbum was
required to prepare and submit through the Provincia-
al Court a Statement of Extra Peons, made up to the
Close of the Fusly (1244) in conformity with the practice
observed by the other Courts under this Presidency, and to
desire that the document in question may be forwarded
to this office without further delay.-
8th February 1836. (Signed) T. H. Davidson
Asst to the Regr

To

The Criminal Judge of Calicut

Sir

With reference to your Letter of the 20th ultimo, recommending the offer of a conditional pardon to the Second prisoner in Criminal Case No. 360 of 1835 in which Mangatta Velos and Eleyangut Krishnun are charged with murder, I am directed by the Court of Foujdaree Udalut to request that you will submit for their consideration without delay certified translations of the declarations taken from both those prisoners from the first prisoner in the Talook and from the Second, in the Talook and before the Criminal Court of Malabar.-

8th February 1836. (Signed) T. H. Davidson
Asst to the Regr

Foyzabad Diary 11th February 1836.

(No. 23)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foyzabad Wadut to transmit to you to be laid before the Governor in Council the accompanying copy of a letter from the 3d Judge late on Circuit in the Centre Division and of the letters annexed thereto, on the subject of the bad quality of the rice supplied to the Convicts employed at Guindy on works connected with the Breach water -

The bad quality of the rice supplied from the Commissariat Department to the Convicts confined in the Jail at Guindy formed on the subject of a former reference by Lieut. Cotton and a sample of it was submitted to Government with a letter from this office dated the 2nd October 1835.-

On that occasion Lieut. Cotton was erected to send a sample of the rice to the Medical Board who were required to report to Government on its fitness for use, and the Medical Board having given their opinion in favor of the good quality of the Rice it has been contended to be supplied to the Convicts after having been from the impurities it was found to

to contain.-

Two successive Assistant Surgeons in charge of these Convicts having however given their opinion that the rice supplied from the Commissariat Department is not good, and "the cause of the sickly state of so many of the Convicts" being attributed by them as well as by the judge on Circuit to its use, the Judges respectfully request the further instructions of Government on the subject

11th February 1836.- (Signed) W. Douglas Registar

(No 24)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foygaree Vealut to transmit to you to be laid before the Governor in Council a copy of a correspondence which has passed between this Court and the Provincial Court of Circuit in the Centre Division on the subject of the treatment of the prisoner by Mr C. E. Oakes when Acting Criminal Judge in the Zillah of Chittore.-

The prisoner alluded to is named Chumpien, and was placed in the jail at Chittore then under the charge of Mr C. E. Oakes on a charge of having murdered his infant daughter, and when placed at the bar to take his trial at the 4th Quarter Sessions of 1834, he refused to utter a single word, appeared not to recognize his family

family, this repeatedly addressed by them, and evinced other symptoms of mental derangement.-

The Acting 2nd Judge of the Court of Circuit who presided at the Quarterly Sessions consequently consulted the opinion of the Medical Officer on the subject who gave it as his opinion that the prisoners dumbness was assumed and voluntary.-

On consideration however of the depositions taken on that occasion from the First Dresser attached to the Jail Hospital and from Abdul Rahim the Sailor the Court of Foygaree Vealut directed that the trial should be postponed, and that in the mean while the behaviour of the prisoner during his confinement watched, with the view of ascertaining, whether, or not he was actually insane.-

The prisoner having continued in confinement after such remandment for the period of 12 Months it became necessary under the Circular orders of the Foygaree Vealut of the 1st June 1819 for the Criminal Judge at the expiration of this period to make a special report of all the circumstances of the Case to the Court of Foygaree Vealut and in this report which is dated the 12th of November last the Criminal Judge states that the Assistant Surgeon still adheres to the opinion that the prisoner is

is mute "designedly and Voluntarily." but that he the Criminal Judge is at a loss to conceive how it is possible to entertain such an opinion after the trial to which the prisoner has been subjected "during the last 12 Months" viz^t. that with a view of ascertaining whether the prisoner "could speak he "had frequently been most severely flog "ged with a Cat o nine tails" and that on the last occa he received 80 Lashes in the presence of the Assistant Sur "geon without its having produced one iota of proof that the sufferer was able to speak."

On the receipt of this Report and the depositions which accompanied it the Court of Foydaree Vewlut deem it proper to direct that a full and particular enquiry should be instituted by the acting 2nd Judge of the Court of Circuit in the Centre Divn who was then presiding at the 4th Quarter Sessions of the last year, and he was required to examine all such persons as might be able to give evidence touching the facts detailed by the Jailor and to forward to the Foydaree Vewlut translations of their depositions with all documents tending in any way to throw light upon the subject.—

The result of the investigation instituted by the

the Acting 2nd Judge was confirmatory of the allegations contained in the depositions which accompanied the Criminal Judge's Letter of the 12th of November last wherein it is stated by the Jailor that the prisoner Chumapien had been flogged by order of Mr C. E. Oakes on the 15th of July 31st of August and on the 13th September 1834 with 80 lashes in the presence of the Assistant Surgeon, and again on the 12th February 1835.—

The three first punishments it will be observed were inflicted before any order had been passed founded upon the doubt as to the of the prisoner and before he was placed on his trial for Murder which took place on the 13th of October 1834 at the 4th Quarterly Sessions of that year but the last punishment it will be perceived was inflicted on the 12th February 1835 after the prisoner had been by order of the Foydaree Vewlut placed under the inspection of the Medical Officer with a view to the actual state of his mind being ascertained.—

Mr C. E. Oakes was accordingly called upon to submit such explanation as he might be enabled to offer in justification of his proceedings on this occasion — His enclosed reply dated the 18th Ultimo, containing the grounds on which he deemed it necessary to

cause

cause the prisonier Chinnapien to be flogged on those several occasions, is considered by the Judges of the Faujdaree Adalut a most unsatisfactory explanation and they are also of opinion that the conduct of the Acting Criminal Judge in subjecting the prisoner to corporal punishment, when standing committed to take his trial for murder, was altogether unjustifiable and reflects discredit upon him as a judicial officer.

The Court are of opinion, with reference to the evidence submitted to them, that there can be no doubt of the prisoner's insanity of reason, and will accordingly direct that he be sent to the Lunatic Hospital at Madras. The Judges would however respectfully suggest that the accompanying depositions and reports be referred to the Medical Board who are best apprised of the Assistant Surgeon's reasoning; and the Governor in Council may also perhaps deem it proper to direct that the Medical Officers alleged sanction of the infliction of the stripes on the last occasion," and his implied sanction, by his presence, of the flogging of 80 stripes inflicted on the 15th September 1834 should be enquired into.

(Signed) W. Douglas
Register

17th February

To The Provincial Court of Circuit in the Western Division

Gentlemen,

With reference to your letter dated the 20th Ultimo. and the orders of this Court of the 28th of December last I am directed by the Judges of the Court of Faujdaree Adalut to transmit to you copy of an order of Government No. 72 dated the 26th Ultimo and to request you will accordingly instruct the Native Criminal Judge of Tinnevelly to make a special Report thro your Court of every case committed for Trial before the Court of Circuit with a view to the sanction of the Governor in Council being procured for forwarding the prisoner for Trial to the Native Criminal Court at Tinnevelly.

12th February 1836. (Signed) W. Douglas
Register

Fouydaree Diary 12th February 1836.

(No 27)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut 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 3d instant requesting sanction for employing two additional writers for copying the proceedings of the Cutcherry referred trials to be paid according to the rules published in the Fort St George Gazette of 23d November 1833.

The Judges observe that three additional writers are required for the preparation of three cases only, and they respectfully recommend that the request of the Provincial Court of Circuit may be complied with.

12th February 1836. (Signed) W. Douglas
Register

(No 28)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to report for the information of the Right Honorable the Governor in Council that there are about 30 Convicts in the Jail at Chinglepet awaiting the execution of their sentence to transportation, and to suggest that

that an early opportunity may be taken for their removal

12th February 1836. (Signed) W. Douglas
Register

(No 29)

(No 30)

To The Chief Secretary to Government

Sir, With reference to the order of Government under date the 11th of August last vesting the Judges with discretion to authorize small monthly disbursements for bringing up the children of Convicts, where there are no relatives nor others willing to take charge of them, I am directed by the Judges of the Court of Tongdaree Vizalut to submit for the purpose of being laid before the Right Honorable

Honorable the Governor in Council for sanction the accompanying Statement of Batta paid to the children of the prisoners in the jail attached to the Auxiliary Court at Vizagapatam from the 1st of October to the 31st of December 1835.

15th February 1836. (Signed) W. Douglas
Register

To The Provincial Court of Circuit
in the Northern Division

Gentlemen,

With reference to your letter of the 9th instant, forwarding the copy of a correspondence with the Acting Joint Criminal Judge of Vizagapatam relative to the erection of a new jail at that station, and to the letter of the 19th December 1835 from the same officer addressed direct to this Court and of which he was enstructed to furnish the Provincial Court of Circuit with a copy, I am directed by the Judges of the Tongdaree Vizalut to transmit to you for your consideration and report the annexed copy of an Extract from the Minutes of Consultation in the Judicial Department under date the 5th February 1836 from which it will be observed that the Governor in Council is pleased to suspend the sanction granted under date the 10th November last for the construction of a new jail at Vizagapatam if the work has not already been commenced upon

I am further directed to request that

Copies

copies of the Extract from the Minutes of Consultation may be furnished to the Acting Joint Criminal Judge and the Magistrate of Vizagapatam with instructions to those Officers to submit without delay their respective opinions on the point noticed by the Governor in Council.-

3 The Judges of the Fauydaree Adalut are desirous that the further correspondence referred to in the 2nd parah of your Letter of the 1st instant, may be laid before them with the least possible delay

15th February 1836. (Signed) T. H. Dawson

To The Provincial Court of Appeal & Circuit for the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Fauydaree Adalut to transmit to you the accompanying copy of an Extract from the Minutes of Consultation dated the 5th Instant (para 1) and to request with reference to it that you will obtain the opinion of the Criminal Judge of Chingleput as to the expediency or otherwise of appointing Private Vaqils to be Jailor at that station and granting him for the joint duty of Jailor and Superintendent of the Salt and Paper manufactories a consolidated salary of Rupees 35 per Mensem.

In submitting the opinion of the Criminal Judge you will be pleased to communicate the sentiments

of your Court on the above point.-

15th February 1836. (Signed) G. L. Prendergast
Sent Dy Sr Regr

No 155

To The Joint Criminal Judge of Guntoor

I am directed by the Judges of the Court of Fauydaree Adalut to transmit to you for your information and guidance an Extract (para 21) from the Proceedings of the Fauydaree Adalut of the 16th Ultimo and to request that the necessary information may be furnished without delay.-

At the foot of the above Part of an extract Para 40 of Mr. Waters report under date 30th October 1835 was sent. Beginning with "It is necessary however to state that at Rajahmundry" and ending at "Precepts have of course been issued upon that subject."

17th February 1836. (Signed) W. Douglas
Register

Foujdaree Diary 17th February 1836.

P. 157

To The Magistrate of Guntoor

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for your information and guidance an extract (paras 16 and 17) from the Proceedings of the Foujdaree Adalut of the 16th Ultimo and to request that the necessary information may be furnished without delay.-

(Signed) W. Douglas
Register

17th February 1836.

P. 158

To The Magistrate of Nellore

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for your information and guidance an Extract (paras 16 and 17) from the Proceedings of the Foujdaree Adalut of the 16th Ultimo and to request that the necessary information may be furnished without delay.-

At the foot of the above - An Extract from Mr Mater's report under date 30th October 1835 - Para 36 was sent.

(Signed) W. Douglas
Register

17th February 1836.

To The Magistrate of Ganjam

Sir,

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

and guidance an Extract (para 15) from the Proceedings of the Foujdaree Udalut of the 10th Ultimo and to request that the necessary information may be furnished without delay.-

At the foot of the above - an Extract from Mr Watts report under date 30th October 1835. Para 34 was sent.-

17th February 1836. (Signed) H. Douglas Registr

No 160 To The Magistrate of Vizagapatam

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for your information and guidance an extract (paras 16 and 17) from the Proceedings of the Foujdaree Udalut of the 10th Ultimo and to request that the necessary information may be furnished without delay.-

At the foot of the above - An Extract from Mr Watts report under date 30th October 1835 Para 34 was sent.-

17th February 1836. (Signed) H. Douglas Registr

No 161 To The Acting Joint Criminal Judge at Tellicherry

Sir,

With reference to your letter dated the 8th Instant reporting the escape from the Jail under your charge of the prisoner Cunjarata Ambas committed to take his trial before the Court of Circuit

by the Judges of the Court of Foujdaree Udalut to inform you that in a case such as that now reported they do not deem it proper to recommend the offer of a reward for his reapprehension.-

2 The person of the prisoner must be well known to the Police from the circumstances of his having been before entertained on the establishment as a Peon, and if due exertions are made the Court entertain little doubt but that the prisoner will be reapprehended.-

17th February 1836. (Signed) H. Douglas Registr

(No 31)

To The Chief Secretary to Government

Sir,

With reference to the Extract from the Minutes of Consultation in the Judicial Department under date the 19th January 1836 No 31. transmitting for the information and guidance of the Foujdaree Udalut the copy of a Letter from the Acting Military Secretary to the Right Honorable the Governor and of its inclosure and instructing that Court to call upon Colonel Crewe to explain the cause of the defectiveness of his estimate for the repairs and alterations to the Jail at Cottacamund, sanctioned under date the 24th November last and to require him to prepare and submit without delay an additional estimate for the further repairs and alterations which

which are represented in Lieutenant report to be
necessary - I am directed by the Judges to forward to
you to be laid before the Governor in Council the enc-
losed copy of a letter dated the 4th instant received through
the Provincial Court of Circuit in the Southern Division
from the officer commanding the Neilgherries submitting the
required explanation -

19th February 1836. (Signed) W. Douglas
Register

No 166. To The Provincial Court of Circuit
for the
Gentlemen Northern Division

I am directed by the Governor in Council that in future all charges incurred on account of remarks granted by a Judge of Circuit under the provisions of Section XXIII Regulation IX of 1816 in case wherein any extraordinary service may have been rendered by Police officers or others in the apprehension or discovery of public offenders &c as well as all disbursements made under precepts of the Courts on account of Judicial purposes may be submitted for sanction through the Court of Foydaree Adalut instead of the office of the Board of Revenue, I am directed by the Judges to request that you will issue the necessary instructions to this effect to

to the several Magistrates within your Division -

19th February 1836. (Signed) T. H. Davidson
Asst to the Regr

No 167 To
The Head Assistant Magistrate
in charge of the District of Guntoor
Sir,

I am directed by the Judges of the Court of Foydaree Adalut having received through the Provincial Court of Circuit for the Northern Division, the Statement of works performed by Convicts under the Magistracy of Guntoor for the month of January 1836, I am directed to request that you will, in future, forward the Statement in question to the Joint Criminal Court at Guntoor, in order that it may be submitted with the monthly Criminal Reports -

19th February 1836. (Signed) G. L. Prendergast
Asst Deputy Regr

No 168 To The Criminal Judge of Nellore
Sir,

I am directed by the Judges of the Court of Foydaree Adalut to acknowledge the receipt of your letter dated the 9th Instant and to transmit in reply the accompanying copy of a letter addressed under this date to Lieutenant Budd in charge of Convicts for the construction of the Break water requesting him to take measures for I immediately forwarding to your Court the prisoner

Venna

Venna Conial and to communicate to the other four pris
named in your letter the sentences which are to be
carried into effect in obedience to the warrants gra
on the cases No. 6 of the 1st Nellore Calendar and
No. 1 of the Supplemental Nellore Calendar for the 1st
of 1835 wherein they have been severally tried and con

You will be pleased to explain to the
prisoner Venna Conial the grounds upon which the C
of Foydaree Vesalut have directed his release notw
standing his conviction of the charge wherein he
was tried.-

19th February 1836 (Signed) G. L. Prendergast
Sen. Deputy Reg

No. 169 - To The Lieutenant W. H. Budd

Sir,

I am directed by the Judges of the
Court of Foydaree Vesalut to transmit the accompa
-ny copies of a letter dated the 9th Instant from
the Criminal Judge at Nellore, and of the two war
-rants alluded to therein notifying the orders of the
Court for the release of the prisoner named Venna Con
in the case No. 1 on the 1st Calendar for the 1st Septem
of 1834, and for the following revised sentences to be
carried into effect in the cases No. 6 on the 1st Nellore
Calendar, and No. 1 on the Supplemental Nellore Calendar

for the 1st Sessions of 1835-

In Case No. 6 the prisoners

1st Chavoree Ardenee

2nd Sungum Lutchayandoo

and

3d Sungum Paupadoo.

to be imprisoned and kept to hard labour in irons on the
public roads or other works for and during the period of
(10) ten years from the 15th of June 1835-

In case No. 1- The prisoner

Buttoola Paupadoo

to be imprisoned and kept to hard labour in irons on the
public roads or other public works for and during the period
of (10) ten years from the 18th of June 1835-

You will be pleased to take the neces
-ry measures immediately for sending the prisone Venna
Conial to the Zillah of Nellore where he will be rea
-leased by the Criminal Judge Sam directed further to
request that you will communicate to the other four
convicts above named revised the sentences which have
been passed upon them and corrects with reference
to the present instructions, the list furnished to you
by the Criminal Judge.-

19th February 1836. (Signed) G. L. Prendergast
Sen. Deputy Reg

To The Criminal Judge of Chingleput

Returning the summons sent up in his letter of the 5th Instant with an endorsement thereon by the Mayor of this Court.

(Sent in and letter No.

To George Garraw Esqre

Sir,

1st Judge of the Provincial Court Circuit Southern Division

I am directed by the Judges of the Foydaree Adalut to transmit for your information & accompanying copy of a letter from the Chief Secretary to Government under date the 16th Instant.

20th February 1836. (Signed) H. Douglas Register

To E. Bannerman Esqre

Sir

late Criminal Judge of Salem

I am directed by the Judges of the Foydaree Adalut to transmit for your information the accompanying copy of a letter from the Chief Secretary to Government under date the 16th Instant.-

20th February 1836. (Signed) H. Douglas Register

(No. 32)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Foydaree Adalut to forward to you to be laid before the Governor in Council, the annexed copy of a letter dated the 13th instant

instant from the Acting Criminal Judge of Canara reporting the escape from their guards of ten prisoners of whom eight in consequence of the arrangements that were made at the moment and by the exertions of the villagers who exerted themselves very conspicuously" were shortly afterwards reapprehended and one gave himself up.-

Considering that "had it not been for the

2

voluntary and immediate exertions of the villagers people the recapture would not have been so complete" and that they "have fully established their claim to a small reward for their meritorious conduct" the Acting Criminal Judge "distributed 2 amongst eight of the most conspicuous of them, 130 Rupees.-

And the Judges of the Foydaree Adalut

3

beg to recommend that the disbursement of this sum may receive the sanction of the Government.-

The attention of the Acting Criminal Judge

4

will be called to the irregularity of his proceedings in incurring this charge before the measure had received the sanction of superior authority.-

22nd February 1836. (Signed) T. H. Davidson

Asst to the Regr

(No. 33)

To The Chief Secretary to Government

Sir,

With reference to the second paragraph of the order of Government under date the 10th March 1835 and

to

to the Circular Order of the Foujdaree Udalut No 34 dated the 16th March 1835, I am directed by the Judges to forward to you to be laid before the Governor in Council the annexed copy of a Letter dated the 11th instant from the Criminal Judge of Nellore who reports that the sum of 4500 Rupees will be required to enable him to purchase an annual supply of grain for the prisoners in the Jail at the close of the harvest for the present year: but that the Principal Collector of the Zillah has stated that he cannot without special authority furnish him with money for the purchase of the annual supply unless he is prepared to adjust the amount advanced at the close of the month.

I am therefore directed to request that the Governor in Council may be pleased to authorize the Principal Collector to transmit to the Criminal Judge the sum of Rupees (4500) Four thousand five Hundred for the purpose abovementioned.

22nd February 1836. (Signed) T. H. Davidson

Agreed to the Rqst

(No 34)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Foujdaree Udalut to forward to you to be laid before the Governor in Council, the annexed copy of a Letter

dated

Foujdaree Diary 22nd February 1836.

dated the 10th instant, received through the Provincial Court of Circuit in the Centre Division from the Criminal Judge of Chingleput who solicits sanction for the expenditure of Rupees (3) three in the purchase of Gunny Bags to secure the rice stored for the consumption of the prisoners.

The Judges beg to recommend that the application be complied with.

22nd February 1836. (Signed) T. H. Davidson

Agreed to the Rqst

(No 35)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you to be laid before the Governor in Council with reference to the letter from this Court dated the 11th instant copy of a further communication received from Lieutenant Budd on the subject of the bad quality of the rice furnished from the Commissariat Department for the use of the Convicts employed at Guindy, and reporting that a portion of the Convicts under his charge have refused to receive their rations in consequence of the pernicious qualities of the Bengal Rice.

2 The Judges beg leave to recommend that reference

reference to the order of Government No 243 dated the 18th instant that the above letter from Lieutenant Budd may be communicated to the Judicial for the consideration.

P. S. Since the above was written three prisoners are reported to have died of Dropsy.-

22nd February 1836. (Signed) W. Douglas
Regr

(No 36)

To The Chief Secretary to Government

Sir,

With reference to the letters from this office dated respectively the 11th and 22nd instant I am directed by the Judges of the Court of Foyzabad Vakeel to transmit to you the Originals of two letters addressed to this Court and dated respectively the 20th and 22nd instant on the subject of the weekly state of the Convicts employed at Gundy.-

The letter of the Assistant Surgeon dated the 20th instant was enclosed in that from Lieutenant Cotton of the 22nd and the Court of Foyzabad Vakeel are of opinion with reference to the order of Government No 243 dated the 18th instant that sufficient reason has been shewn for the measure adopted by Lieutenant Cotton of issuing Grain to the Convicts procured from the

the Bazar, and under the circumstances of the case the Court of Foyzabad Vakeel beg leave to recommend that sanction for the expenditure may be granted on the production of an Indent prepared in the prescribed form.-

22nd February 1836. (Signed) W. Douglas
Register

To The Acting Second Judge on Circuit
in the Southern Division

Sir,

With reference to your letter of the 10th instant, requesting instructions for your guidance in the disposal of case No 8 on the Timmerly Calendar for the First Sessions of 1836 I am directed by the Judges of the Foyzabad Vakeel to observe that as the Robbery was committed by a single unarmed person, the offence clearly "does not come within the definition of "Robbery by open violence" as defined in Clause First Section III Regulation XII of 1803, but is distinct from it" and that the mode of proceeding prescribed in the Circular Order No 56 should in the case in question be accordingly adopted.-

22nd February 1836. (Signed) T. H. Davidson
Asst to the Regr

To The Criminal Judge of Chittagong

Returning the notice or summons sent up in his letter of the 17th Instant duly served.-

Sent usual letter

To The Criminal Judge of Chicacole

Sir,

I have the Honor by order of the Judges of the Foyedaree Adalut to acknowledge the receipt of your Letter of the 2nd Instant forwarding copy of a warrant from the Acting 2nd Judge on Circuit in the Northern Division by which the 1st Prisoner Dundasy Gungal in Case No 24 on the Calendar of the Zillah of Chicacole for the 2nd Sessions of 1835 is sentenced to Banishment

The Judges direct that that sentence be carried into execution in the Zillah of Nellore.

23d February 1836. (Signed) W. Douglas
Register

To The Criminal Judge of Nellore

Sir,

I have the honor by order of the Judges of the Foyedaree Adalut to apprize you that instructions have under this date been issued to the Criminal Judge of Chicacole directing that the sentence of Banishment passed by the Acting 2nd Judge on Circuit in the Northern Division against Dundasy Gungal 1st prisoner in Case No 24 on the Chicacole Calendar for the 2nd Sessions of 1835 be carried into execution in the Zillah of Nellore.

23d February 1836. (Signed) W. Douglas
Regr

To The Magistrate of Tuckinopoly

Sir,

With reference to your Letter of the 23d Instn, transmitting the copy of a communication from the Assistant Civil Engineer employed at the Calavoor Annicut reporting a desperate attempt at escape made by a gang of the Convicts placed under the charge of the Civil Engineer of the 3d Division by order of Government dated the 17th November 1835, I am directed by the Judges of the Foyedaree Adalut to desire that you will report for their information and that of the Government the result of the investigation which has been made into the conduct of the Peons alluded to in Mr Antaberlonyi's letter.

2 I am further directed to desire that for the reapprehension of each of the Convicts who on the occasion in question effected their escape and may not since have been recaptured, you will immediately offer a reward of Twenty five Rupees.

23d February 1836. (Signed) T. M. Dawdson
Asst to the Regr

F

Fayd'are Deary 24th February 1836.

(No 39)

To The Chief Secretary to Government

Sir,

With reference to the Extract from the Minutes of Consultation under date the 22nd of December 1835, I am directed by the Judges of the Court of Fayd'are Adalut to transmit to you to be laid before the Governor in Council copy of a letter dated the 8th instant from the Provincial Court of Circuit in the Southern Division submitting the report of the Magistrate of Salem shewing what he considers still essential to be done towards clearing the Fort at Salem with a view to remove the nuisance complained of and to improve the healthiness of the place; these communications are accompanied by a report from the Native Assistant Surgeon who states that during the Months of February March and April the Jail at Salem has always been healthier than at any other season of the year, and submitting a Statement of the sickness and mortality in the Jail during those Months for the last 5 years, suggests that it should be compared with the accounts of other Jail for same period.

The comparison it will be perceived has been made by the Acting 1st Judge of the Provincial Court of Circuit, who states that during the last 4 years the average

of deaths at Coimbatore has exceeded the average in the Salem Jail, and inferring in consequence that Convicts may not safely be detained at Salem during the Months in question he submits that according to Mr Orrs suggestion they should be removed to Ashtoor, to be employed on the Public Works carrying on there, in the event of sickness breaking out among them at the commencement of the rainy season.

With reference however to the concluding part of the 3d para of the Magistrates Letter the Judges direct me to observe that no Convicts can be shared from the Jail at Coimbatore as the number of prisoners liable to labour in confinement at Coimbatore is so small that the acting first Criminal Judge has lately been unable to comply with the requisition of the Superintending Engineer for the aid of Convicts in the erection of a Public work carrying on at that station and notwithstanding that has been urged in the papers now submitted for the consideration of the Governor in Council the Judges would not recommend that at any season of the year Prisoners from a neighbouring District should be transferred to the Jail at Salem.

24th February 1836.

(Signed) H. Douglas
Regr

To The Criminal Judge of Chonglpat

Sir

I am desired by the Judges of the Sessions

Madras to desire that you will immediately forward to the Superintendent of Police at Madras, all the Convicts in your Jail under sentence of transportation. They are to be embarked on the Schooner "Banshee" which is expected to sail about the 1st Prox.

You will be pleased to transmit immediately to this Court, the usual Calendars of the prisoners who may be forwarded by you under this instructions.

24th May 1836. (Signed) H. Douglas
Register

To The Provincial Court of Circuit
in the Western Division

Gentlemen,

In reply to your Letter of the 10th instant I am directed to request that you will intimate to the Native Criminal Judge of Tirey, that under the Circular order No 18 dated the 15th October 1834 he is authorized to entertain additional proofs when he may have turbulent character under examination and may deem the ordinary guard to be inadequate to their safe custody; but that every instance of the exertion of this discretionary authority must be immediately reported through the Provincial Court of Circuit to the Court of Tuticorin Madras.

25th February 1836. (Signed) J. H. Davidson
Sd aftt to the Regr

(No 40)

To The Chief Secretary to Government

Sir

I am directed by to forward to you to be

Lord

laid before the Governor in Council the accompanying original Statement with the requisite Account Particulars received on the 17th instant from the Provincial Court of Circuit in the Eastern Division of charges actually incurred in Fasly 1244 on account of the convicts transferred from the Criminal Judge of Cumbum to the Magistrate of Tanjore.-

These charges amount in the aggregate to Rupees (769-7-9.) seven hundred and sixty nine and annas seven and pice nine, for which sum the Judges of the Foydaree Adalut beg to recommend that sanction be granted.-

25th February 1836. (Signed) T. H. Dawkins

(No 41) Read & Ordered to be Sent

To The Chief Secretary to Government

Sir, I am directed by the Judges of the Court of Foydaree Adalut to transmit to you to be laid before the Governor in Council copies of two letters dated respectively the 22nd and 27th Ultimo received from the Provincial Court of Circuit in the Western Division requesting the serious attention of the Court of Sudr and Foydaree Adalut to the necessity of Legislative enactment to empower the Local Courts to take cognizance of offences committed at Sea much inconvenience having been experienced from the Law as it now stands, which as expounded by the Advocate General Norton requires the commitment of all parties concerned

concerned in offences committed at Sea to take their trial before the Court of admiralty at the Presidency such case being subject exclusively to the admiralty jurisdiction of the Supreme Court.-

The Criminal Case alluded to by the Provincial Court in the 5th para of their letter dated the 22nd Ultimo was charge preferred against 11 persons of Karaikal attacked the Prosecutors Boat at anchor at Sea and carried away property to the value of Rupees 60-3-8. the charge was in the first instance preferred before the Police Officer of Bekal and by that authority the case was forwarded to the Criminal Court at Mangalore the Acting Criminal doubtful of his competency to take cognizance thereof referred to the Provincial Court for instructions and the Provincial Court it appears pointed out to the Acting Criminal Judge that if the offence was committed within the admiralty jurisdiction of the Supreme Court as defined by Mr. Norton on the 22nd July 1834 the parties can be tried for the offence only before the Supreme Court of jurisdiction at Madras.-

The necessity of the prosecutor and his witnesses being forwarded to Madras having been communicated to the Complainant by the Acting Criminal Judge that officer has

has reported in a letter addressed to this Court under date the 12th instant that the complainant who is a Native of Bancoot near Bombay declines to prosecute or to proceed further in the matter of his accusing he is to be subject to any detention from his home and calling, and the acting Criminal Judge" waits therefore for further orders on the subject."

The Statement of the Prosecutor and the Prisoners has been taken by the acting Criminal Judge of justice of the Peace, and a copy of the deposition of the former will be found enclosed in the letter from the Provincial Court dated the 27th Ultimo; and under the circumstances detailed above the Court of Foujdaree Udalut desire to solicit the orders of the Governor in Council as to whether the prisoners in this case and to be released or the parties proceeded against in the Supreme Court in its admiralty jurisdiction.

In the concluding para of the letter from this Court addressed to the Secretary to Government in the Judicial Department under date the 19th of June 1834 the Judges pointed out the extreme hardship to which prosecutors and witnesses equally with prisoners, must be subjected if it shall be found that all offences on the Coast of Guinea are finally cognizable by his Majesty's Court and

at Madras alone and they suggested in that case the propriety of an alteration of the Law so as to give to the Local Courts and Magistracy Jurisdiction over such offences in all cases where the parties charged would otherwise be amenable to the local authorities; and the proposed measure of giving admiralty jurisdiction to the Local Courts with a view to the more effectual protection of the Coast Trade is in the opinion of the Foujdaree Udalut of such importance that the Judges beg leave to recommend that the correspondence noted in the margin may be laid before the Government of India in order that the question may be brought under the consideration of the Law Commissioners.

25th February 1836. (Signed) W. Douglas
Register

To The First Judge of the
Provincial Court of Circuit
in the Centre Division

Sir,

With reference to your letter dated dated the 4th November last I am directed by the Judges of the Foujdaree to transmit to you an Extract from the Minutes of Consultation under date the 16th instant.

25th February 1836. (Signed) W. Douglas
Register

To The Joint Criminal Judge
of Guntoor

Sir,

I am directed by the Judges of the Court

Court of Foydaree Wadut to intimate to you that the Statement shewing the manner in which the Convicts on the charge of the Magistrate of Guntoor were employed during the Month of November last does not afford the information required by the Letter from this Office dated the 3d of December 1835

By the 2d para of the communication of the 3d of December last information was sought as to whether the works for the execution of which authority was granted for the number of Convicts at the disposal of the Magistrate being kept up to 100 have completed and in the 3d para, you were required to call upon the Magistrate to report the nature of the work upon which the Convicts under his charge are at present employed in order that the Court of Foydaree Wadut may be enabled to suggest to Government the expediency of temporarily withdrawing from the charge of the Magistrate the whole or any portion of the Convicts at present placed at his disposal, should it appear to the Court that the work upon which they are at present engaged is not of immediate importance and that they might be more profitably employed in building the Jail lately Ordered to be erected at Guntoor -

Foydaree Diary 27th February 1836.

The requisite information on the above points you will be pleased to procure and submit without further delay -

27th February 1836. (Signed) W. Douglas
Register

To The Magistrate of Salem

Sir,

I am directed to acknowledge the receipt of your Letter dated the 18th instant and to inform you that the Judges of the Court of Foydaree Wadut under the authority vested in them by the Governor in Council under date the 11th of August last sanction the disbursement of the sum of (2) two pr Mensem for the subsistence of the infant child of the Convicts named "Madar" confined in the Jail at Ryacottah -

The Court of Foydaree Wadut propose to issue a Circular order extending that numbered 5 and Circulated under date the 24th of August last to Magistrates and other officers in charge of Jails, under which it will be necessary that the charge now authorized should be entered in a statement to be furnished at the close of each Quarter for the information and specific sanction of the Governor in Council -

27th February 1836. (Signed) W. Douglas
Register

To The Provincial Court
Gentlemen, : : in the Centre Division.

I am directed by the Judges of the Court of Foydaree Adalat to intimate to you, with reference to your letter dated the 3d instant, that the Governor in Council was pleased under date the 22d instant to sanction the employment of two additional Writers for copying the proceedings in the three Trials disposed of by Mr Casamajor required to be referred to the Court of Foydaree Adalat for warrants to be executed agreeably to the rules published at page 843 of the Fort St George Gazette of 1833.

27th February 1836. (Signed) W. Douglas
Register

(No 46)

To The Chief Secretary to Government

Sir,

With reference to the Extract from the Minutes of Consultation under date the 23d Instant I am directed by the Judges of the Foydaree Adalat to report, that 28 convicts under sentence of transportation are to be dispatched this morning from Chingleput, for confinement at Madras.

The usual Calendar accompanies the communication.

27th February 1836. (Signed) W. Douglas
Register

(No 47)

To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Foydaree Adalat to acknowledge the receipt of the Extract from the Minutes of Consultation under date the 12th Instant wherein their sentiments are requested as to the use of irons as a concomitant part of the punishment allowed by Clause 1st Section V Regulation XIII 1832 and with reference to the Reports from Cuddapa and Guntoor, whether the practice of fetters is made generally throughout the Zillahs.

The Court have no reason to believe that the use of irons in such cases is general and I am desired to add that the point having been overlooked on the occasion of the late Report to Government of the mode in which prisoners sentenced by the Heads of Police to imprisonment with Labor under Clause 1st Section V Regulation XIII of 1832 are worked and by what means the sentence are enforced, a Circular Order has been issued, under this date, directing the immediate discontinuance of the practice as unauthorized.

27th February 1836. (Signed) W. Douglas Regr

No 234 To The Criminal Judge in the Zillah of Chittoor

Sir,

With reference to a letter addressed to this Court by

by the Joint Magistrate in charge of the Northern Division of Arcot in which it is stated that having been in communication with yourself the Joint Magistrate is informed that 40 or 50 Convicts from the Jail at Chittoor can be placed at his disposal for the purpose of repairing the High road from Chittoor to Arcot, I am directed by the Judges of the Court of Foujdaree Adalut to desire you will explain whether such number of Convicts can be furnished from the Jail under your charge without interfering with the construction of the Treadmill in which a delay has hitherto occurred in consequence of your not having been able to place at the disposal of the Civil Engineer a sufficient number of Convicts to complete the work; and with reference to your address the Superintending Engineer in the Centre Division under date the 23d of November last intimating your inability to comply with his application for the aid of convicts in consequence of their having been at that period "only 40 Convicts" in the Jail "nearly all of whom were very infirm and unable to do much work and most of them will be released in a few months." to desire you will explain the cause of the variance between this Statement and that forwarded with the Criminal Reports for the same period the month of November) shewing that at the period alluded to

to there were 92 Convicts in confinement in the Jail at Chittoor all of whom were liable to labour.-

29th February 1836. (Signed) W. Douglas
Register

No 235 To Lieutenant F. C. Cotton
in charge of Convicts for the
Construction of the Break water.

Sir,

With reference to your Letter dated the 22d Instant I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying copy of a Letter addressed by this Court to Government under date the 22d instant together with copy of the order of Government thereon No 301 dated the 23d Instant.-

29th February 1836 (Signed) W. Douglas
Register

No 236. To The Criminal Judge of Nellore.

Sir,

The communication requested in your Letter under date the 9th instant having been made to the officer in charge of the Convicts transmitted to the Presidency from the Nellore Jail, a reply has been received to the effect that the Convict Buttoola Paupadoo" in Case No 71 of the Supplemental Nellore Calendar for the 1st Sessions of 1835 is not confined in the Jail at Guindy and as he is informed is at Nellore.-

2 In the "List" now in the Court, of the Convicts transferred from your Jail to be employed on

on the "Creekmaster" the prisoner in the case in question stated to be "Monagala Paupadoo."

3 The Judges observe that the case No 1 of the Supplemental Calendar 14th Elysium 1835 was tried by Mr. Way who proposed that the sentence of 10 years imprisonment should be mitigated to 7 years and that the prisoner Buttola Paupadoo was put to work: accordingly appears to have been sent to the Presidency and retained there accordingly in the list as "Monagala Paupadoo" sentenced to 7 years imprisonment. This Court on revision of the Calendar pronounced the conviction and sentence of Mr. Way upon the prisoner illegal and called up the case and sentenced "Buttola Paupadoo" to 10 years imprisonment.

4 It appears to the Judges therefore that the lists furnished by you the name of the prisoner "Buttola Paupadoo" should be substituted for "Monagala Paupadoo" but previous to passing orders for this to be made and with reference to the remark of the officer in charge of the Convicts at Penang that the wife of the prisoner in question is at Arakan - the Judges consider it proper to refer to you for information on the subject.

29th February 1836. (Signed) W. Douglas Register

No 237 To The Provincial Court of Circuit
in the Southern Division

Gentlemen,

I am directed by the Judges of the Foyzabad Adawlut to transmit to you the accompanying copy of an Extract from the Minutes of Consultation under

of Foyzabad Adawlut to acknowledged the receipt of your letter dated the 8th instant to which is annexed copy of a letter from the Criminal Judge in the Zillah of Combaconum setting forth that considerable inconvenience is "liable to be felt" from the rule laid down by the "Foyzabad Adawlut in their Circular Order No 57" and "that some special provision is much required to enable "the Criminal Courts to furnish false witnesses in support of false complaints."

The Court of Foyzabad Adawlut being in possession of the fact that the enactment of Regulation IX of 1832 rendering Complainants in such cases furnishable was regarded by the Legislature as of doubtful expediency, they are not prepared to submit to the Government a recommendation that the provision of Section III of that Regulation should be extended to witnesses giving false evidence in charges not before the Native officers of Police.

29th February 1836. (Signed) W. Douglas Register

No 238 To The Provincial Court of Circuit
in the Southern Division

Gentlemen,

I am directed by the Judges of the Foyzabad Adawlut to transmit to you the accompanying copy of an Extract from the Minutes of Consultation under

date

date the 23d Instant and to request that instructions may be
issued to the Magistrate of Trichinopoly - "for the daily supply
"under custody of the regular Peons of such Convicts as
"are required and can be spared from those at Trichinopoly
"to be employed in the repair of the roads of the Cantonment
"under the orders of the Deputy Assistant Quarter Master
General of the Division - "

29th February 1836. (Signed) H. Douglas
Register

A. 239 To The Criminal Judge of Rajahmundry

Sir,

I am directed by the Judges of the Foujdaree Adalut to return to you for amendment and explanation the Account Particulars of the number and the amount of the Pay of the Extra Peons employed during Feby 1836 to guard the prisoners working out side the Jail at Rajahmundry, which accompanied your Letter of the 9th instant -

It would appear that after deducting "the amount not drawn on account of Sundry Peons" the "Claim" should be Rupees 3571-14-1 and not as stated entered in the account Particulars Rupees 3759-14-1

This Claim moreover does not agree with the corresponding Item in the Statement of Charges

charges in which aggregate sum is entered as Rupees 359-14-2

I am directed to desire that you will immediately explain this discrepancy, submit a fresh account Particulars and include in it the charge on account of the pay of the Extra Duffadars as required by the Circular order A#11 dated the 16th August 1834 -

29th February 1836. (Signed) T. H. Davidson
Asst to the Regr

(A#49)

To The Chief Secretary to Government

Sir,

With reference to the resolution of Government of the 9th of October last, that the whole of the Demy and Foolscap Country Paper required for the public service shall be supplied from the Nellore "Jail," to the letter from this officer to your address of the 27th November last forwarding the copy of a communication from the Criminal Judge of Nellore re: presenting his inability from want of Convicts to enlarge Paper Manufactory and submitting the request of the Foujdaree Adalut that the sanction of Government might be granted for the transfer from the Jail at Cuddapah to that at Nellore of between 100 and 150 Convicts - The exigence to the order of Government of the 1st of December granting the sanction solicited, I am directed by the Judges of the Court of Foujdaree Adalut to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter

Faujdaree Diary 29th February 1836.

Letter dated the 12th Instant received from the Criminal Judge of Nellore reporting, for the reasons stated therein, that only one Half of the quantity of the Paper required in the Letter dated the 12th Instant received from the Criminal Judge of Nellore reporting, for the reasons stated therein, that only one Half of the quantity of the Paper required in the Letter dated the 23d October 1835 from the Court of Faujdaree Udalut can be manufactured in this year.—

29th February 1836. (Signed) H. Douglas
Register

Foujdaree Diary 1st to 31st March 1836.

To The Criminal Judge of Chingleput.-

Returning the Summons sent up in his letter dated 28th Ultimo duly served.-

1st March 1836. / Sent usual letter No. 241 /

No. 243 To the late Acting Criminal Judge Chingleput now at Bellary.

Sir, I am directed by the Judges of the Court of Foujdaree Adalut to transmit for your information the accompanying copy of an Extract from their proceedings of the 24th Instant upon the Criminal Report of the Court at Chingleput for the Month of January, the Criminal Judge having brought to their notice that the Case No. 8 was disposed of by you.-

3d March 1836. / Signed G. L. Rendergast. Sen.r Dy Regr.

No. 244 To the Magistrate of Trichinopoly.-

Sir, I am directed to request that the accompanying letter and its enclosure may be returned to "Iya pillay - Covoor Mearashidar" from whom they were received by Tappaul on the 24th Ultimo, and that it may be intimated to that individual that if he have any representation to make on the subject of any Judicial proceeding he must do so by Petition, to be presented in open Court either by himself in person or by his authorized Vakeel, the Court of Foujdaree Adalut being precluded from Acting upon communications received by the Tappaul.

2 In their Circular Order of the 21st October 1825 the Court of Sudr Adalut observing that they had received several communications upon matters pending before them, thought the channel of the public post, which they are precluded by the Regulations from taking cognizance of, desired that a public notice might be affixed in the Provincial and Zillah Courts, declarative of the irregularity of the proceeding

adverted

directed to: and I am directed to observe that it would be useful if the Magistrates also could take occasion to make this generally known as opportunities may offer..

5th March 1806. / Signed/ J. H. Davidson. Dy. Agt. to the Regr

No.249 To The Acting Joint Criminal Judge at Vizagapatanam.

Sir, I am directed by the Judges of the Court of Fonjdaree &c. to inform you that the Governor in Council was pleased under date the 28th. ultimo to sanction the Statement submitted with your letter dated the 27th of January last amounting to Rupees three and annas 9-a- 4th March 1806. / Signed/ W. Douglas. Register.-

No.250 To The Magistrate of Chittoor.

Sir, I am directed by the Judges of the Court of Fonjdaree &c. to communicate to you that the Governor in Council was pleased under date the 28th. ultimo to sanction the Statement of charges which accompanied your letter, of the 4th ultimo amounting to Rs. 48-8 annas Rupees forty eight and annas eight..

4th March 1806. / Signed/ W. Douglas. Register.

No.251 To The Provincial Court of Circuit in the Centre Division

Gentlemen,

With reference to your letter dated the 12th ultimo I am directed by the Judges of the Court of Fonjdaree &c. to request you will communicate to the Criminal Judge in the Zillah of Chittoor that the Governor in Council was pleased under date the 25th ultimo to authorize the disbursement of Rupees 2 / three / for the purchase of 12 Gunny Bags required for the Country of Rain..

4th March 1806. / Signed/ W. Douglas.

Register.-

No.253 To W. Harington Esqre. Acting Judge of the Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Fonjdaree &c. to transmit to you copy of a letter dated the 1st instant from the Acting 2d. Judge on Circuit in the Southern Division, and with reference to the Statement made in para 2 that the Establishment on Circuit with the Acting 2d. Judge will be ready to proceed to Ambacamum on the 20th instant, to request you will take the necessary measures for opening the Sessions at that Station..

5th March 1806. / Signed/ W. Douglas. Register..

No.254 To the Provincial Court of Circuit in the Western Division

Gentlemen, I am directed by the Judges of the Court of Sudr and Fonjdaree &c. to acknowledge the receipt of your letter dated the 1st ultimo to which is annexed copy of a letter from the Acting Judge of Canara and of one from the Assistant Judge of the Adaulut of that District conveying an application from the Assistant Judge to be furnished with the proceedings of the Court of Circuit in the Trial No.1 on the Canara Supplemental Calendar for the 2d. Sessions of 1805.

The ground on which the Assistant Judge requests to be furnished with these proceedings is that the evidence before the Court of Circuit is "material to the final adjudication" of a cause pending before him..

The Provincial Court submit that the application of the Assistant Judge is irregular, and in this opinion the Judges of the Sudr and Fonjdaree &c. are disposed to concur in as much as an authenticated copy of any portion of the proceedings of the Court of Circuit can only be filed at the instance of one of the parties, and the

Judgment

of the Court must not be influenced by proceedings not belonging to the record of the suit.-

7th March 1856. / Signed W. Douglas. Register.-

No 255 To 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 22d Septr forwarding copy of a letter from the Joint Criminal Judge at Trinomaly requesting to be informed whether two Sepoys who have been convicted by a Court Martial of Burglary and sentenced to imprisonment with hard labour for 18 months should be placed in irons.-

The sentences of Courts Martial are framed in the words of the printed Statement of crimes and punishments furnished by this Court to Government for the guidance of Courts Martial; and in the Statement referred to it is intended by the term hard labour.-

The Court of Foujdaree Adawlut on a former occasion furnished Govt to Government for the information of the Adjutant General of the Army with reference to the printed Statement of Crimes and punishments that it is the practice of all the Civil Courts of Criminal Judicature that a sentence of imprisonment of necessity involves a liability to hard labour except in cases wherein a special exemption has been provided in the sentence or by the Regulations, and as sentence to hard labour cannot be enforced with reference to the safe custody of the convict unless in irons.-

7th March 1856. / Signed W. Douglas. Register

No 265 To E.B. Macy Esqr late Acting Judge late on Circuit in the Northern Division

Sir,

I am directed by the Judges of the Foujdaree Adawlut to forward to you for your information the annexed copies of two letters addressed to the Chief Secretary to Government and dated respectively the 2d January and 8th February 1856 and of an Extract from the Minutes of Consultation under date the 1st instant, relative to the delay which has occurred in bringing to a conclusion the business connected with your late Circuit in the Northern Division.-

2 In obedience to the order of the Governor in Council contained in the first paragraph of the Extract from the Minutes of Consultation, you will be pleased immediately upon the receipt of this communication to give over charge of the Zillah Court of Rajahmundry to Mr. Dunnegan the Head Assistant Collector if he shall have been relieved from the charge of the District by the Acting Collector Mr. Grant; — otherwise to Mr. Bell the Assistant Collector.-

3 The charge of the Zillah Court will be made over by Mr. Dunnegan or Mr. Bell to the Acting Register Mr. Rhode when the latter joins his Station.-

4 I am directed to desire that you will immediately report what you may have done in pursuance of these instructions, for the information of the Court of Foujdaree Adawlut and of the Government.-

5 With reference to the second paragraph of the Extract from the Minutes of Consultation, you will observe that Returns are required to the Precepts issued by the Foujdaree Adawlut under dates the 7th and 16th September 1855, of the various orders contained in which, you have conformed to those alone which related to the transmission to this Court of English and Persian Translations of the proceedings in Case No 6 on the Primary Calendar, Case No 1 on the first Supplemental Calendar, and Case No 3 on the second Supplemental Calendar of the Zillah of Nellore for the first Sessions of 1855.

You

6 You will further observe that no final Return has upt to this date been made to the Precept of the Fouzdaree Adawlut of the 30th April 1805, directing you to review the calendars of persons tried by you at the several stations in the Northern Division during the first sessions of 1803 and at Masulipatam during the second quarter sessions of 1804 with the view of proposing a mitigation or remission of punishment in cases which afford ground believing that the offences charged against the parties originated in the pressure of the famine.

7 And finally - the Report prescribed by section XXXVII, Regulation XII of 1802 is still due.

8 Referring to the length of time which has already elapsed since the close of your Circuit and the issuing of the several orders above referred to the Court of Fouzdaree Adawlut are of opinion that the whole of these matters may with facility be brought to a conclusion by the 31st instant, and I am accordingly directed to desire that you will distinctly understand that in the event of your evading compliance with the present call, or neglecting an adherence to the date now determined upon it will become the duty of the Fouzdaree Adawlut to make an immediate Report on the subject to the Governor in Council.

8th March 1806. (Signed) F. H. Dawdson. Dpt to the Regr

No. 266. To the Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Fouzdaree Adawlut to forward to you for your information the annexed copy of an Extract from the Minutes of Consultation under date the 1st instant, a Receipt of which has been this day intimated to Mr. Grey from this Office.

8th March 1806. (Signed) F. H. Dawdson - Dpt to the Regr

No. 267 To The Acting Criminal Judge of Canara.

Sir,

I am directed by the Judges to inform you that at the recommendation of the Court of Fouzdaree Adawlut the Governor in Council was pleased under date the 1st instant to sanction the sum of Rupees 100/ one hundred and thirty, six bursed by you for the purpose reported in your letter of the 6th ultimo.

I am directed however to advise you of the irregularity of your proceeding in incurring this charge before you had received the sanction of Superior Authority.

9th March 1806. (Signed) W. Douglas. Registr.

No. 268. To the Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Fouzdaree Adawlut to inform you that the Governor in Council was pleased under date the 1st instant to sanction the statement of charges actually incurred in Fasly 1214 on account of the Convicts transferred from the Criminal Judge of Combaconum to the Magistrate of Tanjore, - amounting to Rupees (7.609-7-9) seven thousand, six hundred and nine, annas seven and pice nine.

2 The original statement which accompanied your letter of the 10th ultimo are herewith returned.

9th March 1806. (Signed) W. Douglas. Registr.

No. 269 To the Provincial Court of Circuit in the Western Division

Gentlemen,

With reference to the letter from the Acting Criminal Judge of Canara dated the 2d of October last which accompanied your communication of the 10th of the same month conveying his opinion of the manner in which the Cudo Ameens have been found to exercise the Criminal Jurisdiction vested in them by

by Section II Regulation III of 1803 I am directed by the Judges of the Court of Foujdaree Adawlut to transmit to you for communication to the Acting Criminal Judge of Canara an extract from the Minutes of Consultation under date the 1st instant, and to request you will make inquiries as to the manner in which the Sudr Ameens attached to the Court at Mangalore have been found to discharge their Civil Duties, and if you are of opinion that the same degree of inefficiency is apparent in this branch of their business as is reported to be observable in the Criminal Department, you will be pleased to report the same to this Court in order that the Judges may notice the subject in such manner as they may deem requisite.

9th March 1806. (Signed) W. Douglas. Register.

No. 270 To the Criminal Judge of Tellore.

Sir, With reference to your letter dated the 11th ultimo I am directed by the Judges of the Court of Foujdaree Adawlut to inform you that the Governor in Council was pleased under date the 4th instant to authorize the Principal Collector of Tellore to advance the sum of Rupees 4500 four thousand and five hundred for the purchase of an annual supply of grain for the Prisoners confined in the Jail under your charge.

9th March 1806. (Signed) W. Douglas. Register.

No. 271 To the Criminal Judge of Calicut.

Sir, I am directed by the Judges of the Court of Foujdaree Adawlut to inform you that under the circumstances represented in your letter of the 20th January 1806 and after a mature consideration of the declarations submitted with your communication of the 22d ultimo they are pleased in exercise of the powers vested in them by Section XII Regulation XIII of 1832 to authorize you to offer a pardon to Elayangud Krishnen, the second prisoner in Case No 260 of 1805 on the file of the Criminal Court of Malabar, on the terms and conditions specified in Section XX Regulation VIII of 1802.

10th March 1806. (Signed) J. H. Davidson. Dy. Agt to the Regr.

No. 272 To the Provincial Court of Circuit in the Northern Division.

Gentlemen,

1 With reference to your letter dated the 27th ultimo submitting copy of a letter and statement from the Assistant Judge of Guntoor requesting sanction for the disbursement of Rupees 1-12-4 on account of the child of a prisoner confined in the Jail at that Station I am directed by the Judges of the Court of Foujdaree Adawlut to request you will be so certain and report under what circumstances the Boy "Bamma Saib" was admitted and has since been continued in the Jail at Guntoor.

2. In the statement appended to the Assistant Judge's letter of the 18th ultimo a clerical error is observable in the abstract of the Sentence passed by the Court of Foujdaree Adawlut on the prisoner "Mahomed Selamam;" and the Judges would wish to be informed whether the substitution of the word "Rupees" for "years" was an error on the part of the Judge who signed the warrant or of the person who transcribed the proceedings of the Foujdaree Adawlut.

3 You will be pleased also to bring to the notice of the Assistant Judge of Guntoor with reference to the Proceedings of the Sudr Adawlut of the 29th of December last that the Quarterly Statements furnished under the Circular Order No 50 dated 24th August 1805 should have been forwarded direct to the Foujdaree Adawlut.

10th March 1806. (Signed) W. Douglas. Register.

No. 275 To the Joint Criminal Judge of Tinnevelly.

Sir, I am directed by the Judges of the Court of Foujdaree Adawlut to

to request that the accompanying Petition which it appears was received in the Government Office by Post from Palamcottah on the 14th January 1836 may be returned to "Cullianaadoo Moothoo Veden" and that that individual may be informed that if he have any representation to make on the subject of any Judicial proceeding which is either now pending, or has been decided by this Court he must do so by Petition, to be presented in open Court either by himself in person or by his authorized Vakeel, - the Court of Foujdaree Udalut being precluded, under the Regulations from noticing communications transmitted to them through the channel of the public post.

11th March 1836. /Signed/ F. H. Davidson. Hd Asst to the Regr.

No 283 To the Magistrate of Trichinopoly.

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 5th instant, reporting that two of the Peons who were in charge of the convict who effected their escape while at work at the Coleroon Annicut, have been forwarded for trial to the Criminal Court.

You observe in the second paragraph of your letter "with regard to the Acting Duffadar Rasub and the other two Peons "alluded to in Mr. Chatterton's letter" that "it does not appear "on enquiry that as connected with the escape of the prisoner, any "blame attaches to them:" and in the 3d Paragraph that "it is "admitted by Mr. Chatterton that he told the Acting Duffadar "he might possibly be induced to grant leave to two or three Peons "to be absent" and that "accordingly the Acting Duffadar and two "other Peons went to Trichinopoly on the 19th instant" you. The Judges of the Foujdaree Udalut desire to be informed whether the permission for that purpose was actually obtained from Mr. Chatterton: and if not whether any or what notice has been taken of the misconduct of the party in this particular.

You will also be pleased to forward to the Officer certified Translations of any depositions which you may have taken from the parties concerned in the late affair, and at the same time to submit a further communication which shall embrace a more detailed account of the circumstances connected with the escape of the prisoner and the conduct of the Peons than does your letter of the 5th instant, which, by reason of its vague and generally unsatisfactory nature, the Judges of the Foujdaree Udalut consider themselves precluded from laying before the Government.

14th March 1836. /Signed/ F. H. Davidson. Hd Asst to the Regr.

No 284 To C. E. Oakes Esqre late Acting Criminal Judge of Chittoor.

Sir,

With reference to your letter of the 18th January last, submitting an explanation of the grounds on which you deemed it necessary, while acting as Criminal Judge of Chittoor, to commute the prisoner Chinnapah, supposed to be insane, to be flogged on several occasions, I am directed by the Judges of the Foujdaree Udalut to forward to you for your information, the annexed copy of an Extract from the Minutes of Consultation under date the 7th instant.

14th March 1836. /Signed/ F. H. Davidson. Hd Asst to the Regr.

(No 52)

No 288 To the Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated

dated the 29th ultimo from the Provincial Court of Circuit in the Central Division recommending agreeably to the request contained in the enclosure from the Criminal Judge at Chingleput, that the disbursement of the salary paid to W. Dogherty from 1st of July 1803 to 30th June 1805 at the rate of 1 Rupee per diem may be sanctioned and also the expences incurred by the Criminal Judge in the erection of 6 looms and a warping machine - the former at 8 Rupees 6 each. the latter at Rupees 75..

2 The Judges observe that in the 3d para of the Minutes of Consultation of the 5th ultimo the Right Honorable the Governor in Council was "pleased to sanction the compensation granted to W. Dogherty in fusly 1249" amounting to Rupees 365 and that the compensation for fusly 1244 is included in the Statement of "Contingent charges" which will be shortly laid before Government..

3 With reference to the letter of the Criminal Judge of Chingleput dated the 9th ultimo, copy of which has been laid before Government in my letter of this days date We - I am directed by the Judges to remark that the outlay for the four looms and the warping machine was improper in as much as it had not been authorized and that they propose to caution Mr. Horsley against making any outlay of the kind in future. The Judges, however, think it desirable that he should in this instance be repaid by the Purchase on account of Government of the looms and warping machine in question. I am accordingly desired to submit this suggestion to the favorable consideration of the Right Honorable the Governor in Council.

15th March 1806. (Signed) W. Douglas. Register

(No 50)

No 289 To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Foujdaree

Foujdaree Adawlut to acknowledge the receipt of the Extract from the Minutes of Consultation of the 5th ultimo, wherein they were required previous to sanction being given for the permanent employment of "William Dogherty" in the Jail at Chingleput, to state their opinion, after communicating with the Criminal Judge and the Provincial Court of Circuit "as to the expediency or otherwise of appointing Dogherty also to the Jailor at the Station, and to grant him for the joint duty of Jailor and superintendent of the Cloth and paper Manufactories a consolidated salary of 35 Rupees per Mensem."

2 The Judges having accordingly communicated with the Provincial Court of Circuit and the Criminal Judge upon the subject copies of their replies are herewith submitted, dated respectively the 29th and 22d ultimo..

3 The Criminal Judge has expressed his opinion that it would be highly expedient to employ William Dogherty as Jailor, "and has recommended that the remuneration for his services both as Jailor and superintendent of the Cloth and Paper Manufactories should be a fixed salary of Rupees 50 per mensem, and he has stated the grounds of his sentiments upon this point..

4 With the recommendation of the Criminal Judge the Provincial Court "fully concur" "on account of the arduous and responsible duties of the Office," and the Judges of the Court of Foujdaree Adawlut beg leave also respectfully to support the recommendation. They would suggest, however, that Dogherty should not be allowed to continue to work looms of his own as the whole of his time and attention will be required to his duties as "Jailor" and "Superintendent."

5 With reference to the 4th paragraph of my letter of the 12th January last I am directed to transmit the accompanying copy of

of a letter dated the 9th Instant, received thro' the Provincial Court of Circuit from the Criminal Judge of Chingleput relative to the services of "Dogherty" in the Lab and at that Station and the Cowries carried on under his Superintendence.

15th March 1806. / Signed/ W. Douglas. Registed.

(No 54)

No 290. To the Chief Secretary to Government.

Sir,

To the Judge in the Zillah of Chingleput.

Returning the Summons sent up in his letter of the 2d Instant with an endorsement of the Razee of the Court.

15th March 1806. / Sent usual letter No 291. /

To the Criminal Judge in the Zillah of Chingleput.

Returning the Summons sent up in his letter dated 7th Instant only served.

15th March 1806. / Sent usual letter No 292 /.

(No 55)

No 297 To the Chief Secretary to Government.

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that it may be brought to the notice of the Governor in Council that considerable inconvenience has not unfrequently been experienced by persons discovering hidden treasure in the Provinces under this Presidency, in consequence of the Native Judges not being empowered to act under the provisions of Section III, Regulation XI of 1802 of the Madras Code, which provide that "whenever any person may "find hidden treasure of the description stated in the foregoing "Section, he shall give immediate notice thereof to the Judge "of the Zillah or to the Assistant Judge of the Auxiliary Court, "within whose Jurisdiction the treasure may have been found: and "shall at the same time deposit the treasure in the Court &c.

A case in point will be found in the twelfth paragraph of the letter from the Assistant Magistrate of the Zillah of Canara, dated the 4th February 1805 and recently laid before Government. In that letter the Assistant Magistrate states that "some hidden "treasure was found at Mungli, a frontier town, by the some "Labourers when digging a foundation, and was brought to the "Tahseeldar by the Revenue Monegar, who claimed it in the

right

"right of the proprietor of the ground" and that "as Section III, of
"Regulation XI of 1832 does not include the Native Judge, the Tahsildar
"forwarded the treasure by his directions to the Auxiliary Court
"at Honore, and the claimants have thus been obliged to proceed to
"a distance of 80 Miles, when the Native Court of Sirsy was
"within a short distance."

As their attention has on more than one occasion been called to the inconvenience here pointed out, and as the defect in the Law as it now stands might without difficulty be remedied, the Judges of the Foujdaree Adalut have deemed it their duty to bring the matter to the notice of the Governor in Council, in order, that, should the subject be deemed of sufficient importance to warrant that proceeding, it may be referred for the consideration of the Indian Law Commissioners

18th March 1836

/ Signed / W. Douglas

Register

To

Lieutenant F. C. Cotton Civil Engineer

Sir

With reference to your letter dated the 4th instant I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you the forms in which the Bill for the Expence

Foujdaree Diary 18th & 19th March 1836

Expence incurred by you in supplying grain to the convicts confined in the Jail at Guindy should be prepared -

2. The sanction of Government for the Expenditure in question should be procured thro this office -

18th March 1836 - / Signed / W. Douglas

Register

The Honorable Company —— Dr

	Rs	A.	P.
To Marcals and Measures of Rice purchased for and supplied to the Convicts at Guindy employed under orders of the Breakwater Committee -			

18th March 1836 / Signed / W. Douglas Regr

No 804

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you to be laid before the Govr in Council for his Consideration Copy of a letter dated the 5th instant from the Magistrate in the Zillah of Chingleput recommending that a portion of the Military Road from Madras to Bangalore viz "from the limits of the Supreme "Court near the Female Asylum to the Travellers Bungalow "at Coratoor," be placed under the superintendance of a European Overseer, "of the same denomination as the "Road Sergeants on the Mount Road," who "in addition "to his care of the Road" should also have the general

Superintendence

"Supervision of the convicts at Coonamalee in order that their labour may be efficiently devoted to its repair."

The Salary of the Overseer the Magistrate in proposes should be fixed at 21. Rupees per mensem, and to cover this sum without any additional charge to Government Mr. Maclean suggests that as temporary measure, and without abolishing the situations he may be Authorized to appropriate to the above purpose the pay of the Cutwall of Coonamalee which is 10½ Rs and that of there District Peons amounting also to 10½ Rs. The duty of the Cutwall devolving for the time being on the Police Aumeen station is at Coonamalee.

What precise Controul over the Convicts it is intended "the Overseer should possess is not stated in the Magistrates letter, but the suggestion of placing the convicts at Coonamalee under the "supervision" of a European" of the same denomination as the Road "Sergeants on the Mount Road" is in the opinion of the Court of Fouzdaree Adalut open to serious objections. the Convicts at Coonamalee should in the opinion of the Judges still continue under the Controul of the Magistrate, and the Sergeant, if one be entertained, merely permitted to direct their labour; but for the Employment of a person of this description the Judges would not recommend that sanction be granted. Should it be the intention of Government to adopt the Rules submitted to Government under date the 5th November 1835. for carrying into effect within this Presidency the System pursued in Bengal of employing Convicts under the Civil Engineers.

The Alteration in the Police Establishment of

of his District involved: in this suggestion of the Magistrate should in the opinion of the Court of Fouzdaree Adalut be proposed thro' the Revenue Department; And are they be submit any recommendation that the Magistrate "be Authorized to charge in the Monthly Contingent Bill as "many Bandy Loads of Red gravel as may be necessary for the repair of the Road, the Judges have considered it their duty to require the Magistrate to forward an Estimate of the probable annual cost to Government on this account, which estimate when received will be submitted together with the opinion of the Court as to whether the same should receive the sanction of the Government.-

19th March 1836. (Signed) W. Doglas
Register

No 305

To the Magistrate of Chingleput

Sir,

With reference to your letter dated the 5th instant I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you Copy of a letter which has been this day addressed to the Chief Secretary to Government and to request that you will submit an estimate of the probable Annual Charge to Government for Red gravel fully required to Keep in repair the line of Road leading from Madras to Coratoor which has been placed under your Charge-

19th March 1836. Signed W Douglas
Register

To

No. 306 N. 57.

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 10th instant transmitting Six Copies of the 4th 5th and 6th Volumes of the Futwa Alemgire

19th March 1836. (Signed) W. Douglas

Register

No. 307 To The Provincial Court of Circuit

in the Centre Division

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to forward to you the accompanying three printed Copies of the 4th 5th and 6th Volumes of the Futwa Alemgire for the use of the Mahomedan Law Officers of your Court

19th March 1836. (Signed) W. Douglas Register

No. 308 To The Judge in the Zillah

Southern Division 3 Copies
Northern — 3 — Do.
Western — 3 — Do.

	S. D.		Sir,	I
To the Judge of	Combaconum	2 Copies		am directed by the Judges
Do — Do —	of Madura	2 — Do.		of the Foujdaree Udalut to forward
Do — Do —	of Salem	2 — Do.		to you the accompanying three printed
	N. D.			Copies of the 4th 5th and 6th Volumes
Do — Do.	of Rajahmundry	2 — Do.		of the Futwa Alemgire for
Do — Do —	of Ngellore	2 — Do.		the use of Mahomedan
Do — Do —	of Chicacole	2	Do.	Law officer of your Court
	C. D.			
Do — Do —	of Bellary	2	Do.	
Do — Do —	of Chittoor	2	Do.	
Do — Do —	of Cuddapah	2	Do.	
Do — Do —	of Chingleput	2	Do.	
Do Not Judge of	Cumbums	2	Do.	
	W. D.			
Do Judge of	Canara	2	Do.	
Do Do	of Malabar	2	Do.	
Do Not Judge of	Sirsee	2	Do.	

19th March 1836. (Signed) W. Douglas Register

To

To The Criminal Judge of Malabar

No. 310 Sir,

I am directed to acknowledge the receipt of your letter of the 8th instant transmitting for the orders of the Foujdaree Udalut Copies of warrants by which in Cases Nos 13 and 21 on the Calicut Calendar for the First Sessions of 1836, the prisoners Kupik and a thil alias Gathirithail Ilirayen Coolty and Chatampalaikel Rayen are respectively sentenced by the Court of Circuit, under Clause Third Section VIII. Regulation XV of 1803, to banishment, and to inform you that the Judges have resolved that the sentences in question as also that passed by the Court of Circuit against the prisoner Cangayen Son of Chetty Ayen in Cases Nos 11 and 26 on the Calicut Calendar for the Second Sessions of 1835 shall be carried into in the Zillah of Chingleput

21st March 1836. (Signed) W. Douglas

Register

No. 312 To The Criminal Judge of Chingleput

Sir,

I have the honor by order of the Judges of the Foujdaree Udalut to apprize you that instructions have under this date been issued to the Criminal Judge of Malabar, directing that the sentence of banishment passed by the Court of Circuit in the Western Division against the Prisoners Kupikandathil alias Gathirithail Ilirayen Coolty and Chatampalaikel Rayen in Cases Nos 13 and 21 on the Calicut Calendar for the First Sessions of 1836, and the Prisoner Cangayen Son of Chetty Ayen in cases Nos 11 and 26 on the Calicut Calendar for the Second Sessions of

1835

1835- be carried into execution in the Zillah of Chingleput
21st March 1836.- (Signed) W. Douglas
Register

Foujdaree Diary 21st 1836

To The Criminal Judge at Nellore

No. 314 Sir

I am directed by the Judges of the Court of Foujdaree Adalut to return the accompanying "warrant" with reference to your letter under date the 7th Instant, reporting that the prisoner refered to therein "Battoola Pauposa is working the Jail" under your charge and that the final sentence passed upon him for 10 years imprisonment with hard labor in irons, was immediately on its receipt communicated to him.-

21st March 1836- (Signed) G L Fredergast
Sent. Dy. Register

To the Provincial Court of Circuit
Gentlemen, in the Northern Division

No. 315 In reply to your letter dated the 7th instant I am directed by the Judges of the Court of Foujdaree Adalut to inform you that they authorize the Criminal Judge of Chicacole to disburse the sum of Rupee one and annas eight per Mensem for the support of the son of Suppaly Gauree a prisoner committed to take her Trial before the Court of Circuit

21st March 1836- (Signed) W. Douglas
Register

No. 316 To the Chief Secretary to Government No 58
Sir

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you to be laid before the Governor in Council with reference to para 6. of the proceedings of this Court of the 22nd Ultimo Copy of a

Letter

Vide extract from the Minutes of Consultation under date the 1st March 1836 Pp 379

letter from the Provincial Court of Circuit in the Northern Division dated the 9th instant together with Copy of a return from the acting Joint Criminal Judge of Masulipatam shewing the progress made in the building erecting in the Jail at Masulipatam for the accomodation of Debtors and Female Prisoners.

21st March 1836.

/Signed/ W Douglas
Register

P 331 To Lieut: Budd in charge of the Convicts employed under the orders of the Breakwater Committee

Sir

I am directed by the Judges of the Court of Fouzdaree Adalut to transmit to you, with reference to your letter dated the 29th ultimo addressed to the Governor in Council by the Medical Board relative to the quality of the Bengal Rice supplied to the Convicts under your charge, and submitting their opinion of the present Condition of the Condition of the Convicts and the probable Causes of the recent increase of sickness among them

2 From this Report you will perceive that the Medical Board still Continue to consider the Bengal Rice to be of good quality, and that the cause of the sickness in the Jail at Guindy is to their opinion attributable to the imperfect Ventilation of the building occupied as a Jail to the practice stated to prevail in the Act of permitting the Convicts to hoard the money issued to them for the purchase of Condiments, and to the manner in which the prisoners are at present employed

3 In reference to the measures now in progress

progress for improving the Ventilation of the Jail Gundy, the Medical Board observe that they consider them made quite, and that they deem it of special importance that a Ventilation Shafts be opened in the roof of each cell.

4. The remarks of the Medical Board on this subject, Contained in para: 4. of the accompanying letter, you will please to lay before the Breakwater Execution Committee with the request of the Court of Fouzdaree Adalut that immediate and further measures may be taken for improving the Ventilation of the building occupied as a Jail, and if practicable in the manner suggested by the Medical Board.

5 With regard to the Statement made by the Medical Board that a Money allowance for the purchase of Condiments is issued to the Convicts Confined in the Jail under your charge I am directed to bring to your notice that such practice is prohibited by the circular order of the Fouzdaree Adalut of the 25th of January 1830, a Copy of which was furnished to Lieut J. C. Cotton with this Courts letter dated the 28th of August 1835, and it was the intention of the instructions issued by this Court to the Deputy Commissary General in the 27th of the Month that the allowance for Condiments should be issued in Kind at the average of 4 Rice daily per head.

6 With respect to the hours of labour the Court of Fouzdaree Adalut direct me to request you will Carry into effect the arrangement proposed by the Medical Board viz: that the Convicts should work from 7 to 12 rest from 12 to 2 and again work from 2 to 4 o'Clock instead of working Uninterruptedly from 7 A. M to 2 P. M as at present.

With

7 With reference to para: 12. of the accompanying Copy of the letter addressed to Government by the Medical Board I am directed to request you will direct the attention of the Medical Officer in Charge of the Jail to the Circular Order of the Foujdaree Udalut of the 5th June 1832 under which any articles of food and indulgences generally are to be supplied to the convicts whenever they may be considered necessary to the preservation of health, and the Deputy Commissary General has been instructed to supply such articles at the requisition of the Medical Officer.-

22nd March 1836.- (Signed) W. Douglas
Register

No. 1332 To The Chief Secretary to Government
No. 59

Sir,

I am directed by the Judges of the Foujdaree Udalut respectfully to solicit the attention of the Governor in Council to my predecessor's letter of the 19th Nov.r 1834 reporting the escape from the Jail at Cuddalore of a prisoner named Talavirrechan and requesting sanction for the offer of a reward of two hundred Rupees for his apprehension as he was a man of notoriously desperate and dangerous character

On that occasion the Government were pleased to accede to the recommendation of this Court, but the Judges regret to state that the efforts of the Police have not hitherto been attended with success, and that since the proclamation Talavirchan, has murdered a person engaged in search of him under it.

In a trial recently referred by the Third Judge of Circuit in the Centre Division and now under Consideration

by

by the Foujdaree Udalut four persons are charged with the commission of this most cold blooded and foul murder

The circumstances are briefly these:

It is alleged that the Magistrate of South Arcot had discharged a Peon named Ramsing, but had promised to reinstate him if he should apprehend the notorious Robber Talavirechan; and with this view furnished him with a warrant. The peon proceeded in the first instance to the house of a Poligar named Maruduvanny Kutcherayan residing in the village of Tudettacundeen in the Talook Talavirechan having received information of what was going on, assembled a number of his people among whom were the prisoners in the case above referred to. The Gang with Talavirchan at their head well armed with firelocks, pistols, swords and clubs proceeded at night to the house of the Poligar, entered it, and finding the Peon Ramsing lying asleep, discharged a musket at him; they then rushed upon him, and having dragged him into the inner Court yard, they put him to death with their swords, and afterwards carried him to a Nullah into which they threw the Corpse. They also severely wounded the Poligar's son and his wife as already stated four of the gang have been apprehended; but Talavirchan who according to the evidence was the prime mover of the outrage, and from whose hand the deceased received several sword cuts is still at large.

Under these circumstances and adverting to the well known character of the man, and the numerous outrages in which he has been concerned, the Judges of the Foujdaree Udalut

Adalut beg to recommend that sanction be granted for the offer of a reward of one thousand Rupees for his apprehension
22nd March 1836.

(Signed) W. Douglas
Register

W. 333 To the First Judge on Circuit
in the Centre Division

Sir,

I am directed to acknowledge the receipt of your letter of the 10th Instant forwarding the warrant issued by the Court of Circuit for the execution of the prisoner Male Nootana Calana Dasareegaudoo in Case W. 15 on the Cuddapah Calendar for the First Sessions of 1836, and the copy of a letter from the acting Assistant Criminal Judge in charge in the Zillah of Cuddapah

The Judges of the Faujdaree Adalut direct me to observe that the report of the acting Assistant Criminal Judge is defective in many of the particulars noticed in their Circular Order of the 3rd May 1830. That officer has omitted to "specify the date and hour when the final sentence was communicated to the Convict and certify that the same took place in open Court" and further to specify "the effect on the Convict of such communication, and his Conduct subsequent until his Execution" He has also failed to report whether the convict expressed Contrition for the offence for which he suffered his behaviour on the scaffold and conversation there."

I am accordingly directed to request that you will instruct the acting Assistant Criminal Judge to prepare and submit immediately a Report of the nature prescribed by the Circular Order above referred to

22nd March 1836.

(Signed) T. H. Davidson
Head Assistant to the Register

W. 334

No. 61

To the Chief Secretary to Government

Sir

I am directed by the Judges of the Court of Faujdaree Adalut to acknowledge the receipt of an extract from the Minutes of Consultation under date the 15th instant accompanied by a Copy of a letter to your address from the Secretary to the Indian Law Commission, and requesting that the Judges of the Faujdaree Adalut will be pleased to furnish the required information.

2. The Reports of the Judges of Circuit for the last year of which the Indian Law Commissioners Judges propose to furnish for their information, being Valuminous, and the fixed establishment of Writers for the Sudr and Faujdaree Adalut not being greater than is absolutely necessary for the due performance of their allotted duties, I am directed to request you will procure the sanction of the Governor in Council for the employment of extra Writers for this purpose, to the remunerated according to the 39th Article of the Rules published at page 845. of the Fort St George Gazette of 1833

3. I am directed also to take this opportunity of stating that the Indian Commissioners have by direct Application to the Courts of Sudr and Faujdaree Adalut called for Reports of which the transcription will be a work of

Considerable

considerable labour and attended with much delay unless extra writers are employed for the purpose, and to request therefore that for the preparation of such Reports the Governor in Council will be pleased to sanction Employment of Copyists who also the Court propose should be remunerated according to the 39th Article of the Rules published at page 845. of the Fort St. George Gazette of 1833.-

22nd March 1836 (Signed) W. Douglas

Register.

No. 335.

No. 62

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will lay before the Governor in Council the annexed copy of the correspondence noted in the margin, received on the 12th instant from the Provincial Court of Circuit in the Northern Division.

It will be observed that Mr. Rohde proposes modifications of the Moyenzabitah of the Establishment of the auxiliary Court of Vizagapatam which without occasioning any additional expence to the Government will enable him to increase the salaries of some servants whose services he deems at present inadequately remunerated.

In forwarding this correspondence the Provincial Court leave expressed their opinion that there "is no necessity for the change in the pay of the Pundarum Brahmin "and Moottah, for the reason stated in the letter of Mr. Rohde viz. that

Letter from A. S. Foujdaree Ct. in G. dated 12th February 1836
Do. from C.C. 2nd Circuit dated 2nd March 1836
1 - 1 - a - 1 - 1

that an itinerant Pundarum does not obtain more than a salary of four Rupees.

In this opinion the Judges of the Foujdaree Adalut concur; and accordingly recommend that the following alterations in the Moyenzabitah be authorized: namely- the pay of the Moochee, to be raised from Rupees 5.- to Rupees 6.- 4.-; that of the Punctuan, from Rupees 3.- 8.- to Rupees 4.- 4.-; and that of the Mandaljie, to be reduced from Rupees 5.- 4.- to Rupees 3.- 8.-.

In concurrence with the Provincial Court the Judges of the Foujdaree Adalut beg further to recommend that sanction be granted for the permanent employment on the establishment of the Auxiliary Court of Vizagapatam, of a Smith on a Monthly Salary of Rupees (5.- 8.) Five and anas eight: as observed by Mr. Rohde, the person at present holding the situation, receives a salary of Rupees 10.- 8.- Chargeable in the Standard. The result of this arrangement will therefore be the reduction of expenditure to the Amount of Sixty Rupees per annum.

23rd March 1836.- (signed) J. A. Davidson

Head Assistant to the Register

No. 342

To the Provincial Court of Circuit in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for communication to the Acting Joint Criminal Judge of Coimbatore Copy of an Extract from the Minutes of Consultation under date the 10th Instant and with reference to your letter dated the 30th of November last to request you will call upon the Acting Joint

Criminal

criminal Judge to report if there are any buildings at Coimbatore in which convicts, to be transferred from a neighbouring Zillah, could be secured which the repairs to the Jail are in progress; as in the event of any suitable building for the purpose being available, and the Acting Joint Criminal Judge still unable to supply the Superintending Enquiries with convicts to aid in the construction of the public works carrying on at that station, it is the intention of the Court of Foujdaree Udalut to direct the transfer to Coimbatore of a sufficient number of Convicts from the Jail at Madura

24th March 1836.- /Signed/ W. Douglas

Register

No. 343 (No. 63)

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you to be laid before the Governor in Council Copy of a letter from the Joint Criminal Judge of Cuddalore together with an estimate for the expense of Making 3 Europe Looms for the use of the prisoners confined in the Jail under his charge

The Judges direct me to submit their recommendation that sanction be granted for the Expenditure in question Amounting to Rupees (94-8) ninety four and annas eight.-

24th March 1836.- /Signed/ W Douglas

Register

To

To the Provincial Court of Circuit
in the Northern Division

No. 344

Gentleman,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter Dated the 11th instant Submitting Copy of a correspondence which has passed between your Court, the Magistrate and Joint Criminal Judge of Vizagapatam and the Superintending Engineer in the Northern Division on the Subject of the Jail proposed to be erected at Vizagapatam, and recommending for adoption the Arrangement suggested by Mr. Rhode for the Accomodation of both the Jail and the Court House at that Station

Previous to soliciting the sanction of Government for the plan proposed by the Acting Joint Criminal Judge, the Judges deem it proper that they should have before them an Estimate of the Expense to be incurred in Converting the present buildings into a suitable Jail and Court House, which they request you will Call upon the Superintending Engineer in the Northern Division to prepare without delay.-

I am desired also to direct your attention to

direct your attention to the Accompanying Copy of a letter Dated 19th December 1835 Addressed to this Court by the Acting Joint Criminal Judge Mr. Arbuthnot in which objections are urged to the Site of the present building for a Court House and to its strength as a Jail: and to request your opinion thereon.-

24th March 1836- /Signed/ W Douglas

Register

To

p. 353.

No. 64

To The Chief Secretary to Government,

Sir,

In submitting the Criminal Reports for the Month of December 1835, the Acting Criminal Judge of Chingleput has called the attention of the Foujdaree Udalut to the numerous petty Cases which those Reports Exhibit of smuging and frauds on the Customs Committed within the limits of the Collection Established by Regulation III of 1812 and has suggested that "an enactment might be recommended for "relieving the Criminal Court of the trial petty cases and "Authorizing the Collector of Madras or his Assistants or the Superintendant of Police to take Cognizance and pass sentence and thereby "save to the Government the expence of Batta to the Peons and "witnesses in each case while under transcription to and under "investigation by the Criminal Court."

2 That there are other and more serious evils however arising from the operation of the Law as it at present exists than the expence of Batta to the Peons and witnesses "in each case," will be sufficiently apparent from the following Extract from a letter addressed under date the 5th September 1824 by the Board of Revenue to the Chief Secretary to Government, a copy of which was at the same time furnished to the Foujdaree Udalut. The Board having been requested by Government, with reference to the Jurisdiction of Magistrate in the cases of Fraud on the Revenue mentioned in Section XV, Regulation III of 1816, to state their opinion "whether under the existing state of the Law which defines these Cases to be Cognizable solely by the Criminal Judge any inconveniences is likely to result, such as to

In Cl. 1st Sec. XV Regn III of 1816 and Sec. XIX Regn IX of 1816

call for a special enactment, Empowering the Magistrate of the Zillah to dispose of the cases in question", in the second paragraph of their letter observe that "the cases referred "to are generally of every trifling amount, seldom Exceeding "five or six Rupees and frequently amounting only to as "many fanams, and much inconvenience therefore must "necessarily arise from sending cases of this description "thirty Miles for adjudication: the distance indeed would "in most instances operate to deter parties from prosecuting "to conviction and Even where the prosecutors might be "willing to proceed, great difficulty would be experienced "in prevailing upon witnesses to go so far."

3 It appears that until the year 1824, the Magistrate of the Zillah of Chingleput and not the Criminal Judge had disposed of the cases referred to in Section XVI Regulation III of 1812: but at that period a discription arose in respect to the Competency of the Magistrate to exercise the powers of punishment created by that provision of the Law a reference on the subject was then made by the Government to the Foujdaree Udalut: and that Court having in the fifth paragraph of their Registers letter of the 16th August 1824 recorded their opinion that "as either from an intended or inadvertent omission IX of 1816 in respect to the Exercise of the powers given by section XVI, Regulation III of 1812, remains in full force, a special Enactment of the Legislature will unquestionably be requisite to Authorize the Magistrate of Chingleput to inforce the penalties in question," the Government in their letter of the 3rd May 1825 directed that the draft of a Regulation should be prepared, in communication with the Board of Revenue for transferring

transferring the jurisdiction from the Criminal Judge of Chingleput to the Magistrate of that District.

4 In place of this proposed arrangement however the Board, in their letter to Government of the 13th June 1825, suggested that as Assistant Criminal Judge should be specially appointed to reside permanently in the vicinity of Madras.

5 This proposition, the Government in the Extract from the Minutes of Consultation under date the 29th December 1826, rejected observing at the same time that they would be disposed to give the preference to the measure originally proposed of making the cases of smuggling Cognizable by the Magistrate instead of the Criminal Judge of Chingleput by the Enactment of a new Regulation if it could be shewn that such a Modification of the Existing law was indispensably necessary; but it appears desirable that the arrangement adopted since the commencement of the correspondence on this subject, in consequence of the exposition of the Law contained in the proceedings of the Court of Circuit for the Centre Division under date the 20th June 1825, should have a further trial before any alteration is made." and thus the projected arrangement of transferring the jurisdiction from the Criminal Judge of Chingleput to the Magistrate of that District was abandoned.

6 Later on the 26th September 1832, the Government forwarded to the Sudr Adalut for consideration, the draft of a proposed Regulation for the better retigation of the duties on Salt and Tobacco within the limits of Madras, of which Section XII, XVIII, XX. XXI, XXVII and XXVIII, went to declare that acts done in violation of the provisions of the Regulation, when committed within the limits of the Supreme Court, should be punishable by the Superintendant of Police of Madras on this point the Judges in the

Ninth and two succeeding paragraphs of their register letter of the 16th November 1832, recorded the following observations.

7 "When it was proposed in 1811 to give the Collector of Madras jurisdiction in cases of smuggling, it was shewn by this Court that the powers to be conferred could only be exercised by him as a Magistrate; and in their proceedings of the 27th December 1811, the Court observed that "by the term Magistrate, the Court understand Justice Race deriving, as such, his powers from the Crown, and being amenable for the Exercise of them to no other jurisdiction than that of the Supreme Court of Judicature. But as the Supreme Court is restricted from intermeddling in Matters concerning the revenue as the Courts Established by the Government cannot inquire into acts done under a Commission from the Crown, it follows that in the exercise of such Authority, he would be subject to no Controul, and that the only security against its abuse would be the personal Character and qualifications of the Collector."

8 The Court further remarked in the same proceedings in reference to the proposed delegation to the Collector of Madras of the power of inflicting Corporal punishment in cases of Smuggling that the act of Parliament (47th G. 3d) provided that "no such Corporal punishment shall in any case to ordered to be inflicted except only in case of due conviction of the offender before two Justices of the Peace acting in and for the said Settlement, Presidencies and places thereto subordinate, in which offence such two Justices of the Peace are hereby Authorized and Empowered to hear and determine and to order such punishment upon conviction as

as aforesaid

These observations would seem to the
"Judges to apply with equal force to the Superintendant of
"Police in whom it is proposed to vest similar Authority and
"to oppose an insuperable bar to the proposed arrangement"

And in the fifteenth paragraph of
the same letter it was in Conclusion stated that "the Judges
"having given the Subject their best consideration are of
"opinion that unless the objections stated above can be
"overcome, in which case no doubt the Superintendant of Police
"with the powers of punishment, the Jurisdiction should be
"transferred as resolved by Government under date the 3rd
"May 1825 from the Criminal Judge to the Magistrate of
"Chingleput, whose duty it would be to station one of his Assistants
"in the Neighbourhood of Madras to dispose of such cases"

I am directed on the present occasion
to observe that the Judges of the Foujdaree Udalut still continue
to be of opinion that it would be preferable to invest the
Superintendant of Police with the powers of punishment, and
as the objections to that measure alluded to in the preceding
paragraph as being founded on certain provisions contained
in the Act of Parliament 47 Geo. 3rd may, under the provisions
of the Act of the 3rd and 4th William the 4th Cap. 85. be obviated
by an enactment of the Government of India, and the
inconvenience arising from the present system one of undoubted
and frequent occurrence, the Judges direct me respectfully to
suggest that the question be brought to the notice of the
Indian Law Commissioners with a view to its receiving

their consideration

25th March 1836. (Signed) J. H Davidson
Head Assistant to the Register

No. 354

No. 65

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the
Court of Foujdaree Udalut to transmit to you to be laid
before the Governor in Council the accompanying Copy of
a letter dated 13th Ultimo from the Joint Magistrate in
Charge of the Northern Division of Arcot representing that
the high Road between Chittoor and Arcot is at present
in a very bad state and suggesting that 40 or 50 prisoners
from the Jail at Chittoor may be transferred to his Charge
for the purpose of being employed in its repair

2 On receipt of this application the
Court of Foujdaree Udalut called upon the Criminal Judge
of Chittoor to explain whether such number of Convicts could
be furnished from the Jail under his Charge without interfering
with the Construction of the Tread Mill in which a delay has
already occurred in Consequence of his not having been
able to place at the Disposal of the Civil Engineer a sufficient
number of Convicts to complete the work -

3 The reply from the Criminal Judge of
Chittoor dated the 12th instant shews that 30. Convicts (all
that the Superintending Engineer has reported he can provide
work for) are available for the purpose of aiding in the
Construction of the Tread Mill, and that the further number

of

of 40 Convicts can be placed at the disposal of the Joint Magistrate without No any may obstructing the completion of that Work, and under this explanation the Court of Fouzdaree Udalut direct me to solicit the sanction of the Governor in Council for their accordingly transfer the Joint Magistrate having reported that he is able to arrange "places on the road for them to reside in, and to furnish "a few extra Cons from his own Establishment to guard "them."

4 The Judges also direct me respectfully to suggest with reference to the order of Government No 1108 dated the 29th of December 1835 that orders may be issued thro' the Military Board directing that the Tread Mille for the Jail at Chittoor may be proceeded with.

25th March 1836.

(Signed) W. Douglas

Register

No 355

To the Provincial Court in the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Fouzdaree Udalut to acknowledge the receipt of your letter dated the 12th instant forwarding Copy of a letter from the Magistrate of Nellore who requests to be informed whether a Joint Magistrate is competent to offer rewards for the apprehension of offenders without the previous permission of the Magistrate.

2 The Court of Fouzdaree Udalut of the 8th of April 1830 it is explained that Regulation II of 1827 which Confers upon subordinate Collectors the powers of

Magistrate

Magistrate in the portion of the District under their charge expressly declared in Clause third Section V. that the powers thus to be exercised by them shall not supersede or exclude the authority of the Magistrate over the entire province, but shall be subordinate thereto so far as occasion may require, and that any the Construction of the Law would be at Variance with the intention of the Legislature which was to vest full powers in the Joint Magistrate always subordinate to the Principal, as occasion may render his interference necessary."

26th March 1836. (Signed) W. Douglas

Register

No 356

To the Acting Criminal Judge in the Zillah of Canara

Sir

1 I am directed by the Judges of the Court of Fouzdaree Udalut to acknowledge the receipt of your letter dated the 11th instant reporting the particulars of a barbarous Murder Committed in the body of a Sepoy belonging to the 2nd Regiment Native Infantry and requesting authority to offer a Conditional pardon to four to the prisoners who having been forwarded to the Criminal Court on the Charge—

2 Previous to the Court granting the requisite Authority for the offer of a Conditional pardon to the accessaries, it is necessary that the names of the individuals be communicated to the Fouzdaree Udalut and moreover that it be distinctly shewn that each individual to

whom

Vide C. C. 13. May 1836.

whom it is proposed to make the tender of a Conditional is strictly speaking an accessary, and not a principal and that his information is likely to lead to the apprehension or conviction of the principal Offender or Offenders.—

26th March 1836. /Signed/ W Douglas. Regr

To the Criminal Judge in the Zillah of Chingleput

Returning the Summons sent up in his letter of the 19th Instant with an endorsement of the Nazir of this Court

28th March 1836. /Sent usual letter &c/

W. 362 To the Provincial Court of Circuit

Gentlemen, in the Western Division

I am directed by the Judges of the Court of Fouzdaree Adalut to acknowledge the receipt of your letter of the 11th Instant forwarding translation of a communication from the Native Criminal Judge at Sirsee, reporting agreeably to the instructions Contained in the letter from this office dated 25th Ultimo, his having entertained four Extra Peons for the safe custody of the prisoners in his Jail.

The Judges approve the Approval of the measure adopted by the Native Criminal Judge, and request that when these Peons may be dismissed, application may be made through your Court for sanction of the Expence and Statement of the Amount Submitted

28th March 1836.

/Signed/ G. L. Cruttenden
Senior Deputy Registr

To

W. 363 To the acting Joint Criminal Judge of Tellicherry

Sir,

I am directed by the Judges of the Court of Fouzdaree Adalut to acknowledge the receipt of your letter dated the 15th instant forwarding an Extract from the proceedings of the Court of Quarter Sessions and requesting Authority to admit the 2nd and 3rd prisoners concerned in Case No. 1. of the Second Additional Calendar as Approvers.

Previous to the Court granting the requisite Authority for the Offer of a Conditional pardon to the Accessaries, it is necessary that the names of the individuals be communicated to the Fouzdaree Adalut, and it being essential that it should be distinctly shewn that each individual to whom it is proposed to make the tender of Conditional pardon is strictly speaking an accessary "and not a principal and that his information is likely "to lead to the apprehension or conviction of the Principal "offender or offenders," the Judges deem it proper they should should have before them the depositions of the ~~of the~~ 2nd and 3rd prisoners, and a Copy of the Abstract of the Evidence in the Case as entered in the Calendar

28th March 1836. /Signed/ W Douglas
Register

To

No. 375

No. 66

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you translation of a Communication from the Native Criminal Judge of Sirsee reporting his having Committed 3. Cases for Trial before the Court of Circuit & with reference to the Order of Government dated the 26th of January last to request that the Governor in Council will be pleased to under the provisions of Section III. Regulation III. of 1827 to order that the prisoner named in the Margin be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit at the ensuing Sessions

+ Khundoo...
Ramoo...
Rama...
Honna...
Toolja...
Venkya...
Moatee
Yamooma
Royappa
Veera Bhudra
Vittoba...

30th March 1836.— (Signed) W Douglas

Register

No. 382

To the Provincial Court of Circuit in the Western Division

Gentlemen,

With reference to your letters dated respectively the 22nd and 27th Ultimo urging the necessity of a legislative enactment to empower the Local Courts to take Cognizance of offences Committed at sea, I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you Copy of a letter which has in consequence been addressed to the Chief Secretary to Government & suggesting that the question of the expediency of giving Admiralty Jurisdiction to the Local Courts be brought under the

the Consideration of the Indian Law Commission.—

In respect to the Charge brought against certain persons of having Robbed a Boat which was at Anchor at Sea, & assaulted the prosecutor and Carried away his property valued at Rupees 60. 3. 80, in which the Complainant is a native of Bancoll near Bombay and declines prosecuting the parties if by so doing he is to be subjected to a Journey to Madras, I am directed to request you will Communicate to the Acting Criminal Judge of Canara the accompanying Copy of an Extract from the Minutes of Consultation under date the 22nd March 1836 in which the Governor in Council in reference to an opinion Expressed by the Advocate General, intimates that the prisoners referred to should be proceeded against in the Supreme Court in its Admiralty Jurisdiction of the Justice of the peace is of opinion that there is sufficient Evidence in support of the Charge against them, notwithstanding the dis-inclination of the prosecutor to pursue the Charge in the Supreme Court.—

31st March 1836. (Signed) W Douglas

Register

No. 383

No. 67

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of an extract from the Minutes of Consultation under date the 17th instant

instant forwarding Copy of a Correspondence with the Government of India hading reference to the extract from the Minutes of Consultation under date the 11th. of October 1834, and with reference to para 5 of the Secretary Macnaghten's letter of the 22nd. ultimo requesting the Judges will be pleased to state their opinion, whether under the provisions of Regulation II of 1829 it will be Competent to the Magistrate of the Districts bordering on the Country of the Rajah Tondiman to deliver up for the purpose of being tried in his Courts, Native British Subjects charged with offences committed in his Territories

The Court of Foujdaree Adalut are of opinion that there is nothing in Regulation II of 1829 of the Madras Code to prevent the Government ordering a Native Subject of the British Government Charged with a Crime Committed in the Country of the Rajah Tondaman, and found within the British Territory, to be delivered up for the purpose of being trial by his Courts whenever such a Course of proceeding may be deemed expedient; but the Magistrate (in the opinion of the Judges,) Could make over the offender only under a special order of the Governor in Council.—

31st. March 1836.—

(Signed) W. Douglas

Registr

N. 384 To the 4- Provincial Courts of Circuit—

Gentlemen,

With reference to the Circular letter from this office dated the 28th. October 1834.— I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you for your information the accompanying Copy of an Extract from the Minutes of Consultation under date the 17th. instant and to request that the same may be communicated to the several Subordinate Authorities in your Division for their information and guidance.—

31st. March 1836.— (Signed) W. Douglas

Registr

N. 385

To the Provincial Court of Circuit

Gentlemen, in the Northern Division

In reply to your letter dated the 19th. instant I am directed by the Judges of the Court of Foujdaree Adalut to communicate to you their opinion that it will be the duty of Mr. Boileau the Acting 2nd. Judge of the Provincial Court of Circuit in the Northern Division to proceed on Circuit at the Ensuing Sessions.—

31st. March 1836.— (Signed) W. Douglas

Registr

Foujdaree Deary 31st March 1836

V. 388

To the Magistrate in the Southern Division of Arcot

Sir

The Governor in Council having been pleased at the recommendation of the Court of Foujdaree Udalut to sanction the offer of a Reward of Rupees /1000/ one thousand for the apprehension of the Convict "Talavirchan," who since the proclamation issued under date the 28th of November 1834 has committed a most atrocious Murder upon the body of a person named "Randing," who appears appears to have been engaged in search of him. I am directed by the Judges of the Court of Foujdaree Udalut to request you will use every exertion in your power to effect the Speedy Apprehension of this Notorious Offender.

You will be pleased also with reference to the accompanying Copy of the Order of Government dated 26th instant to request the Magistrates of the adjoining Districts to proclaim the reward now Sanction by the Government and to urge them to use their best endeavours to effect his re Apprehension, and Should it be in your power to punish those Officers with

further

Foujdaree Diary 31st March 1836

further information in respect to this Convict than is to be found in this description Roll and Books in the Sec. St. George of this date, you will be pleased to Communicate the same accordingly.

If from any information you may possess, you have reason to believe that Talamuchoo is now Conceals at Madras. you are directed to put yourself in Communications with the Superintendant of Police at the Presidency.

31st March

(Signed) W Douglas

Register

№394 To,

The First Judge on Circuit in the
Centre Division

Sir

I am directed to acknowledge the receipt of your letter of the 25th Ultimo forwarding the copy of a communication from the Acting Criminal Judge of Bellaree who recommends the separation and removal to other Jails on the Malabar Coast or in the Northern Division of the prisoners Ramasawmy, Ravanegah, Gundum Appiah, Boodoogan, and Auvoolgah of the Chittoor and Cuddapah Zillahs, "as a punishment for refractory conduct and litigious Complaints."

The Judges of the Toujdaree Udalut are not of opinion that the circumstances represented by the Acting Criminal Judge form sufficient ground for the adoption of the measure recommended by that Officer—

2d April 1836.— /Signed/ J. H. Davidson
Head Asst to the Regr

№ 398. To

The Provincial Court of Circuit in the
Centre Division

Gentlemen,

1 With reference to the recent correspondence on the subject of the employment of Mr. Dogherty on the establishment of the Zillah Court of Chingleput, and to your letter of the 29th Ultimo recommending that "the disbursement of the salary paid to that person from the 1st July "1833 to the 30th June 1835 at the rate of one Rupee per diem amounting to "730 Rupees may be sanctioned together with the disbursement of the expences "incurred by the Criminal Judge in the erection of four looms and the warping "machine the former at Rupees 45 each and the latter Rupees 75." I am directed by the Judges of the Foujdaree to forward to you for your information and that of the Criminal Judge of Chingleput, the annexed Copy of an Extract from the Minutes of Consultation under date the 26th Instant—

2 You will observe that the Governor in Council —— declining to sanction so high a Salary to Mr. Dogherty as that recommended by the Criminal Judge, authorises the employment of that individual in the joint capacity of Jailor and Superintendent of Manufactories on the —— consolidated monthly allowance of Rupees (42 -) Forty two—

3 I am directed to request that in communication with the Criminal Judge of Chingleput you will suggest some arrangement by which the wish of the Governor in Council that the Jailor who will be thrown out of employment by this arrangement may be provided as soon as possible either in the Chingleput or any other Zillah with some situation for which he may be found fully qualified and which will afford him about

equal

equal emolument, may be fulfilled.—

4 You will be pleased to call the particular attention of the Criminal Judge to the second paragraph of the extract from the Minutes of Consultation, in which, with reference to the suggestion of the Judges of the Sowdaree Udalut that Dogherty should not be allowed to continue to work looms of his own, it is stated that it is understood that persons entering into the service of Government shall not engage in any private transactions which are at all likely to interfere with the due performance of their public duties.

5 With respect to the disbursement of the Salary paid to Mr. Dogherty from the 1st July 1833 to the 30th June 1835, I am directed to observe that in the 3d paragraph of the Extract from the Minutes of Consultation under date the 5th February 1836, the Governor in Council was "pleased to sanction the compensation granted" to that person "in Fusly 1243 amounting to Rupees 365." and that the compensation of the remaining period referred to by the Criminal Judge of Chingleput is included in the Statement of Contingent charges for Fusly 1244, now before Government.

6 In communicating to the Criminal Judge of Chingleput the sanction of the Governor in Council for the sum of Rupees (255-0-) Two hundred and fifty five, expended in the construction of the four looms and warping machine, you will be pleased to impress upon that Officer, the necessity of an undeviating adherence to the orders of Government of the 17th November 1835, as the Judges of the Sowdaree Udalut will consider themselves precluded from recommending any similar charges which may be hereafter incurred with prior sanction.

5th April 1836 (Signed) J. H. Davidson
Head Asst to the Register

No 69

No 399 To,

The Chief Secretary to
Government

Sir

In forwarding to you to be laid before the Governor in Council, the annexed copy of a letter dated the 21st Ultimo from the Provincial Court of Circuit in the Western Division, with copies of its enclosures, I am directed to submit the recommendation of the Judges of the Sowdaree Udalut that under the circumstances represented in those communications, sanction be granted for the sum of Rupees (12-11-11½) Twelve, Annas eleven, and Pice eleven and a half disbursed on account of certain extra Peons employed by the late Acting Native Criminal Judge of Honore.

5th April 1836 (Signed) W. Douglas
Register

No 400 To

The Magistrate of
Chingleput

Sir

With reference to my letter dated the 19th Ultimo I am directed by the Judges of the Court of Sowdaree Udalut to transmit to you Copy of an order of Government dated the 29th Ultimo No 274 and with reference to para 1 thereof to request you will submit the reference respecting the Military Road from

Madras

Madras to Bangalore via Pomamalee thro' the usual Channel of the Board of Revenue
6th April 1836.

/Signed/ W. Douglas
Register

№ 405. To

The Provincial Court of Circuit in the
Southern Division

Gentlemen

I am directed by the Judges of the Court of Soulsaree Udalut to acknowledge the receipt of your letter of the 7th Ultimo forwarding copy of a correspondence between the Auxiliary Court at Vizagapatam and the Provincial Court requesting sanction for the employment of a Black Smith in the Auxiliary Court, for certain charges in its establishment

The Judges, concurring with you that there is one necessity for the change in the pay of the Pundarum Brahmin and Moollah Habitah of the Auxiliary Court at Vizagapatam might be authorized namely - the pay of the Moochee to be raised from Rupees 5 to Rupees 6-8 - that of the Ruckwan from Rupees 3-8 - to Rupees 4- and that of the Bastoojee to be reduced from Rupees 5-4 to Rupees 3-8 -

They further recommended that sanction might be granted for the permanent employment on the establishment of the Auxiliary Court of a Smith on a monthly Salary of Rupees 5-8 -

The Right Honorable the Governor in Council having been pleased to comply with both these recommendations under date the 29th Ultimo I am desired to request that you will communicate

the information to the Acting Assistant Judge at Vizagapatam -
6th April 1836. /Signed/ G: L: Prendergast
Senr. Deputy Register

№ 406. To

The Provincial Court of Circuit in the
Centre Division

Gentlemen

I In reply to your letter of the 9th Ultimo, forwarding, supported with your recommendation in its favor, copy of a letter from the Joint Criminal Judge at Cuddalore, requesting sanction for a disbursement of Rupees 96-8 in the erection of 3 Europe looms for the use of the prisoners in his Jail, I am directed by the Judges of the Court of Soulsaree Udalut to acquaint you, for the information of that Officer, that Government were pleased under date the 29th Ultimo to sanction the expenditure in question
6th April 1836 /Signed/ G: L: Prendergast
Senr. Deputy Register

№ 408. To

The Provincial Court of Circuit in the
Centre Division

Gentlemen

I am directed by the Judges of the Court of Soulsaree Udalut to transmit to you Copy of a letter addressed by this Court to the Chief Secretary to Government under date the 25th Ultimo soliciting sanction for the transfer to the Joint Magistrate in charge of the Northern Division of Arcot of 40 Convicts from the Jail of Chittoor to be employed in repairing the high road between Chittoor and Arcot -

The

3 The Governor in Council having in an Order of Government dated the 29th Ultimo granted authority for the transfer of 40 convicts as proposed by the Sowdaree Udalut - I am directed to request you will issue the necessary instructions to the Criminal Judge of Chittoor, and to desire that the usual compliment of peons may accompany the prisoners transferred to the charge of the Acting Magistrate -

7th April 1836 (Signed) W. Douglas

Register

№ 409 To

The Magistrate of

Malabar

Sir

I am directed by the Judges of the Court of Sowdaree Udalut to acknowledge the receipt of your letter dated the 9th Ultimo submitting copy of two letters addressed to you by the Assistant Magistrate complaining of a Revenue Servant and a peon having been required to attend the Joint Criminal Court on Summonses issued direct by the Acting Joint Criminal Judge of Tellicherry -

2 Throughout the correspondence submitted with your letter the Joint Magistrate Mr White appears to have overlooked the fact that under Regulation I of 1824 it is competent to the Criminal Courts to summon by direct process from themselves Witnesses whose evidence may be required in Criminal Cases under investigation, and in a letter addressed to the four Provincial Courts of Circuit under date of June 1826 it was explained that though "liberty is still left to the Criminal Courts of applying as heretofore to the Magistrate

"witnesses" yet "that direct process from the Criminal Court is to be preferably "used".

3 The Court of Sowdaree Udalut are therefore of opinion that the Acting Joint Criminal Judge was justified in requiring the attendance of the "peon" whose evidence was required in a Case of Bribery then under investigation by the Criminal Court; but except in Cases of emergency the Criminal Judges in the opinion of the Court of Sowdaree Udalut should abstain from issuing direct process for the attendence of Native Revenue Officers above the rank of peon, lest their appearance, without communication first made to the Collector, might occasion inconvenience and obstruction to the Public Service, and in case of the "Gomastah" the Court are of opinion that the circumstances detailed in the Joint Criminal Judge's letter of the 12th February 1836 did not justify a departure from the rule laid down in the Circular Order of the 25th August 1826 which, tho' in its letter is applicable only to the Civil Courts in principle applies equally to the Criminal Tribunals -

4 In conclusion I am directed to call your attention to the Circular Order of the Sudr Udalut dated 31st August 1829, and as you have omitted to submit this reference thro' the prescribed channel of the Provincial Court to desire you will furnish the Judges of that Court with a copy of the correspondence and of this reply for their information

7th April 1836 (Signed) W. Douglas

Register -

№ 410 To The Actg Joint Crimk Judge at

Sir Guntoor

I am directed by the Judges of the Court of Sowdaree Udalut with reference to your letter dated the 28th Ultimo and the communication from

from this office dated the 27th of February last to desire you will call upon the Magistrate of Guntoor to furnish the information required by the letter from this Office dated the 3d of December 1835 without further delay

7th April 1836.

(Signed) W. Douglas
Register

No 411 To the Magistrate of Nellore

Sir I am directed by the Judges of the Court of Soujdaree Udalut to call your attention to a letter from this office dated the 17th of February 1836, and to request that the necessary information may be furnished without further delay:-

The same to the Magistrates of Vizagapatam & Guntoor

7th April 1836.

(Signed) W. Douglas
Register

No 412 To the Provincial Court of Circuit in the Northern Division

Gentlemen I am directed by the Judges of the Court of Soujdaree Udalut to call your attention to a letter from this Office dated the 1st of December 1835 and to desire that the information therein called for may be submitted without further delay.

7th April 1836.

(Signed) W. Douglas
Register

No 413 To the Provincial Court of Circuit in the Northern Division

Gentlemen I am directed by the Judges of the Court of Soujdaree Udalut to call your attention to a letter from this Office dated the 23d of December 1835, and to desire you will submit your own sentiments and those of the several subordinate authorities within your Division on the question relative to judicial evidence proposed by the Indian Law Commissioners.

The same to the Provincial Courts of Circuit in the Central and Southern Division

8th April 1836.

(Signed) W. Douglas
Register

No 71

No 414 To the Chief Secretary to Government.

Sir With reference to the order of Government No 301 dated the 25th ... February

February 1836, in which it is stated that "the Governor in Council approves the measure adopted by Lieutenant Fb. Cotton," (of issuing to convicts employed at Guindy, grain purchased in the Bazar,) "and will be prepared to sanction a bill submitted in the usual form, for the expence incurred." I am directed by the Judges of the Soujdaree Udalut to forward to you to be laid before Government the accompanying original Indent and Memorandum received from Lieutenant Cotton, with their recommendation that sanction be granted for the sum actually disbursed by that Officer, amounting to Rupees (136-11-6) one hundred and thirty six, annas fourteen and pice six.

8th April 1836.

(Signed) W. Douglas
Register

No 415 To the Magistrate of Trichinopoly.

Sir I am directed to acknowledge the receipt of your letter of the 25th Ultimo, submitting a further report on the subject of the late attempt to escape made by a party of the convicts transferred by order of the Government from the Jail at Trichinopoly to the charge of the Civil Engineer of the 3d Division for the purpose of being employed in blasting stones for the Coleroon Anicutt.

Observing from the 6th paragraph of your letter that there was "no Jailor with the gang" and that "the person who is called an Actingar Duffadar" is "only a common Jail Peon receiving pay as such," the Judges of the Soujdaree Udalut direct me to desire that you will explain why a careful and intelligent Duffadar was not detatched in charge of the party, a precautionary measure of which the circumstances of the case sufficiently indicated the necessity.

8th April 1836.

(Signed) J. H. Davidson
Head Asst to the Register

To

No 72.

No 116 To the Chief Secretary to Government.

Sir The Judges of the Soulyday Udalut having been instructed in the extract from the Minutes of consultation in the Judicial Department under date the 16th February 1836, to report for the information of Government the result of the investigation stated in their Register's letter of the 3d of that month, to be the intention of the Magistrate of Tuticorin poly to make into the conduct of the Peons who absented themselves without leave on the occasion of an attempt to escape by a party of the convicts transferred from the Jail at Tuticorin poly to the Civil Engineer of the Southern Division for the purpose of their being employed in blasting stone for the Coleroon Annicutt, direct me to forward to you to be laid before the Governor in Council the annexed copy of a letter dated the 25th Ult. from the Magistrate and the original papers which accompanied that communication, containing the requisite information on the subject.-

2 In the 3d paragraph of his letter to the Magistrate dated the 25th January 1836. Lieutenant Ouchterlony, the Extra Assistant Civil Engineer of the 3d Division observed:- "Rasul Saib some days previous to the attempt at escape, came to me to report in his capacity of Acting Duffadar of the Jail that no less than eight Peons requested leave to celebrate some festival: upon which occasion I informed him that I might possibly be induced to grant leave to 2 or 3, but that he must first send or cause to be sent an Urzee with an application to the Office of the Collector. It now appears that on the 19th Instant without again mentioning the subject to me, or informing me that the leave of absence required was to Tuticorin poly..... he left this on the morning of the 19th Instant without

without even appointing a peon to act as Duffadar in his absence, and taking with him Peons Abdul Goffur and Hoosein Bagu.-

3 This Rasul Saib in his examination before the Magistrate states as follows:- "about 5 or 6 days ago, that is on the eve of the Coodbah festival, I went to the Engineer, Mr Ouchterlony and applied for leave for myself and other eight Moosulmaun Peons; to which he replied that he would only give leave for 4 Peons but if I wished to have leave for the eight Peons, I must go and ask Captain Cotton; whereupon myself, Guffoorsah and Hoosainy Baik said we only would go and the Gentleman consented. I accordingly appointed one Ramasawmy Naik as Lance Naique in my place and went away."-

4 And the Magistrate of Tuticorin poly in the 4th and 5th paragraphs of his letter of the 25th Ultimo states that "the Application to himself as Collector was not necessary, the convicts and Peons at the Annicut, which is 14 Miles from Tuticorin poly, having been placed under the charge of the Civil Engineer's Department; and on an occasion a short time previous of one of the Peons making Application to him, he had referred him to the Engineer Officer: that it is always customary to allow the Moosulmaun Peons leave for 2 days during the Ramzan; and as the 19th and 20th January were the 2 great days of the festival, it was a matter of course the peons asking for permission to be absent for those days to celebrate the festival at the Kedgar in Tuticorin poly."-

5 It appears to the Court of Soujdaree Udalut after a consideration of these several statements that there must have been some misapprehension between the Assistant Civil Engineer and Rasul Saib the Acting Duffadar; and the Judges concur with the Magistrate in thinking

thinking that there is not the slightest ground for supposing the Peons had "applied for leave having any improper object in view"; and that "it is "more than probable they had really understood Lieutenant Ouchterlong "to have granted permission for a limited number to be absent." The Judges are at the same time of opinion that the Acting Duffadar is enormously to blame for not having reported his departure and obtained Orders in respect to the person who was to perform his duty during his absence. He states in his deposition that he appointed Ramasawmy Naick as Lance Naick in his place, but there is nothing to show whether he did so or not, and it is clear that he had no authority for doing so.-

6 The Judges of the Soujdaree Udalut concur in the opinion expressed by the Magistrate that "there must have been some want "of care on the occasion on the part of the Officer under whose charge the "convicts were placed, for otherwise it would scarcely have happened "that the absence of these peons should have been unknown for several days "and the Gang of convicts allowed to go out to work under charge of an insufficient "number of peons." It will be seen from Lieutenant Ouchterlonys letter that "under the escort of a detatchment of Peons thus reduced in numbers, "the whole Gang of convicts were daily marched out as before; which would "not have been the case had "he" been made aware of such reduction, or had "there been a person among the peons to assume the responsibility of the "charge and to act according to the established rule of marching out only

*See in prin. d to times the number of Peons present leaving the remainder confined in the Jail. But as observed by the Magistrate "the state of the Guards over should be sentenced

"the jail." But as observed by the Magistrate "the state of the Guards over "the convicts at work outside, ought to have been daily ascertained:

and

"and as there was a strong Military Guard at the Jail, any number "of the convicts could have been kept inside whom it might not "be thought safe to send out to work."-

7 Observing that there was "no Jailor with the Gang "the person who is called an Acting Duffadar being only a common "Jail Peon receiving pay as such," the Judges have deemed it their duty to call upon the Magistrate to explain why a careful and intelligent Duffadar, was not, as he assuredly ought to have been, deputed to take charge of the party.-

8 Of the Peons to whose charge the convicts who effected their escape were committed, 2 have been forwarded for trial to the Criminal Court.-

9 With reference to the 2d paragraph of the Extract from the Minutes of Consultation, under date the 16th February 1836. I am directed to state that the Magistrate of Trichinopoly was immediately instructed to offer a reward of 25 Rupees for the apprehension of each of the escaped prisoners: but the Judges regret to report that they have as yet received no intimation of the recapture of any of the fugitives.-

(Signed) W. Douglas
Register

8th April 1836.

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

Gentlemen I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter dated the 28th Ultimo and of its enclosure conveying the request of the Joint Criminal Judge at Cuddalore for sanction for disbursement of 200 Rupees for the purchase of Chunam for the repair of the outer walls of the

Jail

Jail at Cuddalore--

2 Previous to submitting for sanction the "stimate" forwarded by the Joint Criminal Judge, the Judges request to be informed how such extensive repairs have become requisite, with reference to the Orders of Government of the 4th July 1836 communicated to you under date the 11th of the same month, wherein sanction was granted for an outlay of Rupees 506" for plastering the outerwall around the factory house "at Cuddalore which the Acting Assistant Judge has constructed by the labor of the prisoners, and for alterations and improvements to the "jail and outhouses"

3 You will be pleased to transmit Copy of your letter of the 9th of January last to which the Joint Criminal Judge has alluded at the commencement of his letter, copy of which accompanies your letter under acknowledgement, and also of any other part of the correspondence on the point which you may not have already supposed for the information of the Judges to whom it appears probable that some omission has occurred--

April 1836-

(Signed) H. Le. Brendergast
Senr. Dpty. Register

№ 73.

№ 418 To the Chief Secretary to Government--

Sir I am directed by the Judges of the Foujdaree Adalut to forward to you to be laid before the Governor in Council the accompanying original estimate for erecting a permanent Gallows at Cuddalore, which, being countersigned by the Assistant Civil Engineer of the 3d Division, was received on the 3d Instant from the Provincial Court of Circuit in the Centre Division from the Joint

Criminal Judge of Chingleput--

That Officer represents that "there is no permanent "Gallows at the station: and every execution is consequently attended "with considerable expence by the erection of a temporary one--

The Judges of the Foujdaree Adalut, in concurrence with the Provincial Court of Circuit, beg to recommend that sanction be granted for the disbursement of Rupees (82-2-) Eighty two and Annas two, for the purpose above specified--

8th April 1836. (Signed) H. Douglas
Register

№ 419. To the Acting Assistant Criminal Judge incharge of the
Sir, Court at Cuddapah

In acknowledging the receipt of the "Quarterly Statement", forwarded by you under date the 1st Instant, "of disbursements for "bringing up the children of convicts in Cases in which no relations or others "are willing to take of them"; I am directed by the Judges of the Court of Foujdaree Adalut, in whom alone the power to sanction such expenditure is vested by Government and who were not previously aware of the charge in question, to request that you will state the authority upon which it has been incurred and the circumstances under which it is recommended

8th April 1836. (Signed) G. Le Brendergast
Senior Deputy Register

Poudaree Diary 9th and 11th April 1836.

No 74

421 To the Chief Secretary to Government-

Sir I am directed by the Judges of the Poudaree Udalut to state that a communication has been received in this Office through the Provincial Court of Circuit in the Western Division from the Native Judge of Canara, who represents that "one of the ten peons allowed by "Government for the duties in that Court, is about to be employed upon "the extra duty of accompanying 2 prisoners who are to be sent to "Chinglepet under sentence of transportation" and requests "as the "present establishment of Peons is already inadequate to the various "duties which they have to perform" "that the sanction of Government "may be obtained for entertaining an additional Peon during the "absence of the one who is to be employed on the extra duty referred to-

3 In forwarding this application, the Provincial Court of Circuit have recommended "that sanction be granted" and the Judges of the Poudaree Udalut also beg to recommend that the application of the Native Criminal Judge be complied with-

9th April 1836. (Signed) W. Douglas
Registr-

No 1.

22. To the Magistrate of Tinnevelly-

Sir I am directed by the Judges of the Court of Poudaree Udalut to acknowledge the receipt of your letter dated the 19th Ultimo submitting for their consideration copy of a correspondence between yourself and the Assistant Magistrate Mr Simond relative to the Case of one Iyoo Iyengar who had been confined by order of the Assistant Magistrate in default of finding security, "the whole recorded grounds

for

for demanding "was a petition sent to" Mr Simond "by Jaffpal accus
"Tyor Iyengar and 30 others of having beaten one Sulan and of ha
"forcibly carried away his grain."

The illegality of the proceedings held by the Assistant Magis
in the case in question appears, from the correspondence which accompa
your letter, to have been pointed out to Mr Simond and the Court of Tov
Udalut approve to the Order contained in the 3d para of your letter of th
11th Ultimo, as a measure calculated effectually to put a stop to any
further similar illegal orders on the part of the Assistant Magistra

The object of the reference would appear to be to procure
the Orders of the Court on the conduct evinced by the Assistant
Magistrate in attempting to justify his proceedings after their illeg
Simonds communication of the 3d Ultimo to exhibit any intentional
disrespect, a reference on that account would not appear to have been
necessary.

If however the observations recorded by the Acting 1st Judge
late on Circuit in the Southern Division in perusal of the Calendars laid
before him at the last Sessions, in which Mr Dickinson pointed out
the extent to which the powers vested in the Magistracy by Clause 2d
Section VI Regulation XI of 1827 had been abused in the Tinnevelly
District, were communicated to the Assistant Magistrate previous to th
date of his letter the Court of Tovydanee Udalut would have been disp
to consider the reference necessary as exhibiting Mr Simonds persevera
in irregularities which had been specially brought to his notice.

11th April 1836.

(Signed) W. Douglas
Registrar

No 623 To the 1st Judge on Circuit in the Centre Division

Sir I am directed by the Judges of the Court of Tovydanee Udalut to acknowledge the receipt of your letter dated the 2d Instant submitting Copy of a letter from the Acting Assistant to Criminal Judge of Cuddapah in which it is represented that "Beerah Naugadoo convicted in Case No 20 and sentenced to 7 years imprisonment with hard labor should have been released under the orders of the Criminal Judge, while Beeda Paupadoo was the person actually committed to take his trial before the Court of Circuit and "that Beerah Naugadoo "assumed the name of his Son in law to enable him to escape from Custody."

2 Case No 20 of the Cuddapah Calendar for the 1st Sessions of the present year having been disposed of by yourself the Judges desire you will institute an enquiry into this extraordinary occurrence and ascertain under what circumstances and by whom Beeda Paupadoo was released, and how this could have occurred without connivance on the part of the Jailor, with reference to the descriptive Roll of the 2 prisoners kept in the Jail in which the persons of Beera Naugadoo and Beeda Paupadoo appear to have been correctly described, and a difference of 20 years stated to exist between their respective ages.

3 Should the result of the enquiry now ordered to be instituted, establish the fact that Beerah Naugadoo did personate Beeda Paupadoo at the trial, you will be pleased to reconcile this circumstance with the fact of his conviction before the Court of Circuit, explaining whether the 6th Prisoner at the Bar was pointed out at the trial as Beeda Paupadoo and if in their evidence before the Court of Circuit the 6d 9d 30d 31d 50d 69d 70d 72d and 73d Witnesses confirmed the Statements previously made by them before the Criminal Court.

4 Pending the enquiry you will be pleased to direct that the prisoner be relieved from work and irons.

11th April 1836. (Signed) W. Douglas
Registrar

To

№ 425 To Lieutenant H. H. Budd incharge of the convicts at Ryendy

Sir With reference to the Extract from the proceedings of this Court of the 11th and furnished to you on the 18th Ultimo I am directed by the Judges of the Court of Tonjdaree Udalut to transmit for your information an Extract of further proceedings held on the subject of the petition presented to the Tonjdaree Udalut by the dismissed Peon Abdool Kaudur, and adverting to the Statement made in the 1st Para of your letter dated the 20th Ultimo that the balance of the pay due to Abdool Kaudur "was paid to him by the Duffadar of the Chittoor Roads", to request your attention to the Order published in the Fort St George Gazette of the 15th of April 1834 directing all payments to be made in your own presence and to be attested by you

12th April 1836 (Signed) H. Douglas

Register

№ 426 To the Provincial Court of Circuit in the Western Division

Gentlemen I am directed by the Judges of the Court of Tonjdaree Udalut to transmit to you with reference to your letter dated the 16th Ultimo copy of a letter which has been addressed to the 3d Judge in Circuit in the Western Division conveying the instructions of this Court as to the place of trial of the Prisoners concerned in the Cases committed by the Native Criminal Judge of Sirsee

12th April 1836. (Signed) H. Douglas

Register

№ 74

№ 427 To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Tonjdaree Udalut to acknowledge the receipt of an Extract from the Minutes of consultation

under date the 4th Instant referring for their consideration and report Copy of a letter addressed to the Secretary to Government in the Military Department by the Adjutant General of the Army in which it is submitted for decision the question "whether Military Courts of Inquest held "under this Presidency have or have not authority to enforce the "examination of the Body, notwithstanding any religious prejudices "which may be entertained by the relations"

In Cases of suspected Murder by poison or in such other cases of suspected murder wherein it may be difficult to discover the real cause of the persons death, the presence of a Surgeon should be required, and if he should deem an examination of the Body absolutely necessary for the ends of Justice, the Court of Tonjdaree Udalut entertain no doubt but that the measure could be legally enforced by the Court of Inquest

12th April 1836. (Signed) H. Douglas

№ 75 Register

№ 428 To the Chief Secretary to Government

Sir With reference to the 3d para of the proceedings of the Tonjdaree Udalut under date the 26th of February last, and the Order of Government thereon dated the 11th Ultimo, I am directed by the Judges of the Court of Tonjdaree Udalut to report for the information of the Governor in Council that from a return made by the Joint Magistrate incharge of the Northern Division of Arcot to a precept issued by the Provincial Court of Circuit in the Centre Division requiring information on the subject of the appointment of Ameens of Police in the Zemindaries of Carvetnuggur and Calastry, it is premised the Magistrate of

Chittoor

Chittoor was in error in stating in his return dated the 1st of February last, submitted to Government on the 26th of the same month, that "the Zemindars of Cavetnuggur and Calastry have been appointed "to appoint Ameens to assist in establishing a more efficient Police in "those Estates."

The Police Officers appointed in those Zemindaries appear from the Joint Magistrates return to be merely Sub Officers of Police, with the powers defined in Section III Regulation IX of 1831 "that they act entirely under the Orders of the Zemindars, and not with "independent authority such as is usually exercised by Police Ameens in large "towns in the company's territories"; and that their appointment has authorised by the Governor in Council under date the 16th of May 1834 at the recommendation of the Court of Soujdaree Udalut.

12th April 1836.

(Signed) W. Douglas
Register

№ 76.

№ 629 To the Chief Secretary to Government

Sir With reference to para: 48 of the Minutes of Consultation under date the 31st of August 1835, I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you to be laid before the Governor in Council Copy of a letter dated the 25th of September 1835 from the Criminal Judge of Chingleput submitting the information submitting the Tread Mill in the Jail at that Station required by the Honorable Court of Directors in the 48th para of their letter dated the 23 of July 1834.

2 The Criminal Judge reports that the Tread Mill has proved a most useful method of punishment and from the Register letter it is to be inferred that the punishment is generally dreaded; its influence on the

Soujdaree Diary 12th April 1836

the health of the prisoners it appears has not been prejudiced.

3 From fifteen to 20 men are stated to be required to turn the Mill, and an equal number of men are required as "reliefs" and to feed the beasts.

4 The Criminal Judge reports that the Tread wheel makes two revolutions in a Minute that at every 2d revolution of the wheel one man is relieved and that each prisoner is therefore in the wheel from 15 to 20 Minutes, and off the wheel an equal portion of time.

5 The persons employed on the Mill are stated to be able bodied men sentenced to long periods of imprisonment and those of desperate character; Women and young lads the Criminal Judge reports are never put to this labour.

6 As observed in the 48th para of the Extract from the Minutes of Consultation under date the 31st of August 1835 the experiment has as yet been extended only to the Jail at Chittoor at which Station a Tread mill is now under preparation.

7 The Judges direct me to express their regret at the accidental delay which has occurred in the preparation of this report.

13th April 1836. (Signed) W. Douglas
Register

№ 630. To the 3d Judge on Circuit in the Western Division

Sir In reply to your letter dated the 5th Instant I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you Copy of an order of Government dated the 8th Instant notifying that the Governor in Council authorises the Native Criminal Judge of Sirsee to forward the eleven Prisoners, named in the Margin, charged with the commission

of

Khundoo Ramoo Rama Ronna Toorjah Vedhiya Mookee	Highway Robbery
Kunooma Royapa Vitha Oudea	Robbery
Villoba	Murder

of the crimes set opposite their respective names, to the Native criminal court at Honore, for the purpose of being tried by the court of circuit at the ensuing Sessions.

The 1st of the 3 cases, containing 7 Prisoners, appears to have been already forwarded to the criminal Judge of the Zillah under the provisions of Section VII Regulation VIII of 1827 and will of course be disposed of by you at Mangalore.

And as it is possible that on examination of the original Proceedings in the two remaining cases it may be found that there are not sufficient grounds for putting the prisoners concerned on their trial before the court of circuit, the Judges have resolved to accede to the Suggestion contained in the 6th para: of your letter, and to permit you to exercise a discretion as to proceeding to Honore should it be found that no commitment has taken place by the Native criminal Judge of Honore.—

In the event of its appearing necessary that the court of circuit should hold a Sessions of Jail delivery at Honore, the Judges of the court of Soujdaree Udalut authorize you to adjourn the Sessions at Mangalore and to proceed to the station of the Native court to soon as the cases may be reported ready for trial.

12th April 1836.

(Signed) H. Douglas

Register

No. 131

To the Provincial court of circuit in the Western Division

Gentlemen I am directed by the Judges of the court of Soujdara Udalut to acknowledge the receipt of your letter dated the 25th Ultimo submitting copy of a letter from the Acting criminal Judge of

canara proposing with a view to prevent inconvenience to Prosecutors, "that the Magistracy and Police in forwarding cases to the courts "should be required to ask the prisoners whether they have any witnesses "in their favor, and if they have to forward them with the case or as "soon after it has been dispatched as possible;" and further suggesting that the Officer trying trying a criminal case should "be at liberty to dispense "with the Prosecutors attendance altogether, by directing the Government "Vakeel to carry on the prosecution or to allow the parties to depute a friend to do so for them."

The Provincial court of circuit submit that the 1st suggestion is worthy of adoption. The court of Soujdaree Udalut are however of opinion that it would be a greater evil to cause witnesses named by a prisoner to be sent to the criminal court without knowing whether their evidence would be required than the delay consequent upon the issue of process by the criminal court for the attendance of those only who may be able to depose of facts clearly material to his defence; and the delay thus occasioned need not necessarily involve a serious loss of time to the Prosecution in all cases disposed of by the criminal court as his personal attendance need not be continued after his examination has been taken and except in particular cases when his further examination may be requisite there is nothing to prevent his appointment of a Vakeel, or the appointment of the Government Vakeel to act for him.—

12th April 1836

(Signed) H. Douglas

Register

№ 633 To the Provincial Court of Circuit in the Northern Divn.

Gentlemen In reply to your letter dated the 30th Ultimo I am directed by the Judges of the Court of Sowdaree Udalut to inform you that the Acting Joint Criminal Judge of Masulipatam has not in their opinion shewn any sufficient necessity for the Construction of 4 more Bandies for the use of the prisoners at that station, and that they decline therefore soliciting sanction for any further expenditure on this account—

13th April 1836 (Signed) H. Douglas
Register

№ 77

№ 636 To the Chief Secretary to Government.

Sir I am directed by the Judges of the Court of Sowdaree Udalut to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 6th Instant referring for their consideration and report a Copy of a letter addressed to the Secretary to Government in the Military Department by the Adjutant General of the Army respecting the legal mode of proceedure in a case in which a Camp follower is charged with an offence alleged to have been committed within the Company's territories where Civil Law was in force and at a time when the Offender was not subject to Military Jurisdiction—

The Court of Sowdaree Udalut are of opinion that as the prisoner Gonoovah was not subject to Military Law at the time he committed the offence within the Company's territory he can be tried and punished by the Civil authorities alone, and should accordingly be delivered over to the Magistrate of Bellary—

The five original Enclosures which accompanied the Adjutants Generals letter of the 18th Ultimo are herewith returned—

14th April 1836 (Signed) H. Douglas
Register

To

№ 438 To the Provincial Court of Circuit in the Western Division

Gentlemen I am directed by the Judges of the Court of Sowdaree Udalut to acknowledge the receipt of your letter of the 21st Ultimo submitting an application from the Native Criminal Judge at Honore for sanction of a charge of Rupees 12:14:11½ on account of certain Extra Peons employed by the late Acting Native Judge, and to state that Government were pleased to sanction the charge in question under date the 11th Instant.

11th April 1836. (Signed) Lyle Brendergast

Senior Deputy Register

№ 439 To Lieutenant F. C. Cotton

Sir I am directed by the Judges of the Court of Sowdaree Udalut to return to you the Bill amounting to Rupees 136. 14. 6 incurred on account of the rice Supplied by you to the Convicts at Guindy from the 19th to the 24th of February last the same having received the sanction of the Governor in Council.

14th April 1836. (Signed) W. Douglas

Register

№ 440 To the Acting Joint Criminal Judge at Tellicherry

Sir I am directed by the Judges of the Court of Sowdaree Udalut to acknowledge the receipt of your letter dated the 6th Instant communicating the names of the 2d and 3d prisoners in Gaol No 1 of the Tellicherry Additional Calendar for the 1st Quarter Sessions of 1836 to whom in your letter of the 15th Ultimo you requested authority to admit as approvers.

Upon consideration of the evidence which accompanied your letter of the 6th Instant the Court of Sowdaree Udalut have resolved to sanction the measure proposed in your letter of the 15th Ultimo, and the Judges

Judges therefore direct me to convey to you their authority to make the tender
of a conditional pardon to

"Conjun Vettil Cocoonon Aumboo" and "Coyaty Comatie Aumbo"

15th April 1836.

(Signed) H. Douglas

Register

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

Sir The Judges of the Court of Jouydaree Udalut have received from the Magistrate of Trichinopoly a letter dated the 6th Instant, forwarding copy of your proceedings of the 2d Instant, and requesting, as therein suggested, that the prisoner "Veeramalay alias Comean" may be dealt with according to the rule provided in Section IX Regulation VI of 1827. The said prisoner having been committed by the Assistant Magistrate on the 2d August 1833, "as dangerously dethe[illegible]rate and inreclaimable that in the opinion of the "Magistrate his release without Security would be extremely and certainly "detrimental to the public peace."

It appears that the case of the prisoner has been proceeded with under Clause 4th Section VIII Regulation VI of 1827, but that you conceive some error has occurred inasmuch as it seems to fall within the provisions of of Section IX Regulation VI of 1827, and that, having ordered the prisoner to be detained with "the least possible restraint consistant with "his safe custody" you have suggested that a reference should be made to the Jouydaree Udalut.

The Judges conclude that the final order of Mr Garrow on the case in question is in the possession of the Acting Criminal Judge the subject of whose reference to you the Judges do not, therefore, clearly

comprehend—

They request that a copy of the said final order of Mr Garrow and of the letter of the Acting Criminal Judge to you of the 31st Ultimo whereon your proceedings of the 2d Instant were forwarded may be laid before them—

Upon the receipt of these documents they will issue the requisite instructions on the case in question—

15th April 1836 (Signed) G. L. Prendergast—

Senior Deputy Register—

№ 78.

№ 448 To the Chief Secretary to Government—

Sir With reference to the order of Government dated the 16th Ultimo and the letter addressed to the Governor in Council by the Medical Board relative to the quality of the Bengal rice supplied to the Jail under the orders of the Breakwater Committee, and the probable causes of the recent increase of sickness among the prisoners, I am directed by the Judges of the Court of Jouydaree Udalut to transmit to you to be laid before the Governor in Council a copy of a letter which has in consequence been addressed to the Officer in charge of the Convicts at Gundy—

2 The Medical Board having expressed their opinion that the sickness in the Jail at Gundy was partly attributable to the circumstance of the prisoners being "confined during the night in close and crowded "apartments", Lieutenant Budd was instructed to lay the report of the Medical Board before the Breakwater executive Committee with the request of the Court of Jouydaree Udalut that immediate and further measures may be taken for improving the ventilation of the building occupied as a Jail, and if practicable in the manner suggested by the

the Medical Board; and the Judges have delayed submitting their report to Government on the Subject, in the expectation that on that the measure resolved upon by the executive Committee for the more perfect ventilation of the Jail, would have been communicated to the Soulpdaree Udalut for their information—

No Report however having been yet received from Lieutenant Budd on the subject, the Judges do not deem themselves at liberty longer to withhold from Government the instructions that have been issued by this Court to the Officer incharge of the Convicts at Quiendy with reference to the order of Government of the 11th Ultimo—

16th April 1836—

(Signed) W. Douglas

Register

№ 79

№ 469. To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Soulpdaree Udalut to transmit to you Translation of a communication from the Native Criminal Judge of Sidee reporting his having committed 3 other Cases for trial before the Court of Circuit and with reference to the Order of Government dated the 26th of January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the Prisoners named in the Margin and charged with the Crimes set opposite their respective names, be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit at the ensuing Sessions—

Caste	Murder & Arson	
1 Chinna 2 Naggiya 3		Parish Convicts with an Order to forward them with evidence

16th April 1836—

(Signed) W. Douglas

Register

№ 80.

№ 450 To the Chief Secretary to Government.

Sir With reference to the Order of Government № 313 dated the 16th April 1836 on my letter of the 9th Instant № 76, I am directed by the Judges of the Soulpdaree Udalut to state that the application for authority to entertain an Extra Peon during the absence of the one whom it is intended to employ in escorting Convicts to Chinglepute, was received from the Native Criminal Judge of Honore

(Signed) W Douglas

18th April 1836. Register.

№ 451 To the Provincial Court of Circuit in the Western Division

Gentlemen In reply to your letter of the 26th Ultimo, I am directed by the Judges of the Soulpdaree Udalut to inform you that on their recommendation Government were pleased under date the 12th Instant to authorize the Native Criminal Judge of Honore, to entertain an Extra Peon during the absence of the one whome it is intended to employ in escorting Convicts to Chinglepute—

(Signed) J. H. Davidson

18th April 1836. Head Assistant to the Register

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

Gentlemen With reference to your letter dated the 31st Ultimo I am directed by the Judges of the Court of Soulpdaree Udalut to inform you that the Governor in Council was pleased to sanction the estimate for erecting a permanent Gallows at Cuddalore, amounting to Rupees—

(82.2) eighty two and Annas two

The original estimate which accompanied the Joint Criminal Judge's letter of the 25th Ultimo is herewith returned—

(Signed) J. H Davidson

18th April 1836— H. Asst to the Regr

To

№ 453 To the Acting Criminal Judge at Bellary

Sir I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 14th Instant reporting the escape of 2 convicts, named "Mahomed Kubbee" and "Sillaman" "during the night from the Jail Hospital; by burning a part of the frame "of one of the windows and wrenching out one of the iron bars" and requesting the orders of the Court as to the restoration to office or the dismissal of the Duffadar and 4 Peons "who were guard over the Jail hospital" on the night in which the escape was effected.

The Judges consider that you are competent to exercise your judgement in dismissing or continuing in their employments the Duffadar and Peons in question, and they request you will report what further measures you may deem it necessary to take.

It is not clear from the papers accompanying your letter, now under acknowledgment, whether it was possible for the prisoners to have escaped by scaling, or getting over, the wall. If it is practicable for the prisoners to escape from the hospital by this means it will be your duty to report the circumstance and to state whether the wall cannot be raised, and to what height it ought to be elevated to render the hospital secure; furnishing at the same time a statement of the expence which it will be requisite to incur on that account. It appears to the Judges that, if the prisoners escaped by the gate, as suspected by the Jailor, the Duffadar and Peons have rendered themselves liable to dismissal for their neglect of duty.

I directed to return the original Deposition of the Jailor the transmission of which was unnecessary. (Signed) J. Le Pendergast

№ 466 To the Provincial Court of Circuit in the Southern Division

Gentlemen, I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 11th Instant forwarding Copy of a letter addressed to you, with reference to the Circular Order № 50 and 63 by the officer commanding on the Neilgherries with 3 original Bills for expences incurred in feeding the daughter aged 6 years of the deceased convict "Roeben" and who requests that "the necessary authority" for this disbursement may be obtained.

The Judges request that the circumstances under which the disbursement in question has been rendered requisite may be ascertained and reported to them. They are not aware of the reason why the child was not delivered over to the relations of the deceased on his death nor when nor how the child came under the charge of the Officer commanding on the Neilgherries. It is observed that "Roeben" the convict died on the 4th May 1835 What no charge appears to have been incurred till August for 7 days of which the first of the three original Bills above alluded to, has been framed.

19th April 1836. (Signed) J. Le Pendergast
Senior Deputy Register

№ 467 To the 6 Provincial Courts of Circuit

Gentlemen. I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for your information and future guidance Copy of an Extract from the Proceedings of this Court under date the 29th of February last, and to request that a Copy thereof may be furnished to the Judge now on Circuit within your Division desiring him to submit together with his report on your present Sessions copies of all Calendars that may have been delivered this

the Several Magisthates and of the Proceedings which may have been held by
them thereon—
Signed W. Douglas
20th April 1836—
Register

№ 82.

№ 475 To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Jouydanee Udalut
to transmit to you with reference to the letter from this Office dated the
11th of January last copy of a letter and its enclosures addressed to
this Court by the Provincial Court of Circuit in the Northern Division
under date the 11th Instant and with reference to Brigadier Walcots letter
addressed to the Provincial Court of Circuit in the Northern Division
under date the 11th Ultimo, respectfully to point out that the Court
of Jouydanee Udalut will be unable to carry into effect the orders of Govern-
ment contained in the 3d para: of the extract from the Minutes of
Consultation under date the 21st of August 1835 until instructions may
be issued to the Officer Commanding Masulipatam requiring him to
furnish the information solicited by the Provincial Court of Circuit
in their letter to his address dated the 5th of December 1835.
21st April 1836— (Signed) W. Douglas
Register

№ 476 To the Magistrate of Vizagapatam

Sir

In reply to your letter dated the 13th Instant I am directed
by the Judges of the Court of Jouydanee Udalut to explain that the reason
the same to the Magistrate error in calling upon you for information in respect to the proceedings
Vide 4 transmitted by the Jouydanee Udalut on Mr Waters Circuit Report for the

2d Sessions of 1835—

The Extract from the proceedings of the Jouydanee
Udalut of the 16th of January last should have been furnished to
you for your information and future guidance— and the object of the
reference made to you on the 7th Instant was to procure an acknowledge-
ment of the receipt of those orders with reference to the letter from this
Office dated the 17th of February last—
21st April 1836— (Signed) W. Douglas
Register

№ 477 To the Provincial Court of Circuit in the Northern Division

Gentlemen— I am directed by the Judges of the Court of Jouydanee
Udalut to acknowledge the receipt of your letter dated the 13th instant suggest-
ing that the whole of the correspondence connected with Mr Rhodes's propos-
ition for converting the present Court House at Vizagapatam into a Jail
be transmitted for the opinion of the 1st Judge now on Circuit who will
shortly open the Sessions at Vizagapatam—

As the Court of Jouydanee Udalut do not anticipate that
Mr Parke will reach Vizagapatam before the 2d Week in June next, the Judges
do not deem it proper to sanction a measure which would involve so great a
delay, and they desire therefore, should the Judges at present composing
the Provincial Court consider themselves incompetent to offer an opinion
as to the site of the present buildings for a Court House and its strength
to bear an upper storey, that you will obtain the opinion of the Civil
Engineer on the subject and call upon that Officer to prepare an estimate
of the probable expense as directed in the 2d para: of the letter from

this

this Office dated the 24th Ultimo--

21st April 1836.

(Signed) W. Douglas

Registr.

№ 478--- To the Provincial Court of Circuit in the Western Division

Gentlemen, I am directed by the Judges of the Court of Soujdaree Adalut to transmit to you, with reference to your letter dated the 8th Instant Copy of letter which in order to avoid delay has been addressed by this Court to the 3d Judge on Circuit in the Western Division, notifying that the Governor in Council authorizes the Native Criminal Judge of Sisee to forward the 3 persons named in the Margin charged with the Commission of the Crimes set opposite their respective names to the Native Criminal Court at Honore, for the purpose of being tried by the Court of Circuit at the ensuing Sessions.

Balsoo	Murder and Arson	
Chinna Veeraphal Naggeya	Housebreaking with intent to steal attended with violence	3

(Signed) W. Douglas

21st April 1836.

Registr.

№ 479- To the 3d Judge on Circuit in the Western Division

Sir I am directed by the Judges of the Court of Soujdaree Adalut to transmit to you Copy of an order of Government dated the 19th Instant notifying that the Governor in Council authorizes the Native Criminal Judge of Sisee to forward the 3 persons named in the margin charged with the Commission of the Crimes set opposite their respective names, to the Native Criminal Court to the Native Criminal Court at Honore for the purpose of being tried by the Court of Circuit at the ensuing Sessions.

Balsoo — Murder & Arson

Chinna Veeraphal Naggeya — Housebreaking with intent to steal attended with violence

You will be pleased to make the necessary communication to the Native Criminal Judge of Sisee-

21st April 1836-

(Signed) W. Douglas

Registr.

№ 486 To the Magistrate of Trichinopoly-

Sir With reference to your letter of the 15th Ultimo submitting a further report on the subject of the late attempt to escape made by a party of the Convicts transferred by order of the Government from the Jail at Trichinopoly to the charge of the Civil Engineer of the 3d Division for the purpose of being employed in blasting stones for the Coleroon Anicut I am directed by the Judges of the Court of Soujdaree Adalut to transmit the accompanying copy of a letter from this Court to the address of the Chief Secretary to Government under date the 8th Instant and of an Extract from the Minutes of Consultation dated the 15th Instant, desiring that Rustule Saib be warned that a repetition of his incorrect conduct will subject himself to dismissal from the public service and sanctioning the reward of 25 Rupees to be offered for the apprehension of each of the Convicts who have effected their escape-

22d April 1836- (Signed) G. L. Prendergast

Senior Deputy Register

№ 821

№ 487 To the Chief Secretary to Government-

Sir I am directed by the Judges of the Court of Soujdaree Adalut to transmit to be laid before Government the accompanying Copy of a letter dated the 1st Instant from Lieuth Budd, incharge of the Convicts at Guindee with the original Bill for rice supplied to the sick Convicts on February and March by order of Mr Macaulay, Member of the Medical Board-

2d The Judges beg leave to recommend that sanction may be granted for the disbursement in question amounting to Rupees 60-9-6-

22d April 1836 (Signed) W. Douglas-

Registr.

№ 488 To the 4 Provincial Courts of Circuit

Gentlemen, : Under instructions received from Government I am directed by the Judges of the Court of Soujdaree Udalut to request you will desire the several Magistrates within your Division to communicate direct to Captain Vallancy, the Assistant to the General Superintendent of the operations for the Suppression of Shuggee, in all matters connected with Shuggee, and to enjoin them to receive and carefully attend to his instructions—

Captain Vallancy I am directed to explain has been ordered to proceed to Masulipatam to carry on operations in that province, and it is expected that he will shortly arrive at that station—

22d April 1836 (Signed) W. Douglas

Register

№ 500 To Lieut. Budd incharge of the Convicts at Guindy

Sir With reference to the letter from this office dated the 21st Ultimo I am directed to request you will communicate for the information of the Court of Soujdaree Udalut the further measures that may have been resolved upon by the Breakwater Executive Committee for the better ventilation of the Jail in which the convicts employed under their orders are confined—.

23d April 1836 (Signed) W. Douglas

Register

№ 501 To the Acting Assistant Criminal Judge "in charge" at Cuddapah

Sir I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 11th instant explaining the circumstances under which the disbursement for the charge of a

deceased female convict (Boya Booggoo Atchy) was incurred—

The Judges having no information before them as to why the child was brought to Jail and why it could not be delivered to a relative, request that this information may now be supplied

23d April 1836. Signed G. L. Saendergast

Senior Deputy Register

№ 502 To

the Provincial Court of Circuit in the Southern Division

Gentlemen With reference to the letter from this Office dated the 31st Ultimo and the Minutes of Consultation of the 17th of the same month which accompanied it I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you Copy of a letter addressed to the Chief Secretary to Government under date the 31st Ultimo and with reference to the order of Government thereon dated the 12th Instant, a Copy of which is enclosed, to request you will instruct the Magistrates of the Districts bordering on the Country of the Rajah Tondiman to report to Government each case in which a Native Subject of the British Government may be apprehended by them on the requisition of the Resident of Tanjore on a charge of Offences committed in the Rajahs territories, in order that the necessary sanction may be granted for delivering up the Prisoner to the Resident for the purpose of being proceeded against in the Rajahs Courts—

23d April 1836 (Signed) W. Douglas

Register

№ 84

№ 504 To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of the Criminal return of Madras Convicts at Singapore made

made up to the 1st of January 1836 transmitted with the order of Govern
No 298 dated the 8th Instant.—

From this return it appears that as at Malacca so at
Singapore numbers of the convicts are employed in a mode altogether at
variance with their sentences of "hard labor in irons on the Roads or other
"public works"

Referring only to the convicts sentenced by the Court of Tonydaree
Vidalut the Judges perceive that of those under sentence under transportation
for life for Murder, 8 are employed in the service of Government & employed in the
service of private individuals, and 3 permitted to provide for themselves. Of those
sentenced to transportation for Highway Robbery, Gang Robbery, Robbery & plundering
16 are returned as in the service of Government, 16 in the service of private individuals
8 are permitted to provide for themselves 46 are employed as "convict Peons"—

The importance of a different treatment of the convicts under sentence of
transportation was strongly urged upon the attention of Government in a letter addres
red by this Court to the Chief Secy to Govt under date the 27th of Augt 1835, & upon the subject
being brought to the notice of the Supreme Govt & an amendment in the system of carry
ing the punishment into effect proposed the Court of Tong Vidalut were informed that
the subject of the discipline applied to convicts at Malacca would be made over for
the consideration of the late Commission in connection with the general questio
of prison discipline.—

In the meantime however the Judges respectfully but urgently request the inte
ference of Govt with the authorities of Singapore & Malacca to arrest the progress of syst
which, when more generally known will deprive the punishment of transportation of all its
terrors & should it be found upon enquiry that the means of fulfilling the sentence of the
Court "of hard labor in irons on the roads or other public works" do not exist in Malacca & thro
-pore the Judges would suggest the expediency of removing the convicts now at those
stations to the Tenasserim provinces whither it has been resolved that all convicts
sentenced to transportation shall in future be sent, & which has been described
as a place where they are more likely to meet with suitable discipline

23th April 1836— (Signed) W. Douglas
Register

*Vide Extract from the Minutes of Consultations under date the 15th December 1835.

No 509. To the Provincial Court of Circuit in the Southern Division.

Gentlemen I am directed by the Judges of the Court of Tonydaree to acknowledge the receipt of your letter of the 19th Instant transmitting copy of a communication from the Joint Criminal Judge at Tennasserim wherein he requests permission to detain under his charge 10 convicts, including 2 Sepoys recently forwarded by the Officer Commanding "Tavoy", their Assistance being required to carry on the paper manu-
-factory—

The request of the Joint Criminal Judge appears unobjectionable and the Judges accordingly grant the permission solicited— Signed G. L. Prendergast

28th April 1836. Senior Deputy Register—

No 510 To the Provincial Court for the Northern Division.

Gentlemen I am directed by the Judges of the Court of Tonydaree Vidalut to acknowledge the receipt of your letter of the 18th instant conveying the explanation of the Acting Joint Criminal Judge of the circumstances under which the Boy "Bawa Saheb" was admitted and has since been continued in the Jail at Guntoor and with reference to your letter of the 24th February last submitting for sanction a Statement, under Circular Order No 1, from the Joint Criminal Court at Guntoor of the disbursement in the 4th Quarter of 1835, on account of the said "Bawa -Saheb", to communicate the sanction of the Judges as to respectively for the disbursement in question amounting to Rupees 12 0 4—

28th April 1836. (Signed) G. L. Prendergast

Senior Deputy Register

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

Sir In reply to your letter dated the 20th instant I am directed by the Judges of the Court of Tovydanee Udalut to inform you that as you do not anticipate any difficulty in obtaining the additional evidence in the 3 Cases of the Suisee Calendar which will remain for trial at the present Sessions the Judges deem it proper the Court of Circuit should proceed to Honore, there to dispose of the Cases with reference to the orders of Government dated the 18th and 19th instant.

Vide extract from the proceedings of the Board of Circuit Western Division 19th May 1836

On a former occasion in consequence of the Honore Sessions being held at Mangalore the Magistrate of Canara was induced to bring to the special notice of Government the great inconvenience to which prosecutors and witnesses were subjected by the Jail delivery of North Canara being held at the station of the Zillah Court, and on the present occasion the Judges perceive that the adoption of the measure proposed in your letter of the 20th instant would involve the attendance at Mangalore from distant parts of the District of 34 persons exclusive of the prisoners.

Vide letter from the Magistrate of Canara to the Chief Sec to Govt dated 8th dated 20th May 1836

29th April 1836. (Signed) W. Douglas

Register

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

Sir I am directed by the Judges of the Court of Tovydanee Udalut to acknowledge the receipt of your letter of the 22d instant, forwarding, as requested in the letter from this Office of the 18th Instant a Copy of the order passed by Mr Garrow and of the letter addressed by the Acting Principal Judge of Combaconum to you relative to the prisoner Vusamalay alias Vmien in regard to whom the Magistrate of Tuticorin Tuticherinpoly

Tuticherinpoly proposes to proceed as prescribed by Section IX Regulation XI of 1827.—

In this case the Magistrate required Security in 2 sureties of 500 Rupees each and under Clause 3d Section VIII Regulation VII of 1827 recorded his opinion that the prisoner being of a character so dangerous by desperate and unclaimable should not be released without security. The prisoner not having furnished the security required was under Clause 4th of the same Section before the Judge of Circuit, at the Sessions, upon which the 1st Judge reduced the amount of the security to 2 sureties of 100 Rupees each for 1 year without any further instructions which he ought to have issued under the provisions of Clause 5th of the same Section.—

The prisoner having failed to produce the security required by the 1st Judge, it devolved upon you to pass orders under the same provision viz. Clause 5th Section VIII Regulation VII of 1827. or if necessary under Section IX of the same Regulation—

30th April 1836 (Signed) G: L. Prendergast

№87. Senior Deputy Register

№520 To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Tovydanee Udalut to transmit for the purpose of being laid before Government the accompanying Copy of a letter from the Acting Joint Criminal Judge at Masulipatam dated the 19th Instant reporting the escape from the Guards on the evening of the 13th Instant of a prisoner named Solah Veerapah, and of the enclosures which were forwarded with it.—

The

2 The Judges beg leave respectfully to support the recommend-
ation of the Acting Joint Criminal Judge that 25 Rupees be offered as
a reward for the reapprehension of the convict whose escape he has re-
ported.—

3 I am directed also to submit herewith a copy of the reply of the
Judges to the letter of the Acting Joint Criminal Judge containing
the instructions which it seemed to them proper to issue on this occasion.—

30th April 1836. (Signed) G: Le Prendergast
Senior Deputy Registar

N° 521 To the Acting Joint Criminal Judge at Masulipatam

Sir I am directed by the Judges of the Court of Joudaree Adalut
to acknowledge the receipt of your letter of the 20th Instant reporting
the escape on the 13th Instant of the Convict Sotah Venapah, and
the dismissal, in consequence of the peon Akoola Adynarayden in whose
charge he was at the time he effected his escape, and further recommend-
ing that 25 Rupees reward be offered for his apprehension.—

2 It appears from the documents accompanying your letter that
the Jailor sent out on this occasion, only 8 Peons and a Duffadar in charge
of 40 prisoners, The Judges request to be informed of what orders you have
taken of the Jailor's neglect in this particular.—

3 You will be pleased to examine the prisoners as to the circum-
stances stated in the deposition of Akoola Adynarayden and last accord-
ingly.— If there should be no doubt of that Peon having had charge of
40 prisoners and that the prisoner Sota Venapa escaped while under
his custody he should be punished for gross and culpable neglect and

Glerks

Glerks 1st Section XI Regulation XIII of 1832.—

The Judges have this day addressed Government on the
subject of the reward of 25 Rupees for the apprehension of Sota Venapah
and have recommended that your request to that effect may be comp-
lied with.— (Signed) G: Le Prendergast
Senior Deputy Registar
30th April 1836.

N° 522 To the Provincial Court of Circuit in the Central Division.

Gentlemen I am directed by the Judges of the Court of Joudaree Ad-
alut to acknowledge the receipt of your letter of the 22d Instant trans-
mitting Copy and English translation of a letter and its accompaniments
from the Native Criminal Judge at Cumbum reporting to you the escape
of a committed prisoner Wodda Pichergaudoo, from the Jail under his
charge, and of your proceedings thereupon.—

2 The Judges observe that by the Circular Order No XLIII
Cases of "escape" are to be reported direct to the Joudaree Adalut
for their orders and consequently that it is not the intention that the Court
of Circuit should issue any orders except in an emergency. The object of the
reports of escapes from the Jail at Cumbum being transmitted thro'
the Provincial Court of Circuit is that the requisite translations may be
made in your Court and forwarded with them.—

3 You will be pleased to report the result of your instructions,
for the final orders of the Judges on the present occasion.—
30th April 1836. (Signed) G: Le Prendergast
Senior Deputy Registar

523. To the Provincial Court of Circuit in the Northern Division

Gentlemen I am directed by the Judges of the Court of Joudaree
Adalut

Udalut to acknowledge the receipt of your letter dated the 20th Instant and its accompaniments, and in reply to request you will inform the Magistrate of Nellore that the provisions of Act No XVIII of 1835 being penal in its consequences must be construed strictly strictly and cannot be extended by reference—

The Act in question modifies merely a provision of the Bengal Code and cannot therefore be considered applicable to the Madras province.

30th April 1836. (Signed) W. Douglas

Register

No 524 To the Provincial Court of Circuit in the Northern Division

Gentlemen I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 21st Instant forwarding copy of a communication from the Acting Assistant Joint Criminal Judge of the Zillah to court at Rajahmundry applying for authority to transfer a female prisoner, Sageeraw, Venkiah, to the Jail at Masulipatam for the benefit of her health, the Medical Officer having expressed his opinion that it is the only chance of saving her life—

You will be pleased to inform the Acting Assistant Judge with the least practicable delay that the Judges grant the permission solicited and will communicate the circumstance to the Acting Joint Criminal Judge at Masulipatam in order that he may be prepared for the arrival of the prisoner. — (Signed) G. L. Saendergast

30th April 1836. No 88. Senior Deputy Register

No 525. To the Chief Secretary to Government

Sir I am directed by the Judges of the Court of Foujdaree Udalut to—

to transmit to be laid before the Government the accompanying copy of a letter, with the original estimate therein enclosed, dated the 21st March last received this the Provincial Court for the Centre Division, from the Joint Criminal Judge at Cuddalore requesting sanction for the expenditure of 200 Rupees required for the repair of the outer walls of the Jail under his charge and also of a return from the same officer dated the 20th Instant explaining, in obedience to the requisition of the Judges, forwarded thro' the Provincial Court of Circuit the circumstances under which the charge has become necessary.—

2 The Judges beg leave respectfully to recommend that the sanction of Government may be granted for the disbursement in question viz. 200 Rupees, and, with reference to the concluding passage of the return of the Joint Criminal Judge they direct me to state that they consider Mr Morehead deserving of great commendation for the measures adopted by him with a view to render the Jail at Cuddalore commodious and secure.—

30th April 1836. (Signed) W. Douglas

Register

No 59.

To

No. 527 The Chief Secretary to Government

Sir

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to be laid before Government the accompanying Copy of a letter dated the 16th Ultimo received this day from the Provincial Court of Circuit for the Northern Division, from the Criminal Judge at Chittagong requesting sanction for the disbursement of a Sum not exceeding 10 Rupees "for repairing and therefore paving the floor of the pits in which Gunny is pounded for purposes of manufacturing Paper;" of a Sum not exceeding 12 Rupees for the repair of the Hall Churee" and of a Sum of Rupees 65 8 4 to be expended in building a Bridge over a portion of the road now making towards Calunga "portion" by which it is represented much loss of cultivation will be obviated to the inhabitants of the villages of Cassually.

The Judges beg leave to recommend that Sanction may be granted for the two charges first mentioned amounting to Rupees 22, and they desire me to submit their opinion in favor of the application of the Criminal Judge to be allowed to disburse the amount of Rupees 65 8 4 in building the Bridge to which the first paragraphs of his letter refers.

2nd May 1836

(Signed) J. L. Prendergast

Senior Off Regr

No. 90

To The Chief Secretary to Government

No. 578

Sir,

I am directed to report for the information of the

the Governor in Council that in case of on the second Supplemented Calendar of Chittoor for the First Quarter Sessions of 1836, the prisoner Shaikh Osmaib a Private of the D Company 40 Regt N.I charged with having on the afternoon of the 15th February last wilfully murdered another Private named Chittarnah of the same Regiment and Company, by shooting him with a musket while on Guard at the Palace Gate in the Fort of Vellore, has been convicted by the Court of Tonjdaree Udalut and sentenced to suffer Death.

In his letter referring the Trial Mr Mercy, the Judge presiding at the Quarter Sessions, recommends "that "the prisoner be sentenced to be executed on the spot where the "murder was committed, as the example may probably have a good effect in deterring other desperate characters, of any such there be among the troops at Vellore from the Commission of the base and cowardly crime of assassination."

The Judges of the Tonjdaree Udalut approve of this recommendation; and should the Governor in Council be of opinion that such an example will have a salutary effect they would respectfully suggest that authority be granted for carrying the sentence into execution in the presence of the Native Troops composing the Garrison at such convenient spot as the immediate vicinity of the Fort of Vellore, as may be selected by the Officer commanding, in communication with the Criminal Judge of Chittoor.

2d May 1836.

(Signed) J. H. Dawson
Actg Sct to the Judges

No 91

No 529

To

The Chief Secretary to Government

Sir,

With reference to the letter from this Office dated the 25th and the Order of Government thereon dated the 29th Ultimo I am directed by the Judges of the Court of Tonjdaree Udalut to state for the information of the Governor in Council that the requisite information regarding the Military Police establishment at Masulipatam was received in this Office on the 25th Ultimo and that the Orders of Government contained in the 3d para of the Extract from the Minutes of Consultation under date the 21st of August 1835 will be in consequence be carried into effect without further delay.

3d May 1836.

(Signed) W Douglas
Register

To

No 530 The Provincial Court of Circuit for the Western Division.

Gentlemen,

I am directed by the Judges of the Tonjdaree Udalut to call your attention to my letter of the 15th January last, and to request that the requisite report relative to the terms on which Vyncontu Mannathogun would be willing to undertake the execution of the attestation of the Sails at Honore in the mode proposed by Captain Lewis the Superintending Engineer in Malabar and Canara in the event of its being found impracticable to place the services of any Convicts at his disposal

dispatch may be forwarded to this Office without further delay

3d May 1836.

(Signed) J W Donadson

Asst to the Regr

No 531. To The Provincial Court of Circuit for the

Western Division.

Gentlemen,

It is deemed that under the provisions of Section XIII. Regulation VIII of 1827 it will be the duty of the Native Criminal Judge of Kenore and Sirey to send to the Court of the Criminal Judge of Cavana, all persons whom they may sentence to more than twelve months imprisonment.

Being of opinion that circumstances may occur to render this proceeding inconvenient and imprudent, the Court of Tonydaree Ulodaliet have resolved in exercise of the authority vested in them by Clause Fifth Section VIII Regulation XI to direct that until further orders all persons sentenced by the Native Criminal Judge of Kenore be imprisoned and worked at that Station and that all persons sentenced by the Native Criminal Judge of Sirey to more than two months imprisonment be sent to the Native Criminal Judge of Kenore who will cause the sentence to be executed.

3d May 1836.

(Signed) J W Donadson

Asst to the Regr

No 92.

To

No 532 The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of

Tonydaree Ulodaliet with reference to the Extract from the Minutes of Consultation under date the 15th of March last

Encl Report 6 Dist Sessions 1834

" " 8 3d Sessions 1835 to Government to you for the purpose of being

" " 8 4th Sessions 1834 forwarded to the Indian Law Commissioners

" " 6 2d Sessions 1834 Copies of the Reports of the Judges of Circuit

" " 7 1st Sessions 1835 under this Government submitted to this

" " 7 2d Sessions 1834 Office during the last Year, together with

" " 6 2d Sessions 1834 Copies of such of the Circuit Reports for

" " 8 2d Sessions 1834 1835 as have been received by the Court of

" " 8 1st Sessions 1835. Tonydaree Ulodaliet from the Judges who

" " 8 2d Sessions 1835 presided at the 1st and 2d Sessions of the

together with the proceedings of the Court of Tonydaree Ulodaliet for last year.

thereon.

These Reports I am directed to explain contain the information required by the Law Commissioners in respect to the conditions of the Jails, the rules for their management are to be found in the printed Circular Orders of the Tonydaree Ulodaliet

Copies 5763 5 Copies of which were forwarded to Government on the 6th of October last for the use of the Government of India and the Indian Law Commissioners.

I am directed also with reference to para 2 of the letter from the Secretary to the Indian Law Commission dated the 26th of February last to transmit to you a Statement exhibiting the number of prisoners in the different Jails under this Presidency and their several classes prepared according to the last returns received in this Office.

The Reports relative to the Police will accompany the half yearly Reports to be furnished for the information of the Indian Law Commissioners with reference to the orders of Government dated the 21st & 26th Ultimo.

3d May 1836.

(Signed) W Douglas

Regr

		Coomes &c	Cultivated & Land already	Bullocks for cultivation & communication	Buffaloes	Camels	Horses	Total
Ceded Districts	Bellary	598	127	54	–	–	18	797
	Chingleput	95	33	21	–	–	4	153
	Cuddalore	320	38	49	7	–	8	422
	Chittoor	106	36	28	1	1	8	180
	Cudalapah	307	15	110	–	2	9	443
	Cumbum	4	2	6	–	–	–	12
								1107
Northern Division	Chicacole	194	13	96	–	–	5	308
	Vizagapatam	44	8	33	–	–	5	90
	Rajahmundry	69	14	63	1	–	–	147
	Masulipatam	410	26	8	–	–	1	455
	Nellore	379	60	25	3	1	5	473
	Guntoor	257	40	28	1	–	–	326
								1799
Salem Division	Combaconum	62	100	136	4	3	2	297
	Madura	282	35	59	1	–	–	377
	Tinnivelly	49	9	16	1	–	2	77
	Salem	33	42	61	1	2	6	147
	Combatoor	92	14	75	1	–	12	194
								1092
Malabar Division	Canara	197	24	61	–	–	2	284
	Mysore	26	8	5	–	–	3	52
	Sirey	6	2	12	–	–	–	20
	Malabar	328	00	57	–	–	6	421
	Tellichery	72	9	49	–	–	17	147
								924
Military Establishments	Caymanoo	45	–	–	–	–	–	45
	Vellagery	110	–	–	–	–	–	110
	Samulcotah	146	–	–	–	–	–	146
	Vellore	178	–	–	–	–	–	178
	Arcot	70	–	–	–	–	–	70
	Arnee	102	–	–	–	–	–	102
	Guindee	555	–	–	–	–	–	555
								1206
Magistracies	Quntoor	92	–	–	–	–	–	92
	Cocleur	240	–	–	–	–	–	240
	Combatoor	89	–	–	–	–	–	89
	Trichinopoly	324	–	–	–	–	–	324
	Negapatam	240	–	–	–	–	–	240
	Mayaveram	84	–	–	–	–	–	84
	Joint Do. Guntoor	57	–	–	–	–	–	57
	Coimbatoor	50	–	–	–	–	–	50
								1174
								5202

Foujdaree Diary 3d May 1836.

No. 93

To

The Chief Secretary to Government.

No. 532

Sir,

1. With reference to your letter dated the 26th Ultimo I am directed by the Judges of the Court of Foujdaree Adalut to state for the information of the Governor in Council that the number of Peons employed at Gunjey in charge of the Convicts is 443 with 6 Duffadars and the amount of the additional expense attending the arrangement proposed in the 5th para of the proceedings of the Foujdaree Adalut under date the 18th Ultimo will be Rupees 151 – 12 per Mensem.

12 Peons at 5 – 4 per Mensem

2. The Peons transferred from the Zeals of Cuddalore and Chittoor are already in receipt of 4 Annas per Diem more than those

32 Peons at 5 per Mensem

transferred from the Zeals of Cudalapah, Nellore and Trichinopoly, and Should the Governor in Council be pleased to sanction any increase to the present Civil establishment at Gunjey, the Judges would beg leave to suggest that the pay of the Peons to Number of Peons be fixed at Rupees 6 per Mensem.

3. The Duffadars transferred from the Cuddalore Zeal is already paid at the rate of Rupees 8 – 12 per Mensem and the Judges do not consider any augmentation of the pay of this establishment necessary, but recommend that the pay of the remaining five who at present are in receipt of only 7 Rupees per Mensem be raised to the same standard.

4. Under this arrangement the additional charge of Government will amount to only Rupees 137 – 8 per Mensem.

3d May 1836.

I have &c

Registered

To

No 534. The Provincial Court of Circuit for the Northern Division

Gentlemen,

I am directed by the Judges of the Court of Tovijdaree Adalut to acknowledge the receipt of your letter of the 18th Ultimo forwarding the reports required by the Circular Order No 45 from the acting 2d Asst Judges at Guntoor Masulipatam and Vizagapatam and from the acting 1st and 2nd Judges in charge of the Court at Rajahmundry together with the Statement from the Officer under whose charge the Convicts at Samulcottah are placed.

2 With reference to the letter to your address from the acting Zillah Judge at Vizagapatam the Judges request that you will be furnished him without delay with the Circular Order of the 18th May 1835 No 45 which he states is not in the records of his Court.

3 In regard to the suggestion of the Acting Assistant and Joint Judge at Rajahmundry contained in his letter of the 9th instant that no more prisoners should be sent to Samulcottah, and that the prisoners now under his charge may be employed in removing the Jungle in the neighbourhood of Rajahmundry I am directed to request that you will enquire whether the object for which the transfer was originally made to Samulcottah of the prisoners now there has been accomplished or can be accomplished at no distant period by the convicts at present under charge of the Officer commanding and to state that if the acting 1st Asst Court Judge continues of opinion that the jungle in the vicinity of Rajahmundry should be removed by the Convicts he should specify what number of convicts he proposes to employ on the work and the time which he expect they will be occupied with The Judges will then be prepared to apply to Govt for authority to entertain additional Peons on the occasion.

3d May 1836.

(Signed) G. L. Prendergast

Senior Deputy Regr

No 539 To The Provincial Court of Circuit for the Northern Division

Gentlemen,

Agreeably to the request contained in Your letter of the 29th Ultimo, I am directed by the Judges of the Court of Tovijdaree Adalut to return the 'plan' alluded to in your communication of the 13th Ultimo and transmitted in your letter to this Court under date the 1st of February last forwarding copy of a correspondence with the acting Joint Criminal Judge at Vizagapatam relative to the erection of a new Jail at that Station.-

5th May 1836.

(Signed) G. L. Prendergast

Senior Deputy Regr

No 95

No 540 To The Chief Secretary to Government

Sir,

I am directed to request that the accompanying original Statement received on the 3d instant from the Magistrate of Coimbatore, of charges not estimated but actually incurred in that District during the Quarter ending the 31st March 1836, may be laid before the Governor in Council.

The Judges of the Tovijdaree Adalut recommend that the charges in question, amounting to Rupees 150-4-10/ Fifty, Anas four and pie ten receive the Sanction of Government.

5th May 1836.

(Signed) W. Douglas.

Register

To

K.

No. 96. A

To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court of Tondaree Adalut to acknowledge the receipt of the Extract from the Minutes of Consultation under date the 21st of August 1835 in the 3d of which the Court of Tondaree Adalut are directed with reference to their Acting Register's letter of the 31st of May 1832 to report for the information of the Honorable Court the exact amount of charge which has been incurred on account of Establishments for carrying into effect the provisions of Regulation VII. of 1832. and at the same time to state whether any and what amount of reduction has been effected in the Police establishment under Military authority at Masulipatam.

2. Reference having been made in the from the Minutes of Consultation now under acknowledgment to their Acting Register's letter dated the 31st of May 1832 the Judges are anxious in the first instance to correct an error observable in the concluding para: of the communication in respect to the then actual charge on account of the Police Establishments under Military Authority, Cannanore, Vellore, St. Thomas's Mount and Palaveram which exclusive of Trichinopoly was stated to amount to Rupees 1284 per Mensem.-

3. From the returns then before the Court of Tondaree Adalut the Judges perceive that the actual charge on account

In 1832.

Masulipatam	407—8
Bellary	414—8
Cannanore	235—.
Vellore	187—.
St. Thomas' Mount	128—.
Palaveram	34—8
	1506—8
Trichinopoly	347—.
	1853—8

per mensem.-

of the Military Police Establishments, excepting Trichinopoly, at that period amounted Rupees 1506—8—. and inclusive of Trichinopoly to Rupees 1853—8

4 Since the year 1832 the charge on account of the Military Police Establishment at Masulipatam has been reduced from Rupees 407—8—. to Rupees 272—3—. per mensem, but notwithstanding the reduction to the extent of Rupees 135 per mensem effected in the Military Police Establishment at this Station, the aggregate charge on account of the Military Police Establishments at Military Bazar Stations at the present period exceeds that incurred in 1832 on the same account, by Rupees 66 per mensem, the total monthly charge, as will be seen from

	Rs
Masulipatam	272—3
Bellary	567—8
Cannanore	303—.
Vellore	201—8
Mount	179—.
Palaveram	81—.
Trichinopoly	310—.
	1919—8

the statement in the Margin, now amounting to Rupees 1919—8—.

5 From this sum however must be deducted Rupees 53 the amount of the further reduction in the Military Police Establishment at Masulipatam resolved upon by the Commissary General under date the 16th Ultimo and this will reduce the Monthly charge to Rupees 1861—8—.

Masulipatam	272—8
Proposed to be paid at	214—8
	53—.

6. The reason why it was considered necessary to increase the Military Police Establishments at Bellary, Cannanore and Vellore is not within the knowledge of the Court of Tondaree Adalut

Edalut Sanction for the increased expenditure at St. Thomas' Mount and Palaveram having alone been communicated thro' this Office; and as the Police Establishments at Military Bazar Stations are in no respect under the control of this Court, the Judges do not consider it necessary to do more than to point out from the returns now before them the particular items of extra charge incurred at Bellary, Cannanore and Vellore.

Bellary. 7. In the year 1832 the monthly charge for the Military Police Establishment at Bellary amounted to Rupees 514-8- per mensem and by the Statement furnished to the Magistrate by the Superintendent of Police under date the 19th of October last, it appears that the monthly charge has been increased to Rupees 567-3- exclusive of the sum of Rupees 52-8- per mensem allowed for Office and[illegible]

	Rs.
Present Establish.	567-3-
In 1832	514-8-
increase	53--

8. At this station the increased expenditure appears to have been occasioned by the employment of an English Writer at Rupees 23 per mensem and 6 Summons Peons at a charge of 25 Rupees per mensem.

	Rs.
English Writer	23
5 Peons 5 Rs. each	25
	53.

Cannanore 9. At Cannanore the expenditure on account of the Military Police Establishment has been increased from Rupees 235 to Rupees 308 per mensem, occasioned it would appear by the employment of an English Writer at 25 Rupees per mensem 2 Mootaudies at 42 Rupees and 1 Maran can at 6 Rupees per mensem.

	Rs.
Present Establishment	308
In 1832	235
increase	73

	Rs.
English Writer	25
2 Mootaudies	42
1 Maran	6
	73.

Vellore 10 At Vellore the Military Police Establishment appears to have been revised since the year 1832 and the modification

has involved the additional charge to Government of Rupees 11-3- per mensem.

The pay of the Head Cutwall appears to have been raised 10 Rupees and the services of the 2nd Cutwall altogether dispensed with. 3 additional Peons have been entertained at Rupees 5 each, a Tom Tom beater at Rupees 3-3- per mensem, and the Choudry's pay has been increased 7 Rupees per mensem.

	Rs.
Head Cutwall's pay increased	10--
3 Peons	15--
Tom Tom beater	3-3-
Choudry's pay increased	7--
	35-3-
Deduct pay of 2nd Cutwall (reduced)	21--
Excess	11-3-

12. Appended to this letter will be found a comparative Statement shewing the present strength of the Military Police Establishments at Bellary, Cannanore and Vellore, and the strength of those Establishments as they stood previous to January 1832, and with this information before him the Governor in Council may be enabled to order such reductions as may be found practicable and expedient.

13. The delay in furnishing this Report has been occasioned by the information required from the Officer Commanding Masulipatam, as to the extent of the reduction capable of being effected in the Police Establishment at that Station not having been received in this Office until the 25th Ultimo.

5th May 1836. (Signed) W. Douglas
Register

List

Foujdarew Diary 5th May 1836.

No 1

List of the Military Police Establishment entertained under the orders of the Officer Commanding Bellary for the Year 1832.

1832.	Bruce pettah		Cowle Bazar		With the Commissariat Officer		Total	
	Persons	Monthly pay	Persons	Monthly pay	Persons	Monthly pay	Persons	Monthly pay
		Rs. A. P.		Rs. A. P.		Rs. A. P.		Rs. A. P.
Cutwalls	1	23 . .	2	67 8 .			3	95 8 .
Goomastahs	1	14 . .	1	14 . .	1	25 . .	3	53 . .
Dundiahs	6	30 . .	11	55 . .			17	85 . .
Head Choudry					1	10 . .	1	10 . .
Duffadars	1	7 . .	1	7 . .	2	16 . .	4	30 . .
Delayets					3	18 . .	3	18 . .
Peons	11	55 . .	12	60 . .	8	40 . .	31	155 . .
Mussalchees	1	3 8 .	1	3 8 .			2	7 . .
Persons to administer oaths					2	22 8 .	2	22 8 .
Maistries to furnish coolies					3	24 8 .	3	24 8 .
Sweepers for the cleanliness of the Town	4	14 . .					4	14 . .
Total	25	151 8 .	28	207 . .	20	158 . .	73	514 8 .

Bellary
7th May 1832.

Statement

Foujdarew Diary 5th May 1836

Statement exhibiting the present charge of the Police Establishment at Bellary 1835.

1835.

		Rs. A. P.
1	Head Cutwall	50 . .
1	Second Do	28 . .
1	Third Do	17 8 .
1	Gentoo Maharatta and Canarese Hoozoor Juwab Nuvees	25 . .
1	Persian Hindostany Moonshee and Moollah	17 8 .
1	Braman	5 . .
1	English Writer	23 . .
2	Mootsuddies in 2 Cutwalls Chouttries at 14 Rupees each pr. Month	28 . .
1	Head Choudry	10 . .
2	Hoozoor Duffadars at 8 Rupees each pr. Month	16 . .
2	Duffadars at 7 Do. Do. Do.	14 . .
3	Delayets at 6 Do. Do. Do.	18 . .
5	Surrimon Peons at 5 Do. Do. Do.	25 . .
31	Police Peons at 5 Do. Do. Do.	155 . .
17	Dundiahs at 5 Do. Do. Do.	85 . .
2	Masalgees at 3½ Do. Do. Do.	7 . .
4	Sweepers at 3½ Do. Do. Do.	14 . .
1	Bandy Maistry	7 . .
1	Hired Bearers Maistry	10 8 .
1	Cooly Maistry	7 . .
	Total Madras Rupees	567 8 .

Bellary

(Signed) ..

Besides the above there is 62 Rupees 8 annas allowed for office rent.

Statement

Statement of the Military Police Establishment at Cannanore as it stood in 1832.

Rank.	Amount of Monthly Pay	Remarks.
	Rs. As. P.	
1 Head Cutwall	50 . .	
1 Second Ditto	35 . .	
2 Choudries at 12 Rupees each	24 . .	
6 Deloyets at 7 Rupees each	42 . .	
14 Dundyahs at 6 Do	84 . .	
Total	235 . .	

Statement exhibiting the Present charge of the Police Establishment at Cannanore 1835.

		Rs. As. P.
1 Head Cutwall	per Month	50 . .
1 Second ditto	ditto	35 . .
1 English Writer	ditto	25 . .
2 Mootsuddy	at 21 Rupees each per Month	42 . .
1 Choudry	per Month	10 . .
1 ditto	ditto	8 . .
6 Deloyets	at 7 Rupees each per Month	42 . .
14 Dundyahs	at 6 ditto ditto	84 . .
1 Cooly Maistry	per Month	6 . .
1 Marcan	ditto	6 . .
Total Rupees		308 . .

Cannanore
October 1835

Signed

List

List of the Servants attached to the general Military Bazar & Department shewing their designation and Salaries entertained in the Year 1832.

1 Head Cutwall	30 . .	
1 2nd Do	21 . .	
1 English Writer	17 8 .	
1 Mutsuddy	15 . .	
1 Choudry	10 8 .	
1 Bullock and Bandy Maistry	7 . .	
1 Cooly Maistry	7 . .	
1 Duffadar	7 . .	
13 Peons @ 5 each	65 . .	
1 Dundiah	4 8 .	
1 Sweeper	2 8 .	
Police Office, Vellore, 27th March 1832.	Total Madras Rupees	137 . .

Statement Shewing the present charge of the Military Police Establishment at Vellore 1835.

	Rs.	As.	P.
1 Cutwal	40	.	.
1 English Writer	17	8	.
1 Mutsuddy	15	.	.
1 Choudry	17	8	.
1 Bullock Maistry	7	.	.
1 Cooly Maistry	7	.	.
1 Duffadar	7	.	.
16 Peons at 5 Rupees each	80	.	.
1 Dundiah	4	8	.
1 Sweeper	2	8	.
1 Tom Tom Beater	3	8	.
Total	201	8	.

Commissariat Office,
Centre Division,
Vellore 28th October 1835.

To

No. 96B.

No. 543. To The Chief Secretary to Government

Sir,

In obedience to the instructions contained in the order of Government of the 7th and 14th April 1835, directing half Yearly Statements and Sketch plans of roads and all public works con-structed with roads or otherwise of public Utility, and also statements of works of public utility constructed by individuals at their own private cost, to be laid before Government, I am directed by the judges of the Court of Foujdaree Udalut to submit the accompanying copies of letters from the Officers noted in the margin, and of the Document forwarded by them, under the Circular Order No. 45. for the 2nd ½ Year of 1835.

Letter from the A. C. J. Cuddalore dated 3rd Feb. 1836 with details stated in F. Con. No. 312.

Return from the C. J. at Chingleput dated 10th Feb. 1836 with two sketch plans in F. Con. No. 497.

Letter from the A. C. J. at Chicacole dated 7th Jan. 1836 with detail plans in F. Con. No. 153.

I am directed to take the opportunity of transmitting the accompanying Road Sketch received from the Acting Criminal Judge of Chicacole with copy of his letter addressed to the Provincial Court on the 6th July 1835.

in F. Con. No. 2846 of 1835.

The Judges have been informed by the several other Criminal Judges that no works have been carried on under their Superintendence of the nature referred to in the order of Government during the period in question.

6th May 1836.

(Signed) W. Douglas
Register

(No. 97.)

No. 544 To The Chief Secretary to Government

Sir

With reference to the letter from this Office dated the 16th Ultimo, I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you to be laid before the Governor in Council for his

his information, copy of a letter dated the 2nd Instant received from the Officer in charge of the Convicts at Guindy reporting the further measures that have been adopted by the Breakwater Executive Committee for the better ventilation of the Jail in which the Convicts employed under their orders are confined.

6th May 1836.

(Signed) W. Douglas
Register

No. 545. To The 1st Judge on Circuit in the Northern Division

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you copy of an extract from the Minutes of Consultation under date the 3rd Instant re-questing the Judges to direct your attention to a charge on the Calendar of persons discharged by the Magistracy of Rapelle preferred against Gundenow the Tahsildar of Davagondow in the District of Nellore and to desire you will accordingly call for and review the proceedings of the Joint Magistrate held in the case and pass such orders thereon as you may consider necessary communicating the same to this Court for the information of Govt.

6th May 1836.

(Signed) W. Douglas
Register

No. 98.

No. 546. To The Chief Secretary to Government.

Sir,

In compliance with the request contained in the third paragraph of your letter of the 28th July 1835, I am directed to communicate to you for the information of the Governor in Council, the result

result of the further inquiry ordered in paras 3 and 9 of the Proceedings of the Court of Foujdaree Udalut under date the 22nd May 1835.

2 For the Murder of Pillay Chinnegandoo nine persons were committed to take their trial before the Court of Circuit. The case came on before Mr. Waters, the officiating Second Judge of Circuit in the Northern Division, then holding the Second Sessions of 1835 at Rajahmundry, and was referred by that officer, for the consideration and final judgment of the Court of Foujdaree Udalut in consequence of his inability to concur in the Fatwa of acquittal delivered in favor of some of the accused by the Mahommedan Law Officer of the Court of Circuit.-

3 The Court of Foujdaree Udalut considering the offence of Culpable Homicide to be satisfactorily brought home to the first prisoner "Cunty Appanah" sentenced that individual to imprisonment with hard labour in irons for seven years, but deeming the evidence against the other prisoners, inconsistent, contradictory, and altogether insufficient for conviction, the Court directed that they should be set at liberty.-

4 For the murder of Gowtoo Swamy, fifteen persons of whom, Cunty Appanah, mentioned in the preceding paragraph is one, were committed to take their trial before the Court of Circuit. The trial,- forming case No. 2 on the Rajahmundry Calendar for the First Sessions of 1836- came on before Mr. Paske the First Judge on Circuit in the Northern Division, and terminated on the 16th Ultimo in the acquittal of all the prisoners.-

The.

Foujdaree Diary 9th May 1836.

5. The first of Circuit, after a satisfactory exposition of the contradictory nature of the evidence for the prosecution, of the improbability of the translation as related by the complaint and his witnesses and of the impossibility of ascertaining the actual state of the corpse in consequence of the misconduct of the Dresser deputed to examine it concludes his remarks on the case in the following words: "after giving the case the maturest consideration, "I am of opinion that the proceedings do not establish that the "deceased Gowtoo Swamy was killed in the manner alleged by the "Prosecutor. I have no doubt that the homicide has been committed; "but I do not think in the manner charged in this case. I incline "to think that he died of wounds received in an affray as at first "reported, which is represented to have occurred at the same time "and place this murder is alleged to have been committed, but "which case in consequence of the orders of the Magistrate, was "not sent up to the Criminal Court.-

9 May 1836. Signed W. Douglas
Register

No. 99

To The Chief Secretary to Government

Sir

I am directed by the Judges of the Court of Circuit submitting with reference to the order of Government dated the 8th Ultimo and para 5 of the proceedings of the Foujdaree Udalut of the 27th March last, to submit a concise Statement of the circumstances which in their opinion render it desirable that the powers conferred upon Heads of District Police under Clause first Section IV. a

(or

(as modified by Clause first Section V Regulation XIII of 1832) and Clause first and Second Section V Regulation IV of 1821 should be extended to Ameen of Police.

In large towns where it may be found that the Police duty cannot be conducted by the Head Inhabitant, the Magistrate is by Section XII Regulation XI of 1816 authorized to appoint a person to act as an Ameen of Police either with the powers vested in Heads of Villages or those vested in Tahsildars by that Regulation.

Now the powers of punishment vested in Tahsildars and Heads of Villages by Regulation XI of 1816 was extremely limited, and extended only to cases of abusive language and inconsiderable assaults and affrays, and it was not until the enactment of Regulation IV of 1821 that these Officers possessed any powers of punishment in cases of petty thefts.

The Ameens of Police therefore appointed under the provisions of Section XII Regulation XI of 1816 and vested only with powers granted to Heads of Police and Heads of Villages by that Regulation, are incompetent to the exercise of the extended powers granted to Tahsildars and Heads of Villages by subsequent enactments, and consequently the smallest description of theft if brought before an Ameen of Police must be forwarded to the Tahsildar or the Magistrate of the District for disposal.

In all other respects the Ameen of Police is possessed coordinate jurisdiction with the Tahsildar or the Head of the Village; and the Judges see no reason why the power of punishing petty cases of theft should be withheld from them.

Toydaree Diary 9th May 1836.

Indeed much inconvenience has been experienced in consequence of the necessity which now exists for all cases of this description being forwarded to a distance for disposal and the Judges are of opinion that the public interests would be much benefited if the powers conferred upon Ameens of Police by Section XII Regulation XI of 1816 were extended as proposed in the first para of this communication.

The only limitation under which the Judges would propose these extended powers should be conferred upon the Ameens of Police would be, that they should be required to keep Registries of all punishments which they may inflict transmitting them monthly to the Magistrate thro' the Head of Police.

In conclusion I am directed to add the opinion of the Judges that this proposed extension of power to Police Ameens will in no way affect the Law as enacted in Clause third Section III Regulation IV of 1821, the Officers described in that Section and Regulation are a distinct class of inferior Officers of Police and are now denominated "Sub Officers of the District Police".

9th May 1836.

Signed W. Douglas
Register

Rec'd G.O. 8th June 1836. P. 354 Jud. Dept. G.O. Book.

No. 550

To Lieutenant W. H. Budd
late in charge of the Convicts at Guindy.

Sir,

I am directed by the Judges of the Foujdaree Adalut to return to you sanctioned, the Bill for 69 Marcals and 7 seers of Rice purchased for and supplied to the Sick Convicts at Guindy;

in the months of February and March, by order of Kenneth Macaulay Esquire Member of the Medical Board,- which was received on the 18th with your letter of the 1st Ultimo.-

9th May 1836.

/Signed/ J. H. Davidson
Dy. Agent to the Register

No. 552 To Lieutenant R. H. Chapman in charge of the Convicts at Guindy

Sir,

With reference to your letter dated the 3d. Instant, I am directed to request you will ascertain and report for the information of the Court of Foujdaree Adalut the cause of the absence of the eight Peons from the Jail at Guindy for many days without leave.-

Should none of these Peons have returned from whom this explanation could be procured you will be pleased to ascertain upon what plea they voluntarily relinquished their Situations.-

9th May 1836. /Signed/ W. Douglas
Register

553. To Lieutenant Chapman in charge of Convicts at Guindy.

Sir,

With reference to your letter dated the 6th instant, I am directed to request you will report for the information of the Court of Foujdaree Adalut the result of your application to the Deputy Assistant Adjutant General Centre Division for an efficient Military Guard over the Jail at Guindy.-

9th May 1836.- /Signed/ W. Douglas
Register

No. 100

To Lieutenant Colonel Fraser Chief Secretary to Government

No. 554 To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you to be laid before the Governor in Council for his orders copy of a letter dated the 6th instant from the Officer in charge of the Convict at Guindy reporting that the General of Division has reduced the Sepoy Guard over the Jail below

the

the strength actually necessary for the safe Custody of the Convicts.
9th May 1836.

(Signed) W. Dougl
Register

No. 555. To The Acting Assistant Criminal Judge
in charge of the Criminal Court at Cuddapah.

Sir,

I am directed by the Judges of the Court of Foydarre Udaliel to acknowledge the receipt of your letters of the 18th and 30th Ultimo, the former reporting the escape of the prisoner, Cadetum Naregandoo and the latter his recapture.

The Judges concur with you that the omission of the Jailor to take any "descriptive roll" of the prisoner Cadetum Naregandoo proves his conduct to have been careless in a very important point and they are of opinion that he ought to be warned that upon his again failing to take the "roll" immediately on the arrival of a prisoner he will be liable to dismissal.

The Judges approve of the restoration of the Peons to their Situations as they have recaptured the prisoner and of their punishment for their neglect of duty in the first instance by the loss of their wages for the Month of April.

9th May 1836.

(Signed) G. L. Prendergast
Senior Deputy Register

No 101

No. 559 To The Chief Secretary to Government
Sir,

I am directed by the Judges of the Court of Foydarre

Udaliel to transmit to be laid before Government the accompanying of two letters from the Asst. Commanding at Colacammum
dated 29th April 1836. the former requesting sanction for three original Bills (herewith sent) for the maintenance of the orphan Child of a Convict named Reuben transferred from the Jail at Combatoor, and the latter explaining, at the request of the Judges, conveyed thro' the Provincial Court of Circuit the circumstances under which the disbursement was made.

The case appearing to the Judges to be of a special nature they direct me to request the sanction of Government for the Bills in question amounting to Rupees 11-7-4 for the 3d and the 4th Quarter of 1835 and 1st Quarter of 1836.

I am desired to add that a letter has been this day addressed to the Magistrate of Combatoor to cause enquiries to be made as to their being any relatives of the child in that District able & willing to take charge of it.

10th May 1836.

(Signed) G. L. Prendergast
Senior Dy Register

To

No. 560 The Magistrate of Combatoor
Sir,

I am directed by the Judges of the Court of Foydarre Udaliel
the forms 3 & 4 enclosed. to transmit to you the accompanying Copies of letters relative to the
Child of a Convict named "Reuben" forwarded from Combatoor to the
Asst at Colacammum and to request that you will cause enquiries to
be made for the relations of the Child who should be informed of the
circumstances of the case & to whom the Child should be delivered if they
are able and willing to take charge of it.

If the documents herewith transmitted are insufficient
to enable you to proceed with the enquiries you are authorized to
communicate with the Civil & Criminal Court whence the Convict
"Reuben" was transferred.

10th May 1836.

(Signed) G. L. Prendergast
Senior Dy Register

Toujdaree Diary 10th and 12th May 1836.

No. 561 To The Provincial Court of Circuit in the Centre Division

Gentlemen

I am directed by the Judges of the Court of Toujdaree Adaulut to acknowledge the receipt of your letter of the 25th Ultimo and its enclosure from the Criminal Judge at Chinglepute requesting sanction for the disbursement of 28 Rupees to purchase leather Annually for the prisoners legs and to state that the usual course of proceeding should be observed on the point under reference as it does not appear to the Judges that the special sanction of Government is requisite.

10th May 1836.

(Signed) G. L. Prendergast
Senior Deputy Register

Toujdaree Diary 12th May 1836.

To

No. 563 The Magistrate of Guntoor

Sir,

The same to the Magrs of Masulipatam &c. &c.

I am directed by the Judges of the Court of Toujdaree Adaulut to return to you for correction the Statement No. 2 of Crimes and Misdemeanors brought before the Police and Magistracy of the Zillah of Guntoor prepared for the half year ending the 31st of December 1835.

The totals of "Cases" in Columns 3, 7, and 15 of this Statement if correctly prepared will correspond with Column 4, the total number of Cases ascertained to have occurred during the period embraced in the Report, but in the Statement submitted to this Office this the Provincial Court of Circuit the totals of these Columns gives a larger result than that to be found in Column No. 4 and being unable to ascertain the principle upon which the Statement has been prepared the Judges desire me to return it for Correction and to request that the necessary alterations be made and the Statement retransmitted to this Office with the least possible delay.

12th May 1836.

(Signed) W. Douglas
Register

To

No. 564 The Magistrate of Cuddapah

Sir,

With reference to the Statement No. 2 of petty Offences brought before the Police and Magistracy of Cuddapah for the 2d Sessions of 1835 I am directed by the Judges of the Court of Toujdaree Adaulut to request you will state the total amount of fines remitted to you by the District Police

during

Tonjadore Diary 12th May 1836

during the Six Months embraced in that Report.

The Judges perceive that 408 persons were fined by the Police during the half year ending the 31st of December last, and the Circular Order of the 17th of June 1830 requires that the total amount of the fines remitted should be entered under Column A of the Statement &c.

12th May 1836.

(Signed) H. Maclaughlan Registr

No. To The Joint Criminal Judges of Tellicherry

Sir,

I am directed to acknowledge the receipt of your letter of the 29th Ultimo accompanied by the copy of a communication from the Assistant Surgeon attached to the Auxiliary Court at Tellicherry in which that Officer records his opinion that Paunyan Calakaran Amboty the prisoner in Case No 1 on the Tellicherry Calendar for the First Quarter Sessions of 1835 is not a fit subject for the Lunatic Asylum.

I am directed to desire that you will call upon the Assistant Surgeon to state whether in his opinion the prisoner in question may now be released from Confinement without danger to the Community and you will be pleased to ascertain and report whether in the event of his enlargement any of his friends will enter into any agreement to take such care of him as to prevent the possibility of his doing any further mischief.

12th May 1836.

(Signed) J. W. Davidson

Actg Asst to the Regr

Tonjadore Diary 13th May 1836.

No. 102

To

No 566 The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Court of Tonjadore Zillah to transmit the accompanying Copy of the 3rd and 4th Paragraphs of a letter addressed to them under date the 30th April last by the acting Register in charge of the Zillah Court at Rajahmundry, in the former of which he requests sanction for the temporary occupation at a monthly rent of 20 Rupees of a building for the use of the Circuit Court and subsequently for the Zillah Court pending certain repairs to the present Court house, and in the latter for the expence of building a large bank wood racks for verses at an expence of 12 Rupees each.

2. The Judges beg leave to recommend that the Sanction solicited may be granted. They conclude that the repairs to the present Court house, to which reference has been made is that for which the sanction of Government was granted on the 25th June 1833 and relation to which a letter was addressed to Government from this Office on the 26th May 1835 noticed by Government in their order of the 24th July 1835 No 529.

3 Different subjects having been entered upon by the acting Register in charge in the letter of which an Extract only is now forwarded his attention has been requested to the Circular Order of this Court dated 9th September 1830 requiring separate letters to be written on separate subjects.

13th May 1836.

(Signed) G. L. Prendergast

Asst Dy Register

Toungdaree Diary 15th May 1836

No 567

To The Chief Secretary to Government

Sir,

From a correspondence which has passed between this Court and Acting Joint Criminal Judge at Gunture it appears that the completion of the new Gaol now in progress at that Station will be delayed for a very considerable time if a larger number of Convicts than are at present available at Gunture, can be placed at the disposal of the Superintending Engineer and as the Judges of the Court of Sessions Adelaide attach much importance to the new Gaol at Gunture being completed at as early a period as possible they direct me to solicit the sanction of the Governor in Council for the transfer from the Gaol at Bellary to that of Gunturpoor Convicts to be accompanied by the usual Establishment of Peons.

Bellary Peons directed to submit at the nearest Station from which it can be practicable to hasten for any considerable number of Convicts and from the number at present in confinement at that Station the Gaol at Gunture can be conveniently supplied with the additional hands required by the Superintending Engineer.

13th May 1836.

(Signed) W Longhurst
Register

No 571

To The Criminal Judge of Nellore

Sir,

Peons directed by the Judges of the Sessions Adelaide to forward to you the accompanying Petition received from certain persons representing themselves to be proprietors belonging

Toungdaree Diary 16th May 1836

to the Zillah Court of Cuddapah but recently transferred to that of Nellore with the Convicts employed in Manufacturing paper in the Gaol under your charge, and to request that you will, at your earliest convenience, submit an explanation relative to the allegations therein contained.

You will be pleased to return the Petition to this Office

16th May 1836.

(Signed) J. H. Dawson
Actg Asst to the Regr

To

1572

The Provincial Court of Circuit
Centre Division

Gentlemen,

With reference to your letters under dates the 28th March and the 25th Ultimo, and their enclosures, from the Joint Criminal Judge at Cuddalore, requesting sanction for the disbursement of 200 Rupees for the repair of the outer wall of the Gaol at Cuddalore, and explaining the circumstances which have rendered the repair necessary, I am directed to return the "estimate" forwarded, together with a Copy of the order of Government dated the 30th Ultimo sanctioning the same and of the letter from this Court to Government recommending that the sanction solicited might be granted and stating the opinion of the Judges on which it will be seen the Government have concurred, that Mr Morehead is "deserving of great commendation for the measures adopted by him with a view to render the Gaol at Cuddalore commodious and secure."

You will be pleased to convey Copies of the above papers to Trunkeys.

16th May 1836.

(Signed) G. L. Prendergast
Asst Dy Regr

Fayduree Diary 16th May 1836

To

No 573 The Provincial Court of Circuit

Gentlemen,

I am directed by the Judges of the Court of Enquiry Northern Division,
Adelaide to acknowledge the receipt of your letter of the 25th Ultimo
and also enclosure from the Criminal Judge at Bhurtpore requesting
sanction for the outlay of Rupees 65 8 0 for building a bridge
over a portion of the road "now making two roads leading to Jeetum"
and of Rupees 22 for making Plan for the intended erection of
Paper and for repairing the Sub Gaol, and to state that
Government were pleased under date the 9th Instant to
Sanction the disbursement of Rupees 87 for the purposes
above mentioned.

16th May 1836

(Signed) G. L. Prendergast
Secy to Govt

No 574 To The Chief Secretary to Government No 104

Sir,

With reference to my letter of the 9th Instant
No 100 I am directed by the Judges of the Fayduree Adelaide Court
to state for the information of the Governor in Council that
the Officer in charge of the Convicts at Jeetum has reported
that "the General Division has increased the Jeetum to
its former strength."

16th May 1836.

(Signed) F. H. Dawson
Wg Asst to the Regr

Fayduree Deary 16th May 1836

No 105

To

No 575 The Chief Secretary to Government

Sir,

With reference to the order of Government No 949
dated the 11th December 1835 directing that the Acting Court
of Criminal Judge of Gyantore be instructed to ascertain and report
whether the proprietor of the Court House at that station is willing
to make the additions to the building proposed by Mr Waters,
the late acting Second Judge of Circuit in the Northern Division
in his letter of the 2d November 1835, "on condition of an augmen-
tation being allowed on the rent," I am directed by the Judges of
the Fayduree Adelaide to forward to you to be laid before the
Governor in Council for his orders, the annexed copy of a letter
dated the 4th and received on the 11th instant, through the Pro-
visional Court of Circuit in the Northern Division from the
acting Court Criminal Judge of Gyantore, reporting that
Rajah Mulwanjee Lutchmiah, the proprietor of the house in
question, has expressed her willingness to provide a new building
for the convenience of the Court of Circuit "on condition of receiving
"an addition of thirty Rupees to the fifty Rupees now paid her
monthly."

I am directed to state that in explanation of the
delay which has occurred in submitting the requisite information,
the acting Court Criminal Judge on the 16th March last
reported that up to that date no reply had been received from
the owner of the house, and that the calls for information relative
to the proposed arrangement, had been in consequence repeated.

16th May 1836.

(Sig'd) F. H. Dawson
Wg Asst to the Regr

No 576

No 116

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Trincomalee to transmit to you translation of a commission from the Native Criminal Judge of Seven reporting his having committed a case for Trial before the Court of Circuit and with reference to the order of Government dated the 26th of January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to cause that the prisoner named in the margin and charged with the crime set opposite his name be forwarded to the Native Criminal Court at Trincomalee for trial by the Court of Circuit.

16th May 1836.

(Signed) W Douglas

"Mudliar" Murder

No 577

To Lieut. Thompson

Sir,

I am directed by the Judges of the Court of Trincomalee to transmit to you translation of a commission from the Native Criminal Judge of Seven reporting his having committed a case for Trial before the Court of Circuit and with reference to the order of Government dated the 26th of January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to cause that the prisoner named in the margin and charged with the crime set opposite his name be forwarded to the Native Criminal Court at Trincomalee for trial by the Court of Circuit.

16th May 1836.

(Signed) W Douglas

Copy of the J. to 18th April 1836

From the Chief to Govt dated 26th April 1836

To Do Do 3d May 1836

From Do Do 9th May 1836

Court of Trincomalee Mudaliar to transmit to the Chief Secretary to Government translation of a commission from the Native Criminal Judge of Seven reporting his having committed a case for Trial before the Court of Circuit and with reference to the order of Government dated the 26th of January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to cause that the prisoner named in the margin and charged with the crime set opposite his name be forwarded to the Native Criminal Court at Trincomalee for trial by the Court of Circuit.

16th May 1836.

(Signed) W Douglas

No 578

To The Magistrate of Batticaloa

Sir,

I am directed by the Judges of the Court of Trincomalee Mudaliar to inform you that on their recommendation Government were pleased under date the 11th instant to sanction the Statement which accompanied your letter of the 28th Ultimo of charges not estimated but actually incurred under (20) Twenty Rupees in the District of Batticaloa during the Quarter ending the 31st March 1836 amounting to Rupees (50—to 10) Fifty annas four and pice ten.

16th May 1836.

(Signed) J. W Davidson

Asst to the Regr

No 579

To The Acting Second Commissioner Judge at Manaar

Sir,

With reference to the 5th paragraph of the letter from this office of the 30th Ultimo acknowledging the receipt of your report of the escape of the prisoner Tolabi Veerapatchi I am directed by the Judges of the Court of Trincomalee Mudaliar to acquaint you that Government were pleased under date the 9th Instant to authorize you to offer a reward of Rupees (25) twenty five for the recapture of the runaway prisoner.

16th May 1836.

(Signed) J. W Davidson

Asst to the Regr

No 107

N°582

To The Chief Secretary to Government

Ser.

1 I am directed by the Judges of the Court of Joydaree Adawlut to transmit to be laid before Government the accompanying copy of a letter from the Provincial Court of Circuit Northern Division, dated the 30th Ultimo, and of the correspondence enclosed in it relative to certain proposed alterations in the Mint at Masulipatam together with the original "Plan" and estimate forwarded.

2 The Judges concur in the view of the Acting Superintending Engineer and accordingly beg leave to recommend the expenditure of which he has furnished an estimate and by which a very great improvement in the Mint will be effected. Viz. for repairing the floors of the Coining & Refining Rupees 357 – 4 – 6 for raising the necessaries attached to each mint forming a total of Rupees 750 – 13 – 2.

3 Deducting however the amount subscribed by the acting Superintending Engineer proposes to allow for the labor of the convicts the sum for which the Sanction of Government is solicited will not exceed Rupees 598 – 1 – 6 as noted in the margin.

× 357 – 4 – 6
Deduct 90 – 10 – 4
267 – 3 – 2.
392 – 8 – 8
62 – 10 – 4
330 – 14 – 4
598 – 1 – 6

4 The raising the floor of the Mint offices to the Judges to be unquestionably desirable and they think the improvement by the contribution of "rupees" would be considerably greater than by the adoption of the suggestions of the Provincial Court contained in the 1st Paragraph of the letter of the 30th Ultimo.

Joydaree Diary 17th May 1836

5 The Manufacture of the Sunbules proposed by the Acting Joint Committee Suspicions not in the opinion of the Judges be carried into

17th May 1836

(Signed) G L Prendergast
Senior Dy Regr

N°583

To The Provincial Courts of Circuit in the Central Northern & Southern Divisions

Gentlemen,

1 I am directed by the Judges of the Court of Joydaree Adawlut to request that you will with the least practicable delay obtain from the several officers in charge of Salt in your Division wherein Paper is Manufactured, a report of the process in use in the Salt and the quality of the article produced, its cost, and generally any information as to the introduction & success of the manufacture that may be useful to the Committee sitting at the Presidency of Bengal to enquire into the subject of future exception.

Both the Reports Specimens of the different kinds of paper manufactured in the Salts should be submitted.

2 You will be pleased to lay the Reports and the Specimens of Paper before the Judges so soon as the same may be collected in your Division.

17th May 1836 (N°108)

(Signed) G L Prendergast
Senior Dy Regr

N°585

To The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Joydaree Adawlut to report for the information of the Governor in Council that with the exception of the Report prescribed by Section XXXVII Regulation VII of 1803 and the business in arrear of which the preparation of the Records was with the Provincial Court the whole of the business connected with Mr Hay's late Circuit in the Northern Division has been brought to a close.

2 Immediately upon its receipt — in this Office a Copy of the extract from the Minutes of Consultation in the Judicial Department under date the 1st March 1836 was furnished to Mr Hay and with reference to the second paragraph of the extract that Gentleman was apprized that he was expected to bring the business of his late Circuit to a close by the 31st of March. This period was subsequently extended to the 15th April upon Mr Hay representing that he had found it necessary to repair to Masulipatam with the view of referring to the Records which he had lodged

hoped in that Court and that on his arrival at that station he found that the Mahummedan Law Officer whom it was requisite to consult was then on Circuit with the first Judge of the Provincial Court.

3 The period which has elapsed since the 15th April, has been necessarily occupied by Mr. Wise in carrying into effect the more recent orders of the Foujdaree Adalut consequent upon that Gentlemans application for authority to pass Mitigated Sentences in various cases tried by him during his late Circuit.

18th May 1836

(Signed) J. H. Davidson
Actg Asst to the Register

No. 110.

To

No 605 The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of the orders of Government No 432 under the 16th May 1836 in which it is requested that the name of the Defendant alluded to in the fifth paragraph of my letter of the 9th instant may be reported, and that the nature of the misconduct attributed to him, may be more fully explained.

2 In reply I am directed to state that the name of the Defendant is Tencotachellum Moodeliar, and that the nature of the Misconduct imputed to him is explained in the following extract from the remarks of the First Judge of Circuit on the Trial, as recorded in the Calendar.—"The Defendant who examined the corpse the fourth witness, by his own acknowledgment made a very superficial examination. He declares he had not the body turned in order that he might examine the whole of it, but seems to have been contented with seeing one wound only on the belly, which appeared to have been made by a spear and pierced right through the body. The conduct of this Defendant is very blameable, and his not having examined the whole of the body must be regretted, because the witnesses who allege having seen the

perpetration

perpetration of the Murder, declare that six persons also deceased with spears all along the back from the neck down to the end of the back bone. If the fourth witness had caused the body to be turned the truth or otherwise of this Statement must have at once appeared.

21st May 1836. (Signed) J. H. Davidson
Actg Asst to the Register

To

No 606 The Acting Assistant Criminal Judge in charge of the Zillah Court of Rajahmundry

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 20th instant, soliciting their orders on an application from the Officer commanding Samulcottah for an advance of Eighty Rupees for repairing the temporary Jail that at that Station: stating "with reference "to the temporary employment of the Naib Jailor at Samulcottah "as directed in the orders of the Foujdaree Adalut under date "the 6th May 1835, that the want of such an officer is the cause "of great inconvenience; and requesting "the permission of the "Court to employ a fit person in his place and also a Duffadar "in the room of the one who has been transferred to Samulcottah".

The application for the advance of eighty Rupees will be submitted to Government with the Courts recommendation in its favour.

It is presumed that the "Deputy Jailor" who in the letter from the late Register of the 6th May 1835, was ordered to be transferred to Samulcottah, is the same person who in the Statement appended to my letter of the 25th June 1836 is

designated

designated "Jamadar" but in your letter of the 27th March last, you
"bring to notice the misconduct of the Jamadar and report that having
"no longer "the least confidence in him you have been obliged to
"dispense with his services" a measure which on the third
principle of their proceedings under date the 6th Ultimo, the
Toungdaree Adalut signified their approval as it was fully competent
to you to appoint another person in the place of the discharged
Jamadar the Judges do not comprehend the necessity of the present
reference at the same time they are not aware of the authority on
which upon the transference of the "Deputy Scales" to Ramree that
a "Jamadar" was retained at Rajahmundry, and desire you to state
that you will submit an explanation on these points.

With respect to the Duffadars
observe that the orders
one Duffadar to every twenty five persons, should be observed.

23d May 1836.

(Signed) J. H. Dunsmore
Wt Asst to the Register

To

No 807 The Chief Secretary to Government No 111

Sir,

I am directed to forward to you to be laid before the
Governor in Council, the accompanying copy of a letter dated the
26th Ultimo, received through the Acting Assistant Commissioner
in charge of the Zillah Court of Rajahmundry from the Officer
Commanding Samulcottah, who represents that the Sub Room at
that Station appears urgently to require repairs to the
mandoor and requests an advance of eighty (80) Rupees for that purpose
I am directed to recommend that the Acting Assistant Commissioner be authorized

to advance the sum of eighty Rupees to enable Major Sargent to
execute the repairs in question.

23d May 1836.

(Signed) J. H. Dunsmore
Wt Asst to the Register

Tongdaree Dacoy 23d May 1836

To

Nº 610 The Magistrate of Chingleput

Sir,

The return shewing the Manner in which the Convicts confined at Pmamallee were employed during the Month of April last not having been yet received in this office I am directed by the Judges of the Court of Tongdaree Adawlut with reference to my letter dated the 23d Ultimo to request that the Statement may be prepared and submitted without further delay.

Signed W. Douglas

Register

23d May 1836.

To

Nº 611 The Acting Criminal Judge in the Zillah of Bellary

Sirs,

1 The Judges of the Court of Tongdaree Adawlut having received the Sanction of the Governor in Council for the transfer from the Said under your charge to that of Guntoor of 100 Convicts for the purpose of being employed on the new Road now constructing at that Station, I am directed to request that the necessary measures may be taken by you for that purpose without delay, transmitting together with the Convicts the usual Complement of Said Bons.

2 You will be carefull not to select for transfer to the Said at Guntoor any Convicts of desperate character but as many who sentences have to run from 2 to 7 years as possible.

3 The Judges desire you will advise the Said Criminal Judge of the departure of the Convicts for Guntoor.

Signed W. Douglas

23d May 1836

Register

To

1262 The Criminal Judge of Chingleput

Returning the Summons sent up in his letter of

the

the 16th Instant with an endorsement by the Nazir of this Court.

(Endorsement Letter No)

To

No 613 The Acting Joint Criminal Judge at Masulipatam

Sir,

I am directed by the Judges of the Court of Foujdaree Adawlut to acknowledge the receipt of your letter of the 13th Instant submitting certain further information relative to the escape of the prisoner Tolah Veerapah reported in your letter of the 30th Ultimo and dated the 15th Ultimo.

It appears to the Judges that the Rev. Abdy Adynarayden was guilty on the occasion in question of gross neglect of duty and that he ought to be punished under Section XI Regulation XIII of 1832.

With reference to the following passage in your letter under reply "The reason of my not taking notice of this (the Jailor's) conduct is that few of the guards were employed on other duty viz. four in attendance on the Court one on the Medical Officer, two in watching the back sides or on other two on the Concapoly for the measuring and care of the rice in the fort and puttah goods and two barbers." I am directed to observe that the arrangement thus described was most improper and unjustifiable you will be pleased to cause an immediate stop to be put to it and adopt measures to ensure in future no guard Peon being employed excepting for such purposes

I am desired to forward the letter of the Senior Deputy Register of the 30th Ultimo which was accidentally

without signature now duly signed.

23d May 1836. (Signed) G.L. Prendergast

Senior Dy. Regr.

To (No 613)

No 619 The Chief Secretary to Government

Sir,

I am directed by the Court of Foujdaree Adawlut to acknowledge the receipt of an extract from the Minutes of Consultation under date the 10th of March last requiring the Judges to report whether any and what number of Convicts are available in the Neighbouring Jails for transfer to Coimbatore and to state any observations that may occur to them on the recommendation of the Military Board Viz. that the original estimate for the repairs to the Coimbatore Jail and Court House be sanctioned in full, and if any aid can be derived in the progress of the work by Convicts that credit be given for its value in the final Bill of the Superintending Engineer.

To enable the Court to furnish the information required in this Extract from the Minutes of Consultation, the Acting Joint Criminal at Coimbatore was called upon under date the 26th of March last to report if there were any buildings at Coimbatore in which convicts to be transferred from a Neighbouring Jail could be secured while the repairs to the Jail are in progress, as in the event of any suitable building for the purpose being available, and the Acting Joint Criminal Judge still unable to supply the Superintending Engineer with Convicts to aid in the construction of the Public Works carrying on at that Station, it was the intention of the Foujdaree Adawlut to transfer to Coimbatore a sufficient

Number

number of Convicts from the Gaol at Madura.

From the reply made by the Acting Head Assistant on the 19th instant, it appears that the only vacant Cell being one "is a Chunkey in front of the Court House, which in the course of one "month might be made tenable for 80 or 90 prisoners," our retention of the Thatched room for the use of the Peons during the Night accompanied the acting Joint Criminal Judges letter, and the enquiry of this office in the event of his deeming it advisable that the number of prisoners for whom this building will afford accommodation should be transferred from the Gaol at Madura to the charge of the Head Assistant Judge at Coimbatore.

With reference to the recommendation of the Military Board adverted to in the extract from the Minutes of Consultation now under acknowledgment, the Court of Tuyjdaree Adalut would respectfully recommend that a sufficient quantity of materials should be purchased to enable the Superintending Engineer immediately to commence upon the repairs to the Gaol and Court House.

The preparation of all the materials by the 50 Convicts available for this purpose at Coimbatore will, the acting Joint Criminal Judge states, require "something more than a year and a half" and the additional hands which it is proposed should be transferred from the Gaol at Madura will probably be found little more than sufficient to bring from the kilns Bricks and other materials in sufficient quantities to provide full employment to the masons and bricklayers employed by the Superintending Engineer.

24th May 1836.

(Signed) H. Dowdeswell
Senior Dy Register

To

No 620 The Provincial Court of Circuit Centre Division.

Gentlemen,

I am directed by the Judges of the Court of Tuyjdaree Adalut to acknowledge the receipt of your letter of the 16th Instant transmitting agreeably to their instructions of the 13th Ultimo the result of your enquiry upon the report of the escape from the Gaol at Cumbum of the prisoner Wadda Dichegaundo.

The Judges approve of the dismissal of the Gaoler Rufeerkhan. They observe from the return enclosed in your letter now under reply, that the provisions of Section VII Regulation VIII of 1827, which require that whenever that the Native Judge shall commit a prisoner for trial before the Court of Circuit he shall immediately send such person to the Criminal Judge of the Zillah, are not observed, and they accordingly deem it proper to direct that the Native Criminal Judge be required to transfer forthwith all committed prisoners and to explain why the provisions of that Regulation have not been attended to.

24th May 1836.

(Signed) G. L. Prendergast
Senior Dy Register

To

No 622 The Provincial Court of Circuit Southern Division.

Gentlemen,

With reference to your letter of the 10th Ultimo forwarding copy of a communication from the Officer commanding on the Neilgherries submitting Original Bills of expences incurred in feeding the orphan child of a convict named Robbin from the 24th August 1835 to the 31st March 1836 amounting to Rupees 14 7 6 and to your letter of the

the Governor in Council has been pleased by an Order in Council dated the 21st instant to authorize the Native Criminal Judge of Tirore to forward "Mustien" charged with the Commission of Murder to the Native Criminal Court at Tirore for the purpose of being tried by the Court of Circuit.

25th May 1836. (Signed) W Douglas
Register

To

The Criminal Judge of Malabar

Sir

I am directed to return to you the accompanying

1 "Memorandum" which reached this Office on the 23d instant.

2 There is nothing to shew on what occasion the "Palenkeen Bearers" were employed or why the travelling Expences of Mr J Cushington form a subject of payment to the Tou-

Toujdaree Adaulut

25th May 1836 (Signed) T H Davidson
Head Assistant to the Regr

(No 114)

To

The Chief Secretary to Government

Sir

I am directed to request that you will lay before the Governor in Council the accompanying original list received on the 24th instant from the Criminal Judge of Combaconum of articles required for the use of the Convicts in the Jail at that Station, and to state that the Judges of the Toujdaree Adaulut recommend that Sanction be granted for the expenditure of Rupees (25-12) Twenty five and annas twelve-

26th May 1836. (Signed) T H Davidson
Asst to the Register

the 23d Instant transmitting an explanation of the circumstances which rendered the disbursement necessary I am directed by the Judges of the Toujdaree Adaulut to acquaint you that Government were pleased under date the 16th Instant to sanction the Bills in question

I am desired to add that the Magistrate of Trichinopoly has been directed to cause enquiries to be made as to there being any relatives of the Child in that District able and willing to take charge of it-

25th May 1836-

To

No The Acting Register in charge of the Zillah Court at Rajahmundry

Sir,

With reference to your letter dated the 4th instant I am directed by the Judges of the Toujdaree Adaulut to acknowledge the receipt of your letter of the 2d instant and to request you to rent a building at a monthly charge of Rupees 20 for the use of the Circuit Court and afterwards for that of the Zillah Court pending the repairs to the present Court house" as settled by the Judges of the Court of Toujdaree Adaulut to acquaint you that Government were pleased under date the 20th Instant to authorize you to dis burse the sum of Rupees 13 in making four hundred earth "for records"

25th May 1836.

(Signed) G L Prendergast
Asst to Register

No 625 To The Provincial Court of Circuit Western Division

Gentlemen,

With reference to your letter dated the 4th instant I am directed by the Judges of the Toujdaree Adaulut to inform you that under the provisions of Section III Regulation III of 1827

Tongdaree Diary 26th May 1836

(N° 115)

N° 632 To The Chief Secretary to Government

Sir,

With reference to the Order of Government dated the 11th August 1835 I am directed by the Judges of the Court of Tongdaree Malabar to transmit to you for the information and Special Sanction of the Governor in Council a Statement prepared for the 4th Quarter of the present year exhibiting all payments made by the Criminal Judge of Cuddalapah under the authority of the Tongdaree Malabar, for bringing up the Children of Convicts in cases where there were no relations nor others willing to take charge of them -

26th May 1836 -

(Signed) W. Douglas

Registr

(N° 116)

N° 633 To The Chief Secretary to Government

Sir,

With reference to the extract from the Minutes of Consultation under date the 7th instant I am directed by the Court of Tongdaree Malabar to state that the Judges are unable to furnish the information required in the letter from the Secretary to the Government of Bengal of the 20th Ultimo on the System of employing Convicts in Consideration bodies sleeping at night in Irons or huts at a distance from the Jail, in the construction of Roads or other public works has been obtained under this Presidency.

26th May 1836 -

(Signed) W. Douglas

Registr

N° 634 To The Acting Assistant Criminal Judge in charge of the Court at Cuddalapah

Sir,

I am directed by the Judges of the Court of Tongdaree

Malabar to acknowledge the receipt of your letter of the 13th Instant submitting a further explanation of the circumstances under which the Disbursement for the Child of an deceased female Convict (Boya Bogga) was incurred, and to convey to you their Sanction for the (Sicca) rupees inclusive.

(Signed) W. C. Rendergast

Senior Dy Registrar

26th May 1836

N° 635 To The Provincial Court of Circuit for the Western Division

Gentlemen

I am directed to acknowledge the receipt of your letter of the 13th instant, reporting that you have instructed the Criminal Judge of Malabar to transfer from the Said Court to the Criminal Judge of Tellicherry, Subject to the charge of the Thana Criminal Judge of Tellicherry, the only convicts to be employed on certain works rendered urgently necessary by the near approach of the Monsoon.

The Judges of the Tongdaree Malabar are desirous that the result of the application to the Criminal Judge should be communicated to them as soon correspondence which took place during the latter part of last year, relative to the transfer of some Criminal convicts to the charge of the Magistrate to be employed at Pauloghat they have reason to apprehend that it will not be in the power of the Criminal Judge to comply with the request of the Provincial Court

26th May 1836

(Signed) T. H. Dominion

Assist to the Registr

N° 636 To C. B. Wray Esquire

Sir,

I am directed to inform you that the Court of Tongdaree Malabar

Toujdaree Diary 26th May 1836

Abdullah having reported to Government the progress you have made towards bringing to a close the business connected with your late circuit in the Northern Division, the Governor in Council was pleased under date the 23d instant to permit you to resume your appointment of Judge and Criminal Judge of Rajahmundry and to draw the allowances of that Office from the date of your assuming charge of the Zillah Court which you will report for the information of the Offices of Account and Audit.

26th May 1836

(Signed) F. W. Davidson
Regr to the Board

To

No 637 The Provincial Court of Circuit in the Northern Division

Gentlemen,

With reference to your letter of the 6th instant I am directed by the Judges of the Toujdaree Adawlut to request that you will instruct the acting Joint Criminal Judge of Guntoor to call upon the Superintending Engineer to state his opinion whether the increased rent demanded by the owner of the Court House at that Station, for providing the required additional accommodation is reasonable or otherwise.

26th May 1836

(Signed) F. W. Davidson
Regr to the Board

To

No The Acting Joint Criminal Judge at Guntoor.

1 With reference to your letter dated the instant I am directed by the Judges of the Court of Toujdaree Adawlut to inform you that having received the sanction of Government for the transfer to the Court under your charge of 100 Convicts from the Jail at Bellary instructions have been issued to the Criminal Judge at that Station

Toujdaree Diary 27th May 1836

requiring him to dispatch this number of Convicts to Guntoor without delay.

2 The Criminal Judge of Bellary has also been instructed to apprize you of their departure.

3 Referring however to your letter dated the 28th of March last the Judges do not deem it expedient that a portion of the prisoners transferred to your charge from Bellary should be those who commenced the Convicts now at Guntoor in the act of making paper the early completion of the new Jail the Judges deem to be of the utmost importance and until that work be finished the prisoners transferred for the special purpose of aiding in its construction ought not in their opinion to be otherwise employed.

27th May 1836 (Signed) H. Douglas
Register

To

No The Acting 1st Judge of the Provincial Court of Circuit in the Southern Division

Sir,

I am directed by the Judges of the Court of Toujdaree Adawlut to transmit to you, in reference to the proceedings of this Court of the 29th of February last and the extract from the Minutes of Consultation thereon under date the 29th of March last, a Copy of an extract from the Minutes of Consultation under date the 21st instant as also of the enclosures being the explanations of the Magistrate and his assistants relative to their proceedings in the several instances animadverted on by you in your Circuit Report for the 2d Session of 1835.

27th May 1836. (Signed) H. Douglas
Register

Tongalane Diary 30th May 1836

No 653

To The First Judge on Circuit in the
Northern Division
Sir,

I am directed to acknowledge the receipt of your letter of the 30th Ultimo, stating that Petitions have been presented to you by two females named Sungaree Lutchmee and Sungary Anhamah, each praying that the Sum of Money on which the robbery charged in Exhibit No 3 of the Rajahmundry Calendar was committed, may be ordered to be delivered to her -

2. Under all the circumstances of the Case the Judges of the Tongalane Adalat are of opinion that the question of Right to the property in dispute must be decided by a civil Suit to be instituted by the Petitioner Sungary Lutchmee; and that when the action is brought the Money should be paid into Court (not actually but formally) and retained in charge of the Collector -

30th May 1836

(Signed) E. H. Davidson
Asst to the Agent

No 655 To The Judge in the Zillah of Chittoor

Sir

With reference to your Return of the 28th October 1835 to the Precept of the Provincial Court of Circuit for the Centre Division, relative to the qualifications of the Subordinate Medical Servants attached to the Zillah Court of Chittoor in which you remark that Mr Assistant Surgeon Simpson "does not appear to have given satisfaction to anyone who has been necessitated to call upon him for his medical assistance" I am directed by the Judges of the Fouydaree Adawlut under instructions received from Government, to forward to you for your information and guidance, the accompanying Copy of paragraphs 6 7 8 and 9 of a letter from the Medical Board to the address of the Right Honorable the Governor in Council and of the minute from the Member of Consultation on the Judicial Department under date the 24th May 1836.

30th May 1836

To

(Signed) T Dickinson
Deputy to the Registrar

No 660 The Acting Joint Criminal Judge at Guntoor

Sir,

I am directed by the Judges of the Court of Fouydaree Adawlut to acknowledge the receipt of your letter of the 20th instant requesting sanction for the disposal by sale by order of the Magistrate of property which has accumulated during the last 5 years, and is now in deposit in and about the Court House.

The Judges direct that if no heirs claim the property the same be forwarded by you to the Magistrate with a request that they

may be published by the different Police Officers throughout the District and that it be notified that such property will be sold unless claimed before a certain date to be fixed by you and made known in the advertisement.

Such of the property in No 2 as is not claimed by prisoners now in Court should be also Notified in the same manner but such property as is claimed by prisoners should not be disposed of until the release of the prisoners respectively, when if there is nothing to show that it was not belong to them it should be restored.

The articles of property described under the 6th head the Court of Fouydaree Adawlut desire may be forwarded to the Arsenal at Masulipatam by the first convenient opportunity a list thereof and a report of the circumstances being made by you to the Chief Secretary to Government.

31st May 1836

(Signed) H Douglas
Registrar

To

No 661 The Magistrate of Chingleput.

Sir,

I am directed to acknowledge the receipt of your letter of the 25th instant submitting for the orders of the Court of Fouydaree Adawlut a copy of a communication from the Criminal Judge of Chingleput, relative to a woman named Nulky, sent up by the Tahsildar of Conjeveram as an witness for the prosecution in Case No 79 of 1836, but who appears to the Criminal Judge from the evidence given by her before that Officer "to be as deeply implicated in the Crime as any of the other persons who are charged".

Sir

Page 79 of the printed Copy

No.

Tongidaree Diary 31st May 1836.

To the Hon.ble Thos. Lewis &c &c &c

Sir

Answer of the Court of Tongidaree Udalut dated the 31st October 1835 in which it is stated that in the Regulations under the Provisions with the cognizance of such charges only as may be referred by a Magistrate, or some other Officer under the Authority, the institution of proceedings against a party, on the Criminal Judges or Joint Magistrate, who may happen to have on the charge upon investigation, as not competent to the offence and that upon the third of the said month the Magistrate in order that the irregularity of the proceedings may be duly noticed and after the case of this Court, in order that if there should be found sufficient Magistrate, a charge may be regularly instituted against the

31st May 1836.

Sydney B Smyth

Register

No 664.

Tongidaree Diary 2d June 1836.

To The Magistrate of

Malabari

Sir.

I am directed by the Judges of the Joint Tongidaree Udalut to acknowledge the receipt of your letter of the 23rd May 1836 forwarding for their orders a Copy of a letter from the Joint Criminal Judge at Tellichery, requesting you to pay to the Jailor of the Auxiliary Court the reward of 1200 Rupees offered by the Proclamation of the 1st of June 1833 for the discovery and apprehension of the parties concerned in the Murder of Bidigail Morsaind on the night of the 21st of February 1833, and to state that the Judges are not aware upon what grounds the Jailor is considered to be entitled to the reward in question.

2d June 1836.

Signed W. Douglas

Register

No 665.

To.

The Provincial Court of Circuit for the

Northern Division

Gentlemen.

I am directed to acknowledge the receipt of your letter dated the 30th April 1836, submitting for the consideration of the Court of Tongidaree Udalut a copy of a correspondence between the Acting Joint Criminal Judge of Masulipatam, the Medical Officer attached to the Auxiliary Court, and the Acting Superintending Engineer in the Northern Division, together with a plan and Estimates of certain proposed improvements considered necessary in the Jail at that station.

In

2 In laying the correspondence before the Government the Judges of the Fouydaree Udalut expressed their opinion that the raising of the floor of the Jail was unquestionably requisite; and that the construction of necessaries as proposed by the Acting Superintending Engineer and approved by the Medical Officer, was preferable to the measure suggested by the Provincial Court in the seventh paragraph of their letter under reply--

3 And the Governor in Council was pleased by an order in Council under date the 24th May 1836, to signify his approval of the alterations "proposed by the Acting Superintending Engineer to be made in the Jail at Masulipatam" and to sanction "the disbursement of a sum not exceeding Rupees "/598-1-6/ Five hundred and Ninety eight, ana one "and puce six on this account"--

4 The Governor in Council was further pleased to intimate his Concurrence in the opinions of the Fouydaree Udalut that the modification of the Jail rules proposed by the Acting Joint Criminal Judge, is inexpedient--

2nd June 1836-- /Signed/ J. H. Davidson
Head Asst to the Register

№669- To, The Criminal Judge at Combaconum

Sir,

1 I am directed by the Judges of the Court of Fouydaree

Udalut to acknowledge the receipt of your letter of the 21st Ultimo forwarding a list of Articles required for the use of the Convicts in the Jail under your charge and requesting sanction for the expenditure of Rupees 25-12, and to return the list, the Government having been pleased to sanction it under date the 30th Ultimo--

4th June 1836 /Signed/ G. L. Prendergast
Senior Deputy Register--

№670- To, The Acting Assistant Criminal Judge in charge of the Court at Rajahmundry

Sir,

1 With reference to the letter from this office dated the 23rd Ultimo acknowledging the receipt of your communication of the "30th April 1836" I am directed by the Judges of the Court of Fouydaree Udalut to acquaint you that Government were pleased, under date the 30th Ultimo, to sanction the advance of eighty Rupees for the repair of the temporary building occupied by the Convicts transferred to the charge of the Officer Commanding Samulcottah--

4th June 1836 /Signed/ G. L. Prendergast
Sent Dept Regr

To

№ 671. To.

The Provincial Court of Circuit for the

Gentlemen. Southern Division

1 With reference to yours letter of the 16th Ultimo I am directed by the Judges of the Foydaree Udalut to request that you will inform the Acting Joint Criminal Judge of Coimbatore that Government were pleased under date the 30th Ultimo to sanction the Estimate (which accompanied Mr Daniells letter of the 30th April last) amounting to Rupees (171— Seventeen; for repairs required to the Choultry proposed to be taken up for the reception of Convicts at that station: and issue the requisite instructions for the transfer of Ninety Convicts from the Jail at Madura to Coimbatore, so soon as the building in question may be ready for their reception, of which, it will be the duty of the Acting Joint Criminal Judge to give timely Notice to the Acting Criminal Judge of Madura. —

2 You will be pleased to desire the Acting Criminal Judge of Madura to report through the Provincial Court of Circuit for the information of the Foydaree Udalut the date on which under these instructions, the Convicts above referred to, may be dispatched from the Jail under his charge.

3 It is presumed that the use of the Choultry in the manner proposed will not be attended with inconvenience to the Public.

4 In conclusion, I am directed to state for the information and future guidance of the Provincial Court and also of the Acting Joint Criminal Judge of Coimbatore, that the Governor in Council has observed that the total amount of the repairs of the Choultry, is inserted in the Estimate, only in figures, and has desired that in future the totals of all Estimates like Bills may be written in words at full length.

4th June 1836. (Signed) J. M. Davidson

Hd Asst to the Regt

№ 672 To.

The Acting Criminal Judge of

Bellaree.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 27th Ultimo, soliciting permission to apply to the Military authorities for a guard, Native Dresser, and Equipage (three Tents with a Lascar and Bullocks and two Dhoolies and Bearers) to accompany the one hundred Convicts directed to be sent from Bellaree to Guntoor under the orders of the Foydaree Udalut conveyed in their Registers letter of the 23rd Ultimo and in reply to state that the application is unusual and unnecessary, and cannot therefore be complied with.

2 Should you be of opinion that the whole party cannot with safety be dispatched from Bellaree at one and the same

time

time, you are at liberty to use your discretion in subdividing it into 3 or 4 Gangs; allowing a brief interval of time to elapse between the departure of each.-

3 Each Gang should be accompanied by the prescribed Complement of Jail Peons and a Duffadar to be assisted by an Extra Guard of Peons &c from the Magistrate to whom you should apply forthwith for the requisite assistance.-

4 It will also be your duty to ascertain the proper stations at which the Convicts may halt on each day, and give the necessary instructions on that point to the Duffadars in charge of each party.-

4th June 1836.- (Signed) J. H. Davidson

Head Asst to the Registr

No 675. To,

The Acting Assistant Criminal Judge
in charge of the Zillah Court of
Rajahmundry.

Sir,

I am directed to acknowledge the receipt of your letter of the 27th Ultimo, submitting further explanation on the subject of the Jail Establishment at Rajahmundry.-

2 You state that previous to the transfer of the prisoners to Samulcottah the establishment consisted of one Jailor - one Jemadar - one Naib Jailor - and two Duffadars, but that the transfer of the Naib Jailor was directed on the

the proceedings of the Foujdaree Udalut of the 6th May 1836 as a temporary measure.-

3 The Judges of the Foujdaree Udalut are not aware of the authority under which a Naib Jailor is entertained: they do not find a Servant of this description mentioned in their orders of the 25th June 1834, and desire that you will immediately report when and under what circumstances sanction was granted for his employment.-

4 In the 5th paragraph of your letter you state that the Jail Jemadar was detained at Rajahmundry on the transfer of the prisoners to Samulcottah and an Extra Jemadar employed at that station as directed in the Courts letter to the Provincial Court of the 22d June 1835.-

5 I am directed to desire that you will report whether or not when sanction for the Extra Jemadar was granted, the "Naib Jailor" was remanded to Rajahmundry: and if not, on what grounds he was detained at Samulcottah, although his removal to that station was ordered only as a temporary measure: and the Extra Jemadar was sanctioned for the express purpose of relieving the "Naib Jailor" deputed to Samulcottah.-

6th June 1836 (Signed) J. H. Davidson

Head Asst to the Regr

To.

№683. To,

The Criminal Judge at

Chicacole.

Sir,

I The Justyes of the Court of Tovydaree Udalut having sanctioned, under date the "21st March 1836." the disbursement of the sum of "Rupees one and Annas eight per Mensem" for the "support of the son of Soppaty Gowree a prisoner committed by "you to take her trial." I am directed by them to request you to forward the Quarterly Statement, expected under the Circular Order №50.

9th June 1836. (Signed) G. L. Prendergast

Senr. Depy. Registr.

№684. To,

The Acting Joint Criminal Judge at

Guntoor.

Sir,

I am directed by the Judges of the Court of Tovydaree Udalut, to request with reference to the Circular Orders №50 dated 24th August 1835 that a Statement of the Batta paid to the Child Bauva Sahib during a portion of the 1st Quarter of 1836. may be submitted without delay.

9th June 1836. (Signed) G. L. Prendergast

Senior Deputy Registr.

To

№685. To,

The Acting Joint Criminal Judge at

Vizagapatam

Sir,

I am directed by the Judges of the Court of Tovydaree Udalut to request with reference to the Circular Order №50 dated 24th August 1835, that a Statement of Batta paid to the Children of Convicts in the Jail at Vizagapatam for the 1st Quarter of 1836, may be submitted without delay.

9th June 1836. (Signed) G. L. Prendergast

Senior Deputy Register

№686. To,

The Magistrate of Salem

Sir,

The Judges of the Court of Tovydaree Udalut having sanctioned under date the 27th February 1836. the disbursement of 2 Rupees per Mensem for the subsistence of the infant child of a Convict named Madar confined in the Jail at Ryacottah I am directed by them to call upon you with reference to the Circular Orders №50 dated 24th August 1835 and 65 dated 8th March 1836 for the Quarterly Statement expected from you under date the 31st of March last.

9th June 1836. (Signed) G. L. Prendergast

Senior Deputy Register

87. To

The Judges of the Provincial Court of Circuit in the

Southern Division

Gentlemen,

I am directed by the Judges of the Court of Tovydaree Udalut to acknowledge the receipt of your letter dated the 1st Instant and to transmit to you the accompanying 12 printed

forms

forms of №3 for the use of the criminal Courts in your Division.
9th June 1836 (Signed) W. Douglas
Register

№688 To
The Acting Assistant Criminal Judge incharge of the Court
at Cuddapah.

Sir,

I am directed by the Judges of the Court of Toungdaree Ud.a
last to transmit, with the sanction of Government dated 2nd
June 1836 endorsed upon it, the "Statement of disbursements
for bringing up the Children of Convicts in cases in which no
relations or others are willing to take charge of them" for the
"1st Quarter of 1836" forwarded by you under date the 1st April last.
9th June 1836 (Signed) G.S. Prendergast
Sens.r Deputy Register

№697 To
The Acting Criminal Judge of
Bellary.

Sir,

I am directed to acknowledge the receipt of your letter of
the 26th ultimo, in which, with reference to the 4th paragraph
of the Extract from the Proceedings of the Court of Toungdaree Ud.a
last, under date the 21st ultimo, you report that the number
of the Jail Guard at Bellary will be attended with great danger,
and enclose a Statement exhibiting the present strength of the
fixed Establishment and the mode in which it is employed.

2 This Statement leads the Judges to conclude that the
duty of guarding the Jail is confined to the fixed Establishment,
and that the Extra Peons perform no Jail duty whatever, being
reserved exclusively to Guard the Convicts while at work.

3 Such an arrangement I am directed to observe, is entirely
foreign to the intentions of the Court and Government; and it has
been frequently pointed out that the services of a portion at least
of the Extra Establishment should be made available for the custody
of the Jail at night.

4 The Judges therefore desire that the instructions contained in the 4th paragraph of their proceedings of the 21st ultimo, may be conformed to without delay.—

10th June 1836 (Signed) J.H. Davidson

Head Assist to the Register

№698 To,

The Acting Assistant Criminal Judge incharge of the Zillah Court of Rajahmundry.

Sir

1 I am directed to acknowledge the receipt of your letter of the 30th ultimo, forwarding a copy of a correspondence with the Magistrate of Rajahmundry relative to the disposal of certain property supposed to belong to one Emamood deen Bentoory, Complainant in Case № 114 of 1831 wherein a charge of Highway Robbery was preferred against Baupanah Doss the (late) Hill Chief of Jolapillay.—

2 The property in question, I am directed to observe, should be restored to the individual, whoever he may be, who may be enabled to prove to the satisfaction of the local authorities, that he is the rightful owner: and in view to this the Judges of the Foujdaree Udalut are of opinion that a notification of the general description of the property might be sent to the authorities in Mysore where it is not improbable that Imam-ood-deen Bentoory may at present be residing.—

10th June 1836 (Signed) J.H. Davidson

Head Assist to the Register

№699 To

The Acting Second Judge on Circuit in the Southern Division

Sir,

1 I am directed to acknowledge the receipt of your letter of the 3rd Instant, requesting permission to revise your judgment in Case № 11 on the Salem Calendar for the 1st Sessions of 1836.

2 Under all the circumstances, the Judges of the Foujdaree Udalut are of opinion that the Trial should be referred for their consideration and final judgment, and direct me accordingly to request that you will cause to be prepared and submit in due course an English and Persian Translation of the proceedings, including all the evidence taken both previously and subsequently to the delivery of his Futwa by the Mahommedan Law Officer of the Court of Circuit.—

10th June 1836. (Signed) J.H. Davidson

Head Asst to the Regr

To

№ 122.

№700. To,

The Chief Secretary to

Government.

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to forward to you to be laid before the Governor in Council, the annexed copy of a letter dated the 13th Ultimo with the original Memorandum therein referred to, from the Acting Assistant Criminal Judge of Malabar, who solicits sanction for the payment of the travelling expences incurred by him in attending the execution of two Malefactors in the Talook of Palghaut.

Case №176 of 3d Case №84 on the Malabar Calr for the 1st Session of 1836.

2 Two Murders having been Committed, one at Kongad, and the other at Kyekumpoorum, Villages in Palghaut Talook, under circumstances of peculiar atrocity the Court of Foujdaree Udalut deemed it expedient for the sake of example to direct that the two persons to whom the charge was brought home should suffer the extreme penalty of the Law on the spot where the offences were committed.

3 The Judges beg to recommend that the charge in question, amounting to Rupees (88-3-4) Eighty eight anas three and puice fours may receive the sanction of Government.

4 Referring to the dates of the letters, I am directed

Reg:ter

to state that the "Memorandum" was in the first instance forwarded to this Office by the Criminal Judge without any letter, and that Mr Lushingtons communication was not received till the 6th Instant.

10th June 1836. /Signed/ W. Douglas.

Register.

№701. To

G. L. Prendergast Esqr

Deputy Register

Sudr and Foujdaree Udalut.

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated the 3d instant accompanied by extracts in Manuscript from such of the printed Circular Orders of the Foujdaree Udalut as refer to the duties of the Native Officers of District Police, and suggesting, should the measure be occurred unobjectionable, that the extracts be translated and printed in the Government Office and Circulated for the guidance of the Native Police.

2 The Judges have lately had under their consideration the expediency of Circulating a body of rules for the guidance of Police Officers and they have determined that the issue of a Manual of the nature proposed would be objectionable.

11th June 1836. /Signed/ W. Douglas

Register.

To

№ 123.

№ 702 To

The Chief Secretary to

Government.

Sir,

1 With reference to my predecessor's letter of the 26th August 1835, shewing that the Criminal Judge of Malabar had been authorized to delay the transfer of the 100 Convicts to the Magistrate (required by the Extract from the Minutes of Consultation under date the 30th June 1835) until after the completion of the works in progress at the Jail of that station, I am directed by the Judges of the Foujdaree Udalut to report for the information of the Governor in Council that the Joint Criminal Judge at Tellicherry having represented that "in consequence of the encroachment of the water at the mouth of the river, it has been necessary to undertake the construction of a barrier of stones paralel to the road between the two bridges of which 175 Holls have been built in the Course of one Month and 648 Holls remain to be completed, besides which a deep hollow within the barrier will have to be filled up to prevent the lodgment of water which would endanger the work" and that "the present number of working prisoners is quite insufficient to advance the work before the Monsoon, so as to save the road from the action of the water"; the Provincial Court of Circuit for the Western Division instructed the

the Criminal Judge of Malabar to transfer 60 Convicts from his Jail to the charge of the Joint Criminal Judge to be employed on the works abovementioned.

2 From the reply of the Criminal Judge which reached this Office on the 7th instant it appears that 60 Convicts were accordingly on the 18th ultimo dispatched to Tellicherry. That Officer at the same time represented that "besides the above 60, there are very few Convicts who are eligible to be sent to Palghaut the term of imprisonment of the remainder being either above two years or below six months" and requested that "as soon as the emergency noticed by the Joint Criminal Judge has been provided against the above party may be sent back to Calicut to enable him to conform to the instructions of the Foujdaree Udalut" respecting the transfer of the hundred Convicts to the Magistrate to be employed in improving the roads in the vicinity of Palghaut.

3 And the Judges of the Foujdaree Udalut have instructed the Provincial Court to take measures for the due fulfilment of the Criminal Judge's request.

11th June 1836. I have the honor to be

Sir.

Your Most Obedient Servant

Signed/ W Douglas

Register

To

№ 703. To

The Provincial Court for the

Western Division

Gentlemen,

With reference to your letter of the 31st Ultimo, forwarding a Copy of a Communication from the Criminal Judge of Malabar, reporting that he had dispatched 60 Convicts to Tellicherry, I am directed by the Judges of the Fouydaree Udalut to request that as soon as the emergency alluded to by the Joint Criminal Judge may be provided against, you will cause the party in question to be retransferred to Calicut, in order that the Criminal Judge may be enabled to conform to the instructions of Government relative to the transfer of 100 Convicts to the Magistrate, to be employed in improving the roads in the vicinity of Palghaut.

11th June 1836. (Signed) J. H. Davidson

Head Assistant to the Regr

№ 707. To,

The Provincial Court of Circuit for the

Southern Division

Gentlemen,

With reference to your letters dated respectively the 12th January and 2nd April 1836 on the subject of the employment by Europeans at Trichinopoly of professed thieves to protect their property, I am directed by the Judges

of the Fouydaree Udalut to forward to you the annexed Copy of an Extract from the Minutes of Consultation under date the 9th instant in which his Excellency the Commander in Chief is requested to cause instructions to be issued to the Officer Commanding at Trichinopoly, who is vested with authority over the Military Police, to communicate with the Magistrate upon the best plan to be adopted for the simultaneous discharge of the Havilgars employed in that Cantonment, upon the establishment of Peons that may be required to prevent Robbery and generally upon the measures necessary for carrying into effect the wishes of Government to abolish the practice of employing professed thieves as watchmen:- and to request that a Copy may be furnished to the Magistrate of Trichinopoly with instructions to place himself in communication on the subject with the Officer Commanding that station.

11th June 1836 (Signed) J. H. Davidson

Head Assistant to the Registr

№ 711. To

The Magistrate of

Nellore

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of your letter dated the 3rd instant detailing the circumstances connected with a Murder supposed to have occurred within the District of Nellore and suggesting the propriety of making an offer of a conditional pardon

6-

to one Cautumreddy Ramachendrareddy under Section XX of Regulation VIII of 1802 with the view to his being induced to make a full disclosure of all the Circumstances connected with the death of "Bhoodidee Poloyadee" and in the event of this failing requesting authority to offer a reward not less than 500 Rupees to any person or persons who will give information which shall lead to the detection and conviction of the perpetrators of the Murder.—

2 The Judges have had under their Consideration the whole of the informations taken by the Magistracy submitted with your letter Row under acknowledgment and they are of opinion that the evidence adduced is not sufficient to justify any strong presumption that a Murder has been committed; they consequently see no sufficient grounds for acceding to either of the propositions suggested in the 4th para: of your letter of the 3d instant.—

3. In the event of your determining to dismiss the charge of Murder the proceedings and the depositions in the case will in the usual course be subjected to the Supervision of the Judge of Circuit with reference to the provisions of Section XLi Regulation IX of 1816.—

16th June 1836. (Signed) W. Douglas

Register

No 125.

No 714 To,

The Chief Secretary to

Government.

Sir,

With reference to the order of Government dated the 11th August 1835 I am directed by the Judges of the Court of Jonydaree Udalut to transmit to you for the information and Special sanction of the Governor in Council a Statement prepared for the 4th Quarter of 1835 exhibiting all payments made by the Joint Criminal Judge at Guntoor, under the authority of the Jonydaree Udalut, for bringing up the children of Convicts in cases where their were no relations nor others willing to take charge of them.—

2 The charge amounts to Rupees 1-12-4 (one, and a twelve and five four), and I am directed to submit that the person on whose account it has been incurred, has since the date of the Statement, been withdrawn from the Jail at Guntoor by a member of the family of his deceased father.—

17th June 1836. (Signed) W. Douglas

Register.

To,

№ 126.

№ 715. To

The Chief Secretary to

Government

Sir,

1 I am directed to request that you will lay before the Govern in Council the annexed Copy of a letter dated the 4th and received on the 13th instant through the Provincial Court of Circuit in the 2nd from the Criminal Judge of Canara, who represents that 4 Peons attached to the Court at Mangalore have proceeded to Madras to give their evidence in a Case committed by him for trial before the Supreme Court in its admiralty Jurisdiction, and requests that sanction may be obtained for the employment of 4 others upon a Salary of Rupees (5-4-0) five, 4 anas four each, per Mensem, Commencing from the 18th May until the date of their return from Madras.

2 The Judges of the Toujdaree Udalut beg to recommend that the application of the Criminal Judge be complied with, and further that Special sanction be granted for the sum of Rupees (39-3-0) thirty Nine, and Quarters three, advanced as Batta to the Prosecutor and Witnesses abovementioned in the Case in question.

17th June 1836. (Signed) W. Douglas

Register.

To,

№ 127.

№ 732. To,

The Chief Secretary to

Government.

Sir,

1 I am directed by the Judges of the Court of Toujdaree Udalut to acknowledge the receipt of the Extract from the Minutes of Consultation under date the 2nd instant communicating the sentiments of the Governor in Council on the letter from this Office dated the 28th Ultimo reporting the particular instances of oppression and Cruelty on the part of Village Police Officers in confining persons suspected of theft referred to in the 1st para of the Circular Order № 66 Dated the 29th of April 1836- observing that the Government have not been informed of the result of the Trial in Case № 12 of the Cuddalore Calendar for the 2nd Sessions of 1834, and desiring the Judges to Draft a Regulation for transmission to the Supreme Government declaring the concealment of the knowledge of a Murder a punishable offence-

2 The Trial of Case № 12 of the Cuddalore Calendar for the 2nd Sessions of 1834 terminated in the release on Security of the 3 first prisoners who were charged with having apprehended the deceased Narrainen upon suspicion that he had stolen the Clothes of one P. Soma Soondra Chetty, Maltreated him by binding & suspending him to a Tree,

and.

and by beating and burning him and thereby occasioned his death - and in the unconditional release of the 1st prisoner who was the Tahsildar of Cuddalore and stood charged with being an accessary in directing the 3 first prisoners to extort by violence from Nanaiw Naiko a confession of theft in consequence of which violence he died; and in withholding from the Magistrate a Report of his death -

3. The Court of Fouydaree Udalut on reviewing the Calendar saw grounds for doubting the propriety of the decision of the Court of Circuit and they accordingly directed that an English translation of the Record should be prepared and submitted for their consideration -

4 A perusal of the Trial satisfied the Court of Fouydaree Udalut that the Case had not been properly disposed of - the evidence was considered by the Fouydaree Udalut amply sufficient for the conviction of the 1st 2nd and 3rd prisoners of aiding in and abetting the illusage and torture which the deceased experienced, and tho' they considered the 4th prisoner entitled to his acquittal yet the Court of Fouydaree Udalut were of opinion that he could not have been ignorant of the State in which the deceased was left & of the cause of it, and considering him utterly unworthy of holding the situation of Officer of Police they desired the Judge of Circuit to ascertain and report whether the

the individual in question was still retained in public employment -

5 The reply made by the Magistrate in the Southern Division of Arcot shewed that upon the receipt of the sentence of acquittal recinded by the Court of Circuit this person was restored to his situation of Tahsildar of Cuddalore, and the Magistrate Concluded his return by expressing a hope that as "Teromaniengar" had been employed in the Public Service for nine years and during the portion that has been passed under his observation he never had occasion to find fault with him, the Judges of the Fouydaree Udalut would not render him disqualified from serving the Government again in the Capacity of a Public Officer -

6 The Magistrate in the Southern Division of Arcot was informed in reply that altho' the opinion of the Fouydaree Udalut respecting the conduct of the Tahsildar on the occasion in question remained unchanged, they were nevertheless willing to give him the benefit of the strong testimony borne in his favor by the Magistrate and they accordingly resolved to abstain from ordering his dismissal from the Public Service -

7 The Magistrate however was directed to intimate to the Tahsildar that no further dereliction of duty would be pardoned

pardoned and that in the present instance lenity had been extended to him solely in consideration of his previous good character and Conduct and of the urgent recommendation of the Magistrate in his behalf.-

8 With reference to para: 5 of the Minutes of Consultation under date the 2d instant the judges of the Court of Foujdaree Udalut direct me to submit for transmission to the Supreme Government a draft of an Act for the punishment of misprision of Felony; such concealment not being an offence punishable under the Mahomedan Law or the Regulations.-

(Signed) W Douglas

Register

Act.

I It is hereby enacted that any person who shall be convicted before a Criminal Joint Criminal or Native Criminal Judge of Concealing the fact of a Murder or other Crime declared to be not bailable by the Regulations of Fort St George shall be liable to a sentence of imprisonment not exceeding 12 Months with hard labor.-

18th June 1836 Signed / W Douglas

Register

To

No 128.

No 723. To

The Chief Secretary to

Government.

Sir,

I am directed by the Judges of the Foujdaree Udalut to transmit to you to be laid before the Governor in Council the accompanying Copy of a letter dated the 10th instant from the Acting Assistant Criminal Judge incharge of the Zillah Court of Nellore, with the original Estimate which accompanied that Communication for making two Carts and repairing the old one which in its present state is unserviceable.-

2 Under the Circumstances represented by Mr. Dowdeswell, the Judges beg to recommend that sanction be granted for the Estimate in question, amounting to Rupees (77-0-0) Seventy seven.-

20th June 1836. (Signed) W Douglas

Register

No 724. To

The Magistrate of

Malabar

Sir.

I am directed to acknowledge the receipt of your letter of the 10th instant forwarding an original letter and its enclosures from the Joint Criminal Judge of Tellicherry having reference to that Officer's previous communication of the 5th ultimo in which he urges the Claims of the Jailor

of

of the Auxiliary Court to the reward of twelve hundred Rupees offered by the proclamation of the 1st June 1838 for the discovery and apprehension of the parties concerned in the Murder of Peedigail Hoossain on the night of the 21st February 1838.

3 After giving to this further reference, and especially to that Extract from the Joint Criminal Judges letter of the 20th September 1833, in which "the name of the Jailor is inserted in 'Red Ink' in the places where his services are alluded to," all the attention it deserves, the Judges of the Foujdaree Udalut have failed to discover any grounds whatever on which the Jailor can be deemed entitled to the reward in question under the provisions of Section XXI Regulation IX of 1816.

3 With respect to the second paragraph of Mr Strange's letter in which he represents that he was "the individual by whom the first intelligence upon which the Police were enabled "to proceed was communicated to the Tahsildar of Coleyam &c and requests that the amount of the reward may be placed at his disposal, I am directed to observe that the Joint Criminal Judge was, in virtue of his office bound to communicate all the information respecting the Cases which had come to his knowledge, and that even if it were not so, his claims to the reward, rest in the opinion of the Foujdaree Udalut on no better foundation than those of the Jailor.

20th June 1836 Signed) H Douglas

Registar

No 725 To

The Acting first Judge
of the Provincial Court of Circuit
in the Southern Division

Sir

In consequence of certain prisoners concerned in the 3 cases entered in the Madura Calendar for the 2d Session of 1836 having expressed their unwillingness to be tried by the Acting 3rd Judge who committed them for trial and whose duty it is to proceed on Circuit at the ensuing Sessions, the Judges of the Court of Foujdaree Udalut but with the view of avoiding the postponement of the trial of the Cases in question have desired me to instruct you to proceed to Madura for the purpose of delivering the Jail at that station at the ensuing Sessions - the Acting 3rd Judge proceeding to deliver the remaining Jails within the Division as soon as you may have returned to the Sudr station -

20th June 1836 Signed) H Douglas

Register

No 726 To

The Acting Third Judge of the
Provincial Court of Circuit
in the Southern Division.

Sir,

To avoide the postponement of the trial of the three Cases for Murder included in the Madura Calendar for the 2d Session of the present year in which the prisoners concerned have

have expressed their unwillingness to be tried by yourself as the Committing Officer, the Judges of the Court of Foujdaree Udalut have deemed it expedient to depute the Acting 1st Judge of the Provincial Court of Circuit in the Southern Division to deliver the Jail of Madura at the ensuing Sessions, and I am directed to inform you that immediately on the return of the Acting 1st Judge to Trichinopoly it will be your duty to proceed on the remainder of the Circuit.-

20th June 1836. /Signed/ W Douglas.

Register.

№729. To,

The Joint Criminal Judge at Tellicherry

Sir,

I am directed to acknowledge the receipt of your letter of the 11th instant, submitting with reference to my communication of the 12th ultimo, a copy of the opinion recorded by the Assistant Surgeon to the effect that Vannigen Calookaran Ambootty, the prisoner in Case №1 on the Tellicherry Additional Calendar for the first Quarter Sessions of 1835 may be set at Liberty without danger to the Community, and Copies of two examinations received from the Joint Magistrate indicating the circumstances which induced the prisoner's relatives to decline

entering into engagements to take charge of him, on his being set at large -

3 After a mature consideration of all the circumstances of the case, the Judges of the Foujdaree Udalut are of opinion that while no persons can be found to enter into engagements to take such care of him as to prevent the possibility of his doing any further mischief it would be inexpedient to authorize the release of the prisoner and accordingly direct that he be detained in confinement until further Orders.-

22d June 1836. /Signed/ J. H. Davidson

Head Assistant to the Regr.

№730. To.

The Acting Civil Auditor

Sir

I am directed by the Judges of the Foujdaree Udalut to inform you that in pursuance of instructions to that effect issued from this Office, the fixed establishment attached to the Jail of Bellaree was on the 15th instant reduced by the Acting Criminal Judge of that Zillah from (64) Sixty four to (56) fifty Six [illegible].

22nd June 1836. (Signed/ J. H. Davidson

Head Asst to the Regulator

To.

№ 731 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 request you will instruct the Criminal Judge in the Zillah of Combaconum to transfer to the charge of the Magistrate of Coimbatore 21 Convicts, together with the usual complement of Jail Peons. The unexpired period of imprisonment of these convicts should not be less than 18 Months nor exceed 7 Years.-

2 You will be pleased to apprize the Magistrate of Coimbatore of the issue of these instructions, and at the same time require the Criminal Judge of Combaconum to communicate to that Magistrate the date on which the Convicts may be dispatched from the Zillah Jail.-

22nd June 1836. (Signed) W Douglas

Register.

№ 732. To.

The 4 Provincial Courts of Circuit

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut under instructions received from Government to desire that whenever a Judge of Circuit may have occasion in any Report to be submitted to Government to animadvert on the Proceedings of the Magistracy or of the Criminal Courts such report be invariably accompanied by a full explanation from the parties censured on the subject of the irregularities imputed to them.-

2 You will be pleased to communicate these instructions to the Judge now on Circuit.-

22nd June 1836. (Signed) W Douglas

Register.-

№ 733.- To.

The Acting Magistrate of South Arcot.-

Sir

1 I am directed by the Judges of the Foujdaree Udalut to forward to you for your information the annexed Copy of an Extract from the Minutes of Consultation in the Judicial Department under date the 22nd instant, communicating the sentiments of the Governor in Council on a letter from this Office reporting the particular instances of oppression and cruelty on the part of Village Police Officers in confining persons suspected of theft, referred to in the first paragraph of the Court's Circular Order № 66 dated the 29th April 1836.

paras 1-2-3-4

2 The cases in question are № 1 on the Cuddalore Supplemental Calendar for the first Sessions of 1834: № 12 on the Cuddalore Calendar for the Second Sessions of 18

and

and № 1 on the Cuddalore Supplemental Calendar for the First Sessions of 1835 - and, I am directed to inform you that under instructions to that effect received from Government, all future Cases of a similar description which may come under the notice of the Foujdaree Udalut will be reported for the information of the Governor in Council -

22nd June 1836. (Signed) J. H. Davidson
Head Asstt to the Register

№ 740. To,

The Criminal Judge of
Malabar

Sir,

I am directed by the Judges of the Foujdaree Udalut to inform you that on their recommendation, Government were pleased under date the 16th instant, to sanction the Bill of travelling charges incurred by Mr J. D. Sushington in attending the execution of the prisoners in Cases № 17 and 34 on the Calendar of the Zillah of Malabar for the first Sessions of 1836 - amounting to Rupees (88-3-4) Eighty eight, and three and five four -

23rd June 1836. (Signed) J. H. Davidson
Head Asstt to the Regr

№ 1294

№ 741 - To

The Secretary to Government in the
Judicial Department

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you, for the purpose of being laid before the Right Honorable the Governor in Council, the accompanying Copy of a letter, dated the 17th instant from His Excellency the Commander in Chief - and to suggest, that the Superintendent of Police may be instructed to receive the Convict, "Rungiah" and transfer him to the Custody of the Criminal Judge of Chingleput, in view to his transportation beyond Seas agreeably to the terms of his sentence -

23rd June 1836. (Signed) W. Douglas
Register

№ 742 - To

The Criminal Judge in the Zillah of
Chingleput

Sir,

I am directed by the Judges of the Foujdaree Udalut to forward to you for your information and guidance, the accompanying Copy of a letter addressed under this date to the Secretary to Government in the Judicial Department, with a Copy of the papers to which it refers -

23d June 1836. (Signed) W. Douglas
Register

To

№743. To,

Lieutenant R. H. Chapman incharge of the
Convicts at Guindy.

Sir

1 I am directed to acknowledge the receipt of your letter of the 15th instant, reporting for the consideration of the Judges of the Foujdaree Udalut the result of an Inquiry held by you relative to certain charges preferred by a Convict named Amogum, against Sonadoring the Deputy Jailor at Guindy--

№ 7 2 The Judges observe that the seventh charge which 2750. you consider substantiated is to the following effect- that "the Convicts of the Nellore Zillah are in the habit of "giving the Deputy Jailor twenty Cash once every week "that they may not be ill-used by him" &c.-

3 It was pointed out in the fifth paragraph of the Register's letter to Lieut. Budd dated the 22d March last, that the practice of issuing a money allowance to the prisoners for the purchase of Condiments, is prohibited by the Circular Order of the Foujdaree Udalut of the 25th January 36. and that it was the intention of the instructions issued from this Court to the Deputy Commissary General on the 1st of the same Month that the allowance of Condiments shall be issued in kind. &c.

4 Before passing any final orders a precedent

reference

reference the Judges of the Foujdaree Udalut direct me to request that you will report with reference to the Commu-nication above referred to, the circumstances under which an allowance of Money has been granted to the Convicts of the Nellore Zillah whose depositions in support of the charge in question accompanying your letter under reply.-

23d June 1836. (Signed) J. H. Davidson
Head Assistant to the Register.

(№130)

To

The Chief Secretary to
Government

Sir

1 With reference to the letter from this Office dated the 3d instant I am directed by the Judges of the Court of Foujdaree Udalut to inform you that in the estimate entered in Para 4 of that Communication the additional charge attending the proposed arrangement of increasing the pay of the Jail Duffadars at Guindy amounting to Rupees 8-12 eight Annas twelve was by an oversight omitted in the calculation.

2 The additional charge attending the measure of increasing the pay of the Jail Peons and Duffadars in the proportions proposed by the Court of Foujdaree Udalut in the 2nd and 3rd paras of their letter dated the 3d instant will amount to Rupees 146-4 one hundred and forty six

and

and Annas four per Mensem and according to this revised estimate the Judges solicit the authority of Government for the disbursement of the Salaries of the Duffadars and Jail Peons stationed at Gundy to be paid by the Breakwater Committee.

27th June 1836. (Signed) W. Douglas

Register

№ 131

№ 751. To

The Chief Secretary to

Government.

Sir,

1 With reference to the order of Government Dated the 11th August 1835. I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for the Special sanction of the Governor in Council a Statement prepared for the 1st Quarter of the present year exhibiting all payments made by the Acting Joint Criminal Judge at Vizagapatam under the authority of the Foujdaree Udalut for bringing up the Children of Convicts in cases where there were no relations nor others willing to take charge of them.-

2 The charge for which sanction is solicited amounts to Rupees (3-9) three and Annas nine.-

27th June 1836. (Signed) W. Douglas

Register

№ 132.

№ 752. To

The Chief Secretary to

Government.

Sir

1 With reference to the order of Government dated the 11th August 1838 I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for the Special sanction of the Governor in Council a Statement prepared for the 1st Quarter of the present year exhibiting all payments made by the Criminal Judge of Chicacole under the authority of the Foujdaree Udalut, for bringing up the Children of Convicts in cases where there were no relations nor others willing to take charge of them.-

2 The charge for which is solicited amounts to.-

Rupees (1-7-2) one, Annas seven and Pice two.-

27th June 1836 (Signed) W. Douglas

Register

№ 133.

№ 753. To.

The Chief Secretary to

Government

Sir,

1 With reference to the Extract from the Minutes of consultation under Date the 16th instant. I am directed by the Judges of the Court of Foujdaree Udalut to transmit

to

to you a list of all the Convicts now at Prince of Wales's Island Malacca and Singapore who have been sentenced to transportation by the Court of Foujdaree Udalut and whom it is proposed should be transferred to the Tenasserim Provinces

2 The Judges at the same time direct me to submit their opinion that as the sentences of the Foujdaree Udalut now run it is competent to the Government alone to change the destination of Convicts sentenced to transportation.—

3 At the period when the Governor in Council contemplated sending Convicts sentenced to transportation to a greater distance from the Presidency than Prince of Wales's Island, the Court of Foujdaree Udalut in a letter addressed to the Secretary to Government in the Judicial Department under date the 16 of April 1821 submitted their opinion that inasmuch as a discretion as to the disposal of Convicts sentenced to transportation is left open by Section VIII Regulation XV of 1803, a power is vested in the Governor in Council of transferring Convicts from one place to another as often as may be found requisite; and in order that the terms of the sentences of transportation passed by the Foujdaree Udalut might leave room for the exercise of such a discretion, the Court resolved in their sentences to Transportation to substitute for

"Prince of Wales's Island," the words "such place or places beyond Sea as the Governor in Council shall appoint."

4 In the forms observed by the Foujdaree Udalut since February 1838 the words "or places" have been omitted, but the Judges disapproving of the omission, these words will in future be retained in the sentences of Transportation, they are not however of opinion that under the present form of sentence the tranfer of the Convicts from Prince of Wales's Island, Malacca and Singapore will be illegal, and they accordingly beg leave to recommend that the Convicts named in the accompanying list, which includes the whole of the Convicts now at those stations sentenced by the Foujdaree Udalut may be removed to the Tenasserim Provinces.

27th June 1836. (Signed) W Douglas
Registar

No 758. To

The Provincial Court of Circuit for the
Southern Division.

Gentlemen,

I am directed to acknowledge the receipt of your letter of the 18th instant, forwarding for the consideration and orders of the Foujdaree Udalut a copy of a communication and its enclosures from the Joint Criminal Judge of Tinnevelly, who solicits instructions as to the disposal of the prisoner Convict whose transfer to the Jail at Cuddapah (his

Native

native place) is recommended by the Officer in Medical charge of the Civil establishment at Tinnevelly on the ground of the very infirm state of his health.

2 It appears on reference to the Records of this Office that the individual in question is named Akkoola Condadoo, and that being convicted in Case No. 33 on the Cuddapah Calendar for the first Sessions of 1834, of Gang Robbery, he was sentenced by the Foujdaree Udalut to 13 years imprisonment in banishment to the District of Tinnevelly.

3 In consideration of the strong recommendation of the Medical Officer who, in his letter of the 9th instant, records his "firm belief that his life will ultimately pay "the forfeit of his continuing to serve the remainder of the "time he is imprisoned for at this station" (Tinnevelly) the Judges of the Foujdaree Udalut are pleased to authorize the Joint Criminal Judge to send back (under a suitable guard) the prisoner in question to the Jail at Cuddapah.

4 A communication to the above effect will immediately be made to the Criminal Judge of Cuddapah who will be instructed to report to this Court whenever the prisoner may be pronounced convalescent by the Medical Officer at that station, and on receiving such a report the question of the future

disposal of the prisoner will be taken into consideration by the Foujdaree Udalut.

5 You will be pleased to desire the Joint Criminal Judge of Tinnevelly whenever he may have occasion again to submit a reference of a similar Nature, to be more accurate in mentioning the Name of the prisoner and to specify precisely the Sessions and year and the number of the Case on the Calendar in which he may be concerned.

28th June 1836. Signed J. H. Davidson
Head Asst to the Register.

No. 759. To

The Acting Criminal Judge of Cuddapah.

Sir,

I am directed by the Judges of the Foujdaree Udalut to inform you that they have under this date authorized the Joint Criminal Judge of Tinnevelly to transfer to the Jail at Cuddapah a prisoner named Akkoola Condadoo who, being convicted in Case No. 33 on the Cuddapah Calendar for the First Sessions of 1834 of Gang Robbery was sentenced by the Foujdaree Udalut under date the 24th July 1834, to 13 years imprisonment in banishment to the District of Tinnevelly, and who is reported by the Medical Officer in charge of the Civil establishment at that station to be in a precarious

precarious a state of health, as to render it necessary that he should return to his native place.-

2. I am directed to desire that whenever the Medical Officer at Cuddapah may pronounce the prisoner [illegible] in question Convalescent, you will make a report on the subject to the [illegible] of Fouydaree Udalut, with the view of enabling that Court to determine the question of his future disposal.-

28th June 1836. (Signed) J. H. Davidson

Head Asst to the Register.-

№ 760. To

The Provincial Court of Circuit for the Northern Division

Gentlemen,

1 With reference to your letter of the 24th February last, I am directed by the Judges of the Fouydaree Udalut to inform you that the Governor in Council was pleased under date the 22nd instant, to sanction the Statement submitted by the Joint Criminal Judge of Guntoor exhibiting the amount of the subsistence money paid to the child of a prisoner in the Jail at that station during the quarter ending the 31st December 1835 amounting to Rupees (-12-4) one Anas twelve, and three fours.-

28th June 1836. (Signed) J. H. Davidson

Head Asst to the Register

№ 761. To

The Provincial Court of Circuit in the Western Division

Gentlemen.

1 With reference to your letter of the 6th instant, I am directed by the Judges of the Fouydaree Udalut to inform you that on their recommendation, Government were pleased under date the 22nd instant, to authorize the Criminal Judge of Canara to employ 4 Peons upon a salary of Rupees (5-4-0) Five and anas four each per mensem from the 18th May until the date of the return from Madras of the four Peons who have been sent to give their evidence in a case committed by him for trial before the Supreme Court in its admiralty Jurisdiction.-

2 With reference to the 2nd paragraph of the Criminal Judges letter, I am directed to request that you will instruct that Officer hereafter to prepare and submit for the Special sanction of Government a statement of the actual charge incurred in account of Batta to the Prosecutor and witnesses sent up to the Supreme Court as well as on account of the Peons now authorized to be entertained.-

28th June 1836. (Signed) J. H. Davidson

Head Asst to the Regr

To

№ 763 To

A.T. Bushby Esquire Officiating Criminal Judge
of Bellaree

Sir,

1 I am directed to inform you that the Governor in Council has been pleased to refer to the Judges of the Foujdaree Udalut for their consideration and report, copies of certain documents received from the Medical Board, having reference to the present state of mind of two individuals named "Abdullah" and "Rana Hoossainee" who were charged, the former in Case № 1 of the Letters in Case № 1 of the Bellaree Calendar for the second Sessions of 1831 with Murder, and though acquitted, were nevertheless, on the supposition that they were not of sound Mind, directed to be detained in confinement by warrants dated respectively the 29th August and 1st September 1831, and bearing your signature as officiating Judge on Circuit in the Centre Division

2 From the documents now furnished to the Foujdaree Udalut it appears that on the 22nd July 1835, the Zillah Surgeon Mr. James Smith certified that both the prisoners labored "under confirmed Lunacy" and could not "with safety to the Community be set at Liberty;" and that they were in consequence forwarded to Madras to the Chief Magistrate and Superintendent of Police and by that

Officer

Officer transferred to the Lunatick Asylum,-

3 The Records of this Office do not show that any report of the Nature prescribed by the Circular Order of the 1st June 1829 were made to the Foujdaree Udalut during the four years that the prisoners in question were detained in confinement at Bellaree; and I am accordingly directed to request that you will immediately ascertain whether or not the prescribed periodical Returns were made; if they were, that you will specify the dates on which they were made; if not, that you will explain the cause of the omission.-

30th June 1836- (Signed) T. H Davidson
Head Assist to the Regr

No 764. To,

The Provincial Court of Circuit for the Western Division

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 11th Instant forwarding copies of correspondence with the Native Criminal Judge of Honore regarding his fuel, and to request that an Estimate duly made out may be furnished of the expence to be incurred in making the alterations according to the "new plan" submitted by him of which the Judges with reference to the limited number of prisoners usually lodged

in the Jail at Honore, approve-

2 The Estimate alluded to has not been sent with the papers in your letter now under acknowledgment and altho' the amount is stated viz. Rupees 1001-6-3 3/4 a full Estimate as required, made out by the executive Engineer in communication with the Native Criminal Judge as well as information as to the walls of the Jail being capable of supporting the tiled roof, previous to the matter being again brought before Government.-

3 The Judges do not consider it necessary that the charge for tiling the "Jail" should be incurred.-

30th June 1836 (Signed) G. Le Prendergast-
Sent Deputy Register-

№134

№767. To the Chief Secretary to
Government.

Sir,

1 I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you to be laid before the Governor in Council copy of a letter this day received from Lieut.t Chapman at Guindy, reporting his intention to resign the charge of the Convicts employed under the Orders of the Breakwater Executive Committee from the 2.nd inst.o

2 The Judges direct me respectfully to suggest the necessity of immediate provision being made for the charge of the Convicts in confinement at Guindy.

1st July 1836. (Signed) W. Douglas. Register.

№765 To the Magistrate of Coimbatore.

Sir, I am directed to acknowledge the receipt of an Extract from the Accounts of Audit of the Coimbatore Collectorate for Fusly 1244, which together with a comparative Statement of Magisterial charges not estimated but actually incurred in that District during the same Fusly, reached this Office on the 22.nd ultimo.

2 The Judges of the Foujdaree Udalut desire me to observe that the usual Annual Statement not having been in the first instance forwarded to this Office, they consider themselves precluded from recommending the charges in question to Government for

sanction, unless they are furnished with an Account Particular or a monthly Statement similar to that submitted for Fusly 1243, of the Batta paid to the prisoners sent up to the Criminal Court, and to those transferred to your charge from the Zillah Jail of Salem a Statement of the monthly expenditure on account of the Neilgherry Convicts should also be submitted.

1st July 1836. (Signed) T.H. Davidson. Hd. Asst. to the Regr.

№772. To the Acting Assistant Criminal Judge
incharge of the Criminal Court
at Nellore.

Sir

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 10th Ultimo requesting sanction for the expenditure of Rupees 77 in making two Carts and repairing an old one, and to return to you, with the sanction of Government, endorsed upon it, dated the 24th Ultimo, "the Estimate" forwarded in your letter now under acknowledgment.

2d July 1836. (Signed) G.L. Prendergast
Sent. Deputy Regr.

№773. To
The Criminal Judge of Rajahmundry

Sir, I am directed to acknowledge the receipt of the Acting Assistant Criminal Judge's letter of the 17th Ultimo, submitting a further explanation on the subject of the Jail

Establishment

Foujdaree Diary 2d July 1836.

Establishments maintained at Rajahmundry and Samulcotta

2 Observing that the employment of the Naib Jailor is wholly unauthorized, as it is apparently unnecessary, the Judge of the Foujdaree Udalut desire that the Office be forthwith abolished, when the establishment (exclusive of Duffadars) will stand as follows:- at Rajahmundry, one Jailor, and one Jemadar, and at Samulcottah, the Extra Jemadar whose employment was sanctioned by Government under date the 16th June 1835.

3 The individual holding the employment of Naib Jailor should however be retained in the Service in preference to the last appointed Jemadar.-

4 With reference to the 3rd paragraph of Mr. Rhodes letter of the 30th April 1836, I am directed to Communicate to you the opinion of the Judges that if, as would appear to be the case, the Duffadar transferred with the thirty two peons to Samulcotta be of the fixed Establishment he should be recalled to his regular duties at Rajahmundry; and his place at Samulcottah be supplied by an Extra Duffadar in conformity with the orders of the Foujdaree Udalut under date the 26th August 1833.-

5 It appears to the Judges that an arrangement of this nature will obviate the inconveniences noticed in the third paragraph of Mr. Rhodes letter of the 27th Ultimo.-

2d July 1836. (Signed) J. H. Davidson Head Asst to the Regr

№776. To the Provincial Court of Circuit for the
Northern Division

Gentlemen,

I am directed to acknowledge the receipt on the 27th
of your letter of the 15th Ultimo, accompanied by Copies of
Communications from the Acting Assistant Criminal Judge of
Rajahmundry and the Officer Commanding Samulcottah,
of whom the latter, referring to the 3rd paragraph of the
Deputy Register's letter of the 3rd May last, reports that
"the object for which the Convicts were originally transferred
"from the Zillah Jail of Rajahmundry has not been accom-
-plished:- and that it appears to be absolutely necessary that
"the services of the Convicts should be retained until the work
"on hand is completed;" while the Acting Assistant Crimi-
-nal Judge states with respect to his former suggestion
to cut the Jungle at Rajahmundry; that "he does not think
"it worth while employing Extra Peons in order that it might
"be cut by Prisoners".

2 With this information before them, the Judges of the
Foujdaree Udalut are of opinion that until the works indicated
by the Right Honorable the Governor shall be completed, the
party of Convicts at Samalcotta should be maintained in its
original strength, and with this view they direct me to desire
that you will instruct the Criminal Judge of Rajahmundry
to supply without delay all vacancies as they occur and are
reported to him by Major Sergeant, to whom you will be pleased
to furnish a copy of this communication for his information.

4th July 1836. (Signed) J. H. Davidson.

Ht Asst to the Regr

To

№ 136.

№ 777. To the Chief Secretary to
Government

Sir,

1 I am directed to acknowledge the receipt of an extract from the Minutes of Consultation in the Judicial Department under date the 21st ultimo, referring for the consideration and report of the Judges of the Foujdaree Udalut copies of certain documents received from the Medical Board, having reference to the state of mind of 2 individuals named "Abdullah" and "Nana Hoossainee" who have been forwarded to the Presidency by the Officiating Criminal Judge of Bellaree for the purpose of being confined in the Lunatic Asylum, but reported by Surgeon Bucke in charge of that institution, to be now perfectly sane.

2 In reply I am desired to state that in case № 4 on the Bellaree Calendar for the Second Sessions of 1831, the prisoner "Abdoollah" stood charged before the Court of Circuit with having murdered his elder brother Shurfoodeen in the Town of Bellaree: and that in case № 6 on the same Calendar, the prisoner "Nana Hoossainee" was charged with having wounded one Moonshee Mehiddeen with a dagger in Emaun Shah Fakeer stand in the town of Adonie with having at the same time proceeded towards the 2nd Prosecutor's house and murdered his father named Mullah Mossoomah with the same dagger.

3. "The Officiating Judge of Circuit concurred with the Mahommedan Law Officer of the Court of Circuit in acquitting

the prisoners: but as their appearance when examined before that Officer added to the evidence taken on the trial afforded the strongest grounds for concluding that they were not of sound mind, orders were issued for their detention in confinement in conformity to the Circular Order of the Foujdaree of the 1st June 1829: and it appears from the documents now furnished to that Court, that the Zillah Surgeon so late as the 22nd July 1835, certified that both the prisoners laboured under "confirmed Lunacy" and "could not" with safety to the "Community be set at liberty"

4 The Judges of the Foujdaree Udalut direct me to state that in their opinion there cannot be the slightest doubt that the fatal acts of violence charged in the Indictments were perpetrated by the prisoners abovenamed, and were committed by them while labouring under an aberration of Intellect as Mr Surgeon Bucke has reported the prisoners in question to be "perfectly sane" the Judges are of opinion that they should be sent to the Criminal Court at Bellary for the purpose of being made over to their friends if there are any who are willing to watch over their conduct - otherwise their unconditional release, after the horrid acts they have committed appears full of hazard to the community; for though perfectly sane at present, there seems a necessity to guard against any relapse on the part of persons who have committed such acts, and respecting whom most opposite opinions have been given by Medical Officers at different periods.

4th July 1836. (Signed) W. Douglas

Register

To

No 137.

No 778. To the Chief Secretary to Government.

Sir,

1 With reference to the order of Government dated the 11th August 1835 I am directed by the Judges of the Fouydaree Udalut to transmit to you for the Special consideration of the Governor in Council a Statement prepared for the 1st Quarter of the present year exhibiting all payments made by the Joint Criminal Judge at Guntoor under the authority of the Fouydaree Udalut for bringing up the Children of Convicts in cases where there were no relations nor others willing to take charge of them.

2. The charge for which sanction is solicited amounts to Rupees (1-8-) One and Annas Eight.

4th July 1836. (Signed) W. Douglas. Register.

No 779. To the third Judge of the Provincial Court of Circuit in the Centre Division.

Sir

1 I am directed by the Judges of the Court of Fouydaree Udalut to desire you will submit without further delay the report prescribed by Section XXXVII Regulation XII of 1802 for the 2nd Sessions of 1835 and that you will at the same time explain the reason why the report was not forwarded to this Office at an earlier period.

5th July 1836 (Signed) W. Douglas. Register.

No 780 To the Acting Criminal Judge of Bellaree.

Sir

1 The Judges of the Fouydaree Udalut have been furnished by Government with a Copy of a petition addressed to the Right Honorable the Governor by four prisoners of the Jail of

Bellaree named "Goodalow Ramasaiomy" - "Gundhum Appien" - "Ramanayyen" - and "Anoosham" and a Copy of your report upon the subject dated the 4th ultimo; and have been requested to issue such instructions thereupon as may appear to them proper.

2 The petitioners allege that the Jailor Sooltaun Saiekow has embezzled the property of Government, has turned the Court Compound into a garden, employs the prisoners on its Cultivation and appropriates to his own use the produce which belongs solely to the Circar.

3 With respect to your suggestion that "to obviate any further complaint on the part of malicious, disaffected and desperate characters "the garden no question be disposed of by public or private sale" so that the prisoners may be employed on other work more profitable to the community at large or beneficial to the Circar; the Judges direct me to observe that they do not consider any such proceeding necessary on the contrary, if, as would appear to be the case, the garden forms a part of the Jail Compound, its disposal by sale would be open to serious objections. Its produce should be sold and carried to the credit of Government.

4 The Judges having duly considered your representations respecting the desperate and turbulent characters of the four petitioners, have deemed it proper to adopt your recommendation that they be separated from each other and sent to different Zillahs, and accordingly desire that upon the receipt of these orders you will transfer (under a suitable guard) the prisoner Ramasaiomy to the Jail of Chinglepute the prisoner Appien to that of Masulipatam, the

prisoner

prisoner Ramanayyen to that of Chittoor and the prisoner Anooshan to that of Combaconum.
5th July 1836. (Signed) J. H. Davidson. Ist Asst to the Register

No 781. To the Criminal Judges of Chingleput

Sir,

I am directed to inform you that the Officiating Criminal Judges of Bellaree having brought to the notice of the Tonjdaree Udalut the desperate and turbulent character of four prisoners at present confined in the Jail at that station, and recommended that they be separated from each other and sent to different Zillahs, has under this date been instructed to transfer one of them named Goodaloor Ramanayen to the Jail of the Zillah of Chingleput.
5th July 1836. (Signed) J. H. Davidson. Ist Asst to the Regr

To the Acting Joint Criminal Judge of Masulipatam.

Sir,

I am directed to inform you that the Officiating Criminal Judge of Bellaree, having brought to the notice of the Tonjdaree Udalut the desperate and turbulent character of four prisoners at present confined in the Jail at that station, and recommended that they be separated from each other and sent to different Zillahs, has under this date been instructed to transfer one of them named Gundlaur Apheen to the Jail at Masulipatam.
5th July 1836. (Signed) J. H. Davidson. Ist Asst to the Regr

To the Criminal Judge of Chittoor.

Sir

I am directed to inform you that the Officiating

Criminal Judges of Bellaree, having brought to the notice of the Tonjdaree Udalut the desperate and turbulent character of four prisoners at present confined in the Jail at that station, and recommended that they be separated from each other and sent to different Zillahs, has under this date been instructed to transfer one of them named Ramanayen to the Jail of the Zillah of Chittoor.
5th July 1836. (Signed) J. H. Davidson. Ist Asst to the Regr

To the Criminal Judge of Combaconum

Sir,

I am directed to inform you that the Officiating Criminal Judges of Bellaree, having brought to the notice of the Tonjdaree Udalut the desperate and turbulent character of four prisoners at present confined in the Jail at that station, and recommended that they be separated from each other and sent to different Zillahs, has under this date been instructed to transfer one of them named Anooshan to the Jail of the Zillah of Combaconum.
5th July 1836. (Signed) J. H. Davidson, Ist Asst to the Regr

No 138.

No 782. To the Chief Secretary to Government

Sir,

I am directed by the judges of the Court of Tonjdaree Udalut to transmit to be laid before Government the accompanying copy of a letter, received this day from the Provincial Court of Circuit Centre Division, dated the 15th Ultimo from the Criminal Judge at Chittoor and of a letter dated the 9th Ultimo addressed to the Criminal Judge by the Officer Commanding Arcot, requesting, with

with reference to the Extract from the Minutes of Consultation of the 17th July 1839, the transfer of 64 Convicts to enable him to put into repair, before the Monsoon the roads, about Arcot which he describes "are in want of thorough repair and will become "impassable during the rains now approaching if not repaired:-

2 The Criminal Judge observes in his letter "that there is "not a sufficient number of Convicts in this Jail for the work in "hand".-

3 Under these circumstances the Judges request to be favoured with the instructions of Government.-

4 They perceive that in each of the Jails Palliyam and Cuddalore there is a sufficient number of Convicts to admit of the transfer to Arcot of the number required by the Com[m]r Officer but they are doubtful whether the expence attendant on the measure would render it expedient and whether it would be advisable to remove them from Cuddalore where the Judges have reason to believe they are most usefully employed.-

5th July 1836 (Signed) W. Douglas Register.-

№783- To the Third Judge late on Circuit in the Centre Division

Sir,

1 In the letter from this Office to the Provincial Court of Circuit of the 28th August 1835, it was directed that a Copy of the Order of Government of the 11th of the same month, requiring reports from time to time to be made by the Judges in Circuit in the Division under Clause 2 Section IV Regulation II of 1819 respecting the Zemindary of Chokumpully a State prisoner in the Hill Fort at Ghooty should be communicated to you.

2 The Joujdaree Adalut have no information before them

of the date of this prisoners arrival at Ooty but presuming that, under those instructions, you may have visited the prisoner, in question after the delivery of the Jail of Bellaree in October last.-

3 I am directed by the Judges who have been lately addressed by Government upon the Subject, to request that you will forward the required report respecting the prisoner.-

5th July 1836 (Signed) G. L Prendergast. Sen[r] Dep[y] Reg[r]

№784- To the First Judge late on Circuit in the Centre Division

Sir

1 The Judges of the Court of Joujdaree Adalut having been called upon by Government for copies of all the reports received by them regarding the Chokumpully Zemindaree, a State prisoner in the Hill Fort at Ghooty; as required by the orders of Government of the 11th August 1836 communicated to the Provincial Court of Circuit in the Centre Division on the 28th of the same month, I am directed to request your attention to the subject in preparing your report upon your late Circuit.-

5th July 1836 (Signed) G. L Prendergast. Sen[r] Dep[y] Register.-

№785. To the Officer in charge of the Convicts at Gunjindy

Sir

1 It appearing from your letter of the 27th Ultimo that the communication referred to in my letter of the 23rd Ultimo, as having been addressed under date the 22nd March 1836 to Lieutenant W. H. Budd then in charge of the Convicts at Gunjindy, cannot now be found, the Judges of the Joujdaree Adalut direct me to transmit to you a copy of the same and to request that strict attention may henceforward be paid to the observations contained

contained in its fifth paragraphs.

2 I am further directed to state that after mature consideration of the Proceedings which accompanied your letter of the 15th Ultimo, the Judges of the Foujdaree Udalut are of opinion that confidence cannot with propriety or safety be any longer reposed in Joorradeing the Deputy Sailar and they in consequence deem it their duty to desire that on the receipt of this letter, you will discharge that individual from his situation; and in his place, upon your recommendation, the Judges are further pleased to authorize the employment of Veerabadra Buffadar of the Nellore Zillah, whom they consider "a zealous, trustworthy man" and who "was strongly recommended to" you "by" your "predecessor."

5th July 1836. (Signed) J. H. Davidson
Nº 786. To the Acting Joint Criminal Judge of Guntoor.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 27th Ultimo, and to inform you that under the circumstances urged in the 2d & 3d paragraphs of that communication the Judges of the Foujdaree Udalut are pleased to authorize the transfer of the convict Bonta Unkadoo from the Jail under your charge to that of the Zillah of Nellore.

5th July 1836. (Signed) J. H. Davidson Hd Asst to the Regt
Nº 793 To the First Judge on Circuit in the Northern Division

Sir

1 I am directed to acknowledge the receipt on the 30th of your letter of the 18th Ultimo, reporting the opening of the first Sessions of 1836 at Chicacole, and submitting the Statement required

by the Circular Order of the Foujdaree Udalut Nº 8 dated the 21st July 1834.

2 The Judges observe that the Statement in question exhibits a total of fourteen cases including thirty one prisoners: while according to the Criminal Reports for the month of March last, there were at the end of that month, eighteen cases including forty nine prisoners committed for trial before the Court of Circuit.

3 Of this discrepancy, I am directed to request that an explanation may be obtained from the Criminal Judge of Chicacole and submitted for the information of the Foujdaree Udalut.

(Signed) J. H. Davidson
Head Assistt to the Regt

7th July 1836.

Nº 794 To the Criminal Judge of Nellore.

Sir,

1 I am directed to forward herewith the accompanying copy of a letter dated the 27th Ultimo from the Acting Joint Criminal Judge of Guntoor, and to inform you that under the circumstances urged in the second and third paragraphs of that communication, the Judges of the Foujdaree Udalut have deemed it proper to direct the transfer of the convict Bonta Unkadoo from the Jail at Guntoor to that of the Zillah of Nellore.

7th July 1836. (Signed) J. H. Davidson
Hd Asst to the Regt

To

№795. To the Native Criminal Judge of

Sir

Honor

1 I am directed to acknowledge the receipt of your letter of the 23d Ultimo, in which you solicit instructions for your guidance in a case sent up by the Tahseeldar of Honore in which a Peon of the Court is charged by one of your Servants with having bitten off a portion of his right ear during the celebration of a Mahommedan Festival.

2 Under the circumstances the Judges of the Jouydaree Udalut are of opinion that the case (one of theft) may with perfect propriety be referred to and disposed of by the Sudr Ameen.

3 I am directed to add that in one of the cases referred to in the concluding passage of the first paragraph of your letter, the prisoner was charged with a theft committed on the premises of the Native Criminal Judge

7th July 1836. (Signed) H. Douglas. Register.

№796. To Lieut. F. C. Cotton

Sir With reference to your letter dated the 15th Ultimo I am directed by the Judges of the Court of Jouydaree Udalut to inform you that in the estimate entered in the 4th para of the letter addressed to Government under date the 3d May last the additional charge attending the proposed arrangement

of increasing the pay of the Jail Duffadars was by an oversight omitted in the calculation.

2 The additional charge attending the measure of increasing the pay of the Jail Peons and Duffadars will amount to Rupees 146-4 per mensem and according to this rate a revised estimate was sanctioned by the Governor in Council under date the 28th Ultimo and the pay of the Duffadars and Peons should be disbursed accordingly.

7th July 1836. (Signed) H. Douglas. Register.

№797. To the Officer incharge of the Convicts at Guindy

Sir

1 With reference to my letter dated the 16th May last I am directed by the Judges of the Court of Jouydaree Udalut to request you will correct an error observed in the estimate entered in the 2d para of that communication.

2 The expense attending the measure of increasing the pay of the Duffadars and Peons in the proportions sanctioned by the Governor in Council under date the 9th Ultimo will amount to Rupees 146.4 per mensem and at this rate I am directed to request that the Salaries of the Jail establishment may be disbursed with reference to the revised estimate sanctioned by Government under date the 28th Ultimo.

7th July 1836. (Signed) H. Douglas. Register.

№804. To the Criminal Judge at
Sir. Chicacole

1 I am directed by the Judges of the Court of Foujdaree Udalut to return to you, with the sanction of Government, dated the 1st Instant, endorsed thereon the Statement of disbursements made for bringing up the Children of prisoners "in the Zillah Jail of Chicacole" during the 1st Quarter of 1836 which was forwarded in your letter of the 16th Ultimo -

8th July 1836 /Signed/ G. L. Prendergast. Sen. Sec. to Govt

№805. To the Acting Joint Criminal Judge at
Sir. Vizagapatam

1 I am directed by the Judges of the Court of Foujdaree Udalut, to return, for correction, the accompanying Statement "paid to the Children of the prisoners in Jail for the 1st Quarter "of 1836" the Government having discovered on the mar- "gin marked in pencil and directed the Judges "to call for a revised account of the actual charge incurred and submit the same "for Special sanction -

8th July 1836 /Signed/ G. L. Prendergast Sen. Sec. to Govt

№806. To the Acting Joint Criminal Judge of
Sir Guntoor

1 I am directed to acknowledge the receipt of your

letter of the 23d Ultimo, soliciting instructions respecting the disposal of the property sent up by the Police with case №9 on the Guntoor Calendar for the 1st Sessions of 1836, respecting which no orders have been issued by the Judge on Circuit, but which is claimed by the persons charged with the robbery in that case, and recently released under the sentence of the Court of Foujdaree Udalut.

2 In reply I am desired to communicate to you the opinion of the Court that the property in question should be given up to "Jonnalagudda Naugadoo," late the second Prisoner in the above case, and at the same time to inform you that the Court have it in contemplation to issue a Circular Order on the subject referred to in the fourth paragraph of your letter -

3 In conclusion, I am directed to observe that the Judge of Circuit who tried the case is the authority to whom you should have applied for a solution of your doubts on the question under consideration -

/Signed/ J. N. Davidson
Head Assistant to the Register

8th July 1836 - №141.

№807. To the Chief Secretary to
Sir Government

1 With reference to the Extract from the Minutes of Consulta- tion under date the 2d instant I am directed to state that the Judges of the Foujdaree Udalut do not possess the necessary materials to enable them to submit Lists further descriptive of the Convicts whom it is proposed to remove to the Tenasserim Provinces than those prepared from the Annual Returns furnished by the authorities at Prince of Wales' Island -

8th July 1836 /Signed/ W. Douglas - Register

To

№ 808 To, the Acting Additional Government Commissioner

Sir

1 The Judges of the Court of Foujdaree Udalut having been called upon by Government, with reference to a communication from the Adjutant General of the Army, to state whether in their opinion there are grounds for proceeding against one Gholam Mohoodeen for the part this person is supposed to have taken in a fraud recently committed on the Carnatic Fund, I am directed by the Judges of the Court of Foujdaree Udalut with reference to the letter addressed by you to the Adjutant General under date the 15th Ultimo to request you will inform the Court what evidence of such fraud on the part of the said Gholam Mhoodeen exists, pointing out to you at the same time that Barab Saheb's allegations in his defence before the Court of inquiry is of course open to all arguments the individual in question.

9th July 1836. (Signed) W. Douglas (Register)

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

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated the 24th Ultimo and to transmit to you the accompanying 12 printed forms of № 3 for the use of the criminal Courts in your Division.

9th July 1836. (Signed) W. Douglas. Register

№ 810 To the Chief Secretary to Government

№ 142

Sir I am directed by the Judges of the Court of

Foujdaree Udalut to transmit to you translation of a communication from the Native Criminal Judge of Sirsee reporting his having committed a Case for trial before the Court of Circuit and with reference to the Orders of Government dated the 26th January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the prisoners named in the margin and charged with the Crime set opposite their respective names be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit at the next Sessions.

9th July 1836 (Signed) W. Douglas Register

1st Kendya
2d Chenna Veera
3d Bullana Beeda Bushia
4th Hullaspaik Beema
5th Sheeda Mawe
6th Hollea
7th Molocopa Bushivee
8th Mullada Bushivee
9th Poota Veeramah

} Murder and Robbery

№ 816 To the Criminal Judge of Nellore.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 30th Ultimo, and in reply to state that the Judges of the Foujdaree Udalut are satisfied with your explanation respecting the allegations contained in the petition addressed to the Court by certain persons representing themselves to be Peons belonging to the Zillah Court of Cuddapah, but recently transferred to that of Nellore with the Convicts employed in Manufacturing paper in the Jail under your charge.

2 At the same time, the Judges direct me to communicate to you their opinion that whenever there may be

be occasion to discharge a Cuddapah Peon of long standing in the Service, provided his removal be not the consequence of misconduct he should be sent back with a letter to the Criminal Judge, in order that he may be retained in the public employ in preference to those whose appointments are of more recent date.-

11th July 1836. (Signed) J. H Davidson Actg Asst to the Magr

No 817

To the Acting Second Judge on Circuit in the Northern Division.

Sir

1 I am directed to acknowledge the receipt of your letter of the 4th instant, reporting the opening of the Second Sessions for 1836 at Nellore and accompanied by a memorandum of the cases on the Calendar of that Zillah.-

2 It is observed that the Circular Order of the Foujdaree Udalut No 8 dated the 21st July 1836 requires that the Statement to be submitted with the usual report of the opening of a Session shall exhibit not only "the number of cases on the Calendar" but also "the number of prisoners for trial."-

3 As on this latter point the memorandum affixed to your communication of the 4th Instant contains no information, the Judges of the Foujdaree Udalut direct me to desire that you will without delay submit a formal Statement exhibiting the number of prisoners in each separate case, and that you will in future be careful to pay due attention to these Circular instructions on this subject.-

11th July 1836. (Signed) J. H. Davidson. Actg Asst to the Magr

No 818. No 144

To the Chief Secretary to Government

Sir, In conformity with the Orders of the Governor in

Council conveyed in the extract from the Minutes of Consultation under date the 3rd of May last the attention of the 1st Judge on Circuit in the Northern Division was directed by the Court of Foujdaree Udalut to the charge of Rape preferred against Sa Gundanna the Tahseldar of Gavugadoor in the District of Nellore, and he was desired to call for and review the proceedings of the Joint Magistrate held in the case and to pass such orders thereon as he might consider necessary communicating the same to this Court for the information of Government.-

2 The 1st Judge on Circuit accordingly called for the proceedings held in the case and on the 30th Ultimo communicated to this Office his judgment after review a copy of which I am directed to submit for the information of the Governor in Council.-

3 The 1st Judge submits that no "good would result "from the Commitment of the Prisoner for trial before the "Court of Circuit as it appears very doubtful if the Prisoner "could be convicted upon the evidence adduced on the case! "on account of the discrepancies between the Statements of "the Witnessed and other considerations" stated in the body of his Report.-

4 He considers however "that the conduct of the "Tahseldar in sending for two females to his private house "in the middle of the night on a pleas of enquiring about "a theft, to say the least of it, highly improper and deserving of severe notice."-

5 The Court of Foujdaree Udalut entirely concur with the 1st Judge in the view which he has taken of the Conduct of the Tahseldar, and they would respectfully suggest to Government

Government the propriety of his dismissal from Office.
12th July 1836 (Signed) W. Douglas. Register.

№819. No 145.

To the Chief Secretary to
Government.

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to forward to you to be laid before the Governor in Council the accompanying Accounts Particulars - received from the Magistrate of Malabar, - of subsistance to the prisoners transferred from the Jail at Calicut to Cochin under the orders of Government dated the 11th May 1832 - and of the rewards paid for the apprehension of Robbers on that Zillah during the Fusly 1244 -

2 The Statement do not appear to call for any remark from the Judges of the Foujdaree Udalut who beg to recommend that sanction be granted for the several sums expended, amounting in the aggregate to Rupees (468-10-8) four hundred and sixty eight Anas ten and three eight -

12th July 1836 (Signed) W. Douglas - Register.

№823 To the Magistrate of
Chingleput.

Sir

1 I am directed to acknowledge the receipt of your letter of the 7th Instant forwarding an address to the Register to the Foujdaree Udalut by Mr Sewell Assistant Magistrate of Chingleput -

2 A letter addressed by an Assistant Judge to the Court of Foujdaree Udalut is inadmissable and I am directed to return it; any observations which the Assistant Magistrate may have to make should be addressed to the Magistrate

who in case he should consider it advisable to forward such address to the Foujdaree Udalut should state how far he concurs with his Assistant in the subject matter contained in it -

13th July 1836 (Signed) W. Douglas. Register -

№824. To the Criminal Judge of
Chittoor -

Sir.

1. I am directed by the Judges of the Foujdaree Udalut to desire that you will immediately submit for their consideration and that of the Government, the whole of the proceedings held in Case № 54 of 1836, on the file of the Criminal Court of Chittoor in which the prisoner Narainsawmy a pay Office Peon, sent up by the Superintendant of Police at Vellore, was charged with having deposed falsely before that Officer in a charge of Robbery preferred against John alias Veerasawmy, Butler in the service of Captain Mahon; and by the Criminal Court was "ordered to be released under Clause First, "Section IX Regulation X of 1816." -

2 From the papers connected with the case above-mentioned and forwarded to this Office with an Extract from the Minutes of Consultation in the Judicial Department under date the 11th Instant, the Judges of the Foujdaree Udalut observe that on the 8th May last a letter was addressed to you by Brigadier G. Mc Stewart Commanding Vellore, in which he expressed himself "desirous of knowing the "cause of the prisoners liberation" and requested that "in the event "of there being any thing informal in the charge or if any other "cause should exist whereby it has been deemed unfounded" you would "have the goodness to inform him, so as to enable him to avoid

similar

similar mistakes in future," and that no reply having been received to that letter, a further Communication was addressed to you by the same Officer under date the 13th June 1836.-

3 The Judges direct me to desire that in submitting the proceedings now called for, you will also explain the cause of the delay in replying to the first communication from Colo Stewart.-

13th July 1836. (Signed) J.H. Davidson Head Asst to the

No 147.

No 827. To the Chief Secretary to
Government

Sir,

1 I am directed by the Judges of the Court of Joujdaree Adalut to acknowledge the receipt of your letter dated the 27th Ultimo, requesting the Judges with reference to the Orders of Government of the 11th of August 1835, to furnish for the information of Government copies of all the Reports which may have been received relative to the treatment of the state Prisoner Valangapoorly Thavoo confined in the Hill Fort at Ghooty, and if none have been received requesting the Court to call for and submit them without delay.-

2 The Judges desire me to explain that it is reported by 3d Judge of Circuit in the Centre Division that the State prisoner in question did not arrive at Ghooty before the Bellary Sessions for the 2d Half of the year 1835 were closed, and as the prisoner could only have been visited by the 1st Judge who presided at the 1st Sessions of the present year this Officer has been apprised that in preparing his Report to be submitted for the past Sessions it is expected that a Report regarding the State prisoner alluded to will be furnished under the provisions of Clause 2d Section IV Regulation II of 1819.-

15th July 1836. (Signed) W. Douglas, Register.-

No 828. To the Magistrate of
Canara.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 14th instant accompanied by Copies of certain papers having reference to Case No 4 on the Sirsee Calendar for the 1st Sessions of 1836 in which the prisoner Balapoo was charged with

with having gone to the houses of the prosecutors named Villa Mallika and Pocha Mallika armed with a hatchet and bill-hook, and put to death the first prosecutors wife Savetry and his son Pandos, a boy, and the seconds Prosecutors son Jorquin, by cutting them with a hatchet and then set fire to the first Prosecutors house which together with property valued at Rupees 65-2. was consumed.-

2 After a mature consideration of all the circumstances of the Case brought to their notice the Judges of the Toujdaree Udalut are pleased in exercise of the authority vested in them by Section XII, Regulation XIII of 1832 to authorize you to offer a pardon to such of the individuals mentioned in the 3rd paragraph of the proceedings namely Bembo Babel and Bhagador as the Native Judge may deem necessary, on the terms and conditions specified in Section XX, Regulation VIII of 1802.-

3 In the event of none of the individuals above mentioned being willing to accept the Offer of pardon, the Judges of the Toujdaree Udalut are pleased to authorize you to offer a reward of 500 Rupees for the discovery and apprehension of the Offenders in conformity to the provisions of Section XXII, Regulation IX of 1816.-

4 I am directed to add that even were the offer of a reward to an accessary in a heinous crime not deemed objectionable in principle, the Judges of the Toujdaree Udalut are precluded from deviating from the prescribed course or from offering a reward excepting on the terms provided in the Regulations

15th July 1836. (Signed) J. H. Davidson.
H. Asst to the Regr

To

No 829. To the Provincial Court of Circuit for the Western Division

Gentlemen,

I am directed by the Judges of the Toujdaree Udalut to forward to you the annexed copy of a letter addressed under this date to the Magistrate of Canara on the subject of Case No 1 on the Sirsy Calendar for the 1st Sessions of 1836, and to request that a translation of the same may without delay be furnished to the Native Criminal Judge of Sirsy for the information and guidance of that Officer.-

15th July 1836. (Signed) J. H. Davidson. H. Asst to the Regr

No 830. To the Officiating Joint Criminal Judge of Gurdoor

Sir,

With reference to my predecessors Letter of the 11th Ultimo, I am directed by the Judges of the Toujdaree Udalut to inform you that the Governor in Council was pleased under date the 9th instant to sanction the Establishment amounting to Rupee (1-8-) one and annas eight shewing the amount paid to the Child of a prisoner confined in the Jail at Gurdoor during a portion of the 1st quarter of 1836, and at the same time to desire that attention be in future paid to the thirteenth Clause of the rules of the 22nd November 1833 published in the Fort St George Gazette No 204- which provides that "the sums total shall invariably be entered in words at length, as well as in figures, before a bill is signed, and the amount recommended for sanction and sanctioned by Government shall be written in the same way.-

15th July 1836 (Signed) J. H. Davidson. H. Asst to the Regr

To

No 831. To the Acting Joint Criminal Judge of
Masulipa
Sir,

1 I am directed to inform you that the Judges of
Fouydaree Udalut have been furnished by Government with
a copy of a letter addressed to the Right Honorable the
Governor in Council by the Military Board, stating the
in consequence of your having represented through the
Officer Commanding the Northern Division of the Ma
the inconvenience arising from the prisoners being confi
no buildings so distant from each other as to require sep
guards, they have directed the eight places of Rend
"Masulipatam" to be temporarily made over beyond
arrangement of which the Governor in Council has been
pleased in an Extract from the Minutes of Consultation
under date the 6th instant to signify his approval.
15th July 1836. (Signed) J.H. Davidson. Act. Sec. to the Bd

No 832. To the Officiating Criminal Judge of
Bellary
Sir

1 I am directed to acknowledge the receipt of your
letter of the 5th instant, in reply to mine of the 30th ult
relative to the two insane prisoners named Abdullah
and Nana Moosaiena.

2 In the third paragraph of my communi
cation you were requested to state whether the proceedings
Reports prescribed by the Circular Order of the Fouydaree
Udalut of the 1st June 1829, were ever drawn up in the four
years the prisoners in question were detained in confinement
at Bellary, made to this Court, if they were, that you could

specify the dates on which they were made; if not, that you could explain the cause of the omission.

3 As on these points your letter under reply contains no information whatever, I am directed to desire that you will immediately ascertain and report whether that part of the Circular Order above quoted has ever been fulfilled which provides that "no such person shall be continued in confinement for a period exceeding twelve months without a "Special report of all the circumstances of his case being made to the Court of Fouydaree Udalut by the Officer in whose custody he may be at the expiration of that period."

4 I am further directed to desire that you will ascertain and report for the information of the Court and of Government, whether the prisoners in question have now any friends in the District of Bellary or elsewhere who are willing to take charge of them and to watch over their conduct in the event of them being released from the Lunatick Asylum at Madras.

Signed J.H. Davidson.
Head Assistant to the Register.
15th July 1836.

No 833. To the Provincial Court of Circuit for the
Western Division
Gentlemen,

1 I am directed to acknowledge the receipt of your letter of the 4th instant accompanied by a translation of a communication from the Native Criminal Judge of Sirey, who solicits instructions for his guidance in the disposal of a case sent up by the Peshkar of Hellial in the Soopah Talook, in which the Prisoner, a female of the age of eight years, is charged with Arson and admits her guilt.

2 In reply I am desired to observe that the Judges of the

the Joujdaree Udalut concur in the opinion expressed by the Provincial Court of Circuit in the 2d paragraph of their letter, and have accordingly resolved to authorize the Native Criminal Judge of Tirey to remit all further proceedings in the case in question, and to release the prisoner from confinement with a suitable admonition.—

15th July 1836. / Signed / J. H Davidson. Nd Hyde Clarke Esq.

No 148.—

No 834. To, the Chief Secretary to Government—

Sir,

1 I am directed by the Judges of the Court of Joujdaree Udalut to acknowledge the receipt of your letter dated the 28th Ultimo together with an original letter and its accompaniments from the Adjutant General of the Army, and requesting the Judges to state what course should be pursued with the view to bring the person named Ghoolam Mohoodeen to punishment, if, on perusal of the papers and after communication if necessary, with the Additional Government Commissioner, they should be of opinion that there are grounds for proceeding against him—

2 In the letter from the Adjutant General of the Army dated the 17th Ultimo it is stated that "the proceedings of a "Court of Inquiry held in the 1st Native Veteran Battalion" "for the purpose of investigating a charge of fraud upon "the Carnatic Fund preferred against a Havildar of that "Corps, it appears that a man named Ghoolam Mohoo- "deen styled a Vakeel or Moollah of the Court is taxed "with having exacted a sum of Two hundred and thirty "Rupees as fees of Court upon payment made to the said "Havildar and with having likewise taken charge of a further

"further amount of Two hundred Rupees in deposit which "he has since refused to refund" and it is added "the "payment in question is proved to have been fraudulently "obtained, and apparently with this Vakeel's privity "and aid.—

3 All that appears in the proceedings of the Court of Inquiry regarding the above individual is a Statement of the said Havildar, named Bavah Sahib, in his defence to the charge of fraud, but upon such a basis, the Court would observe, no charge could be found against Ghoolam Mohoodeen especially as such allegation in the defence of Bavah Sahib, is stated to be directly at variance with his own previous deposition upon oath—

4 The Acting Additional Government Commissioner however having in his letter addressed to the Adjutant General under date the 15th Ultimo stated that he attributed to the Vakeel alluded to "evident fraud" that Officer was requested to inform the Court what evidence of such fraud on the part of the said Ghoolam Mohoodeen exists, pointing out to him at the same time that Bavah Sahibs allegation in his defence before the Court of Inquiry is of course no evidence at all against the individual in question—

5 In his reply the Acting Additional Government Commissioner informed the Court that the opinion expressed in his letter to the Adjutant General "was grounded solely on the allegations of "Bavah Sahib connected with the general bad character borne by "Ghoolam Mohoodeen," and under this explanation the Judges are not of opinion that there are any grounds for proceeding against this person.—

The—

6. - The letter from the Adjutant General of the Army and its accompaniments I am directed herewith to return.-

16th July 1836. (Signed) W Douglas. Register.

№ 835.- To the Secretary to the Indian Law Commission

Sir.

1 In reply to your letter dated the 17th Ultimo I am directed by the Judges of the Fouzdaree Udalut to state for the information of the Indian Law Commissioners that the specific offences included in the Mahommedan Law under the general term Zina, which are in practice brought before the criminal Courts are Rape and Adultery.-

2 Of Adultery only six Cases have been brought before the Courts of Circuit during the last five years which punishments was awarded in one case only, and during the same period there was no conviction of that Crime by the criminal Judges.-

3 There have been several Convictions of Rape within the same period, and the punishment usually adjudged on conviction of this offence is 7 years imprisonment with or without stripes though in cases attended by peculiar circumstances of aggravation it has occasionally been punished by transportation.-

4 With reference to para 4 of your letter of the 17th Ultimo the Judges of the Fouzdaree Udalut direct me to convey to you their opinion that the opportunity afforded to the injured parties of prosecuting the offenders before the public tribunals has not the effect of preventing the commission of those sanguinary Acts of resentment to which the sensibility to family Dishonor entertained generally by the Natives of India is apt to impel them; and that they see no good likely to result from continuing the offences of Adultery and fornication punishable under the criminal Law.-

16th July 1836. (Signed) W. Douglas. Register.-

Fouzdaree Diary 16th July 1836.

№ 836. To the Officiating Joint Criminal Judge of Vizagapatam

Sir

1 I am directed to acknowledge the receipt of Mr Arbuthnots letter of the 28th Ultimo, accompanied by a copy of a communication addressed under that date to the Provincial Court of Circuit for the Northern Division, in which he solicits the opinion of the Fouzdaree Udalut on the question whether the 2d Prisoner in a case sent up by the Magistrate of Vizagapatam is under the circumstances charged with an offence cognizable by the criminal Court; the charge being that the first prisoner having entered the prosecutors house, opened a large box and stolen therefrom property valued at Rupees 2601.5.4, the second prisoner being concerned with the first; hearing that the prosecutors were intending to prefer a complaint on the subject of the Robbery, sent for the second Prosecutor to his house and threatened him that if a complaint was preferred respecting the theft, he would get it dismissed, and making the first prisoner prefer a counter charge against the prosecutors and having it proved by his own people, would cause them (the prosecutors) to be put in irons.-

2 The question submitted by Mr Arbuthnot has been referred to the Cazee-ool Cozzat and Mooftee of the Fouzdaree Udalut who have stated in reply that the said second prisoner is under the Mahommedan Law liable to discretionary punishment proportioned to his offence.-

2

3 I am accordingly directed to communicate to you the opinion of the Judges that the prisoner in question should be dealt with in conformity to the provisions of Section VII Regulation X of 1816.-

16th July 1836.- / Signed / J. H. Davidson. Actg Asst to the Regr

№ 837. To the First Judge on Circuit in the Northern Division

Sir.

1 I am directed to acknowledge the receipt of your letter of the 30th Ultimo, in which you bring to the notice of the Foujdaree Udalut the case of a female named Eydah Soobbee who on your visiting the Jail at Guntoor complained of her long imprisonment alleging that Mr Wood had promised to send instructions respecting her, but that she had since heard nothing on the subject.-

2 In consideration of the lengthened period during which she has been in confinement, the Judges of the Foujdaree Udalut have resolved to authorize the immediate release of the prisoner in question whose name would appear from the Calendar to be a Soolatanny Soobbee.-

3 At the same time, I am directed to request that you will point out to the Officiating Joint Criminal Judge that it was his duty, on finding that Mr Wood had omitted to issue the expected orders, to submit an application on the subject to superior authority and not to leave the matter to be casually discovered by the Judge on Circuit.-

16th July 1836.- / Signed / J. H. Davidson.

Head Assistant to the Register

To.

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

Gentlemen.

1 With reference to your letter of the 8th instant, I am directed by the Judges of the Foujdaree Udalut to inform you that in compliance with the request of the Joint Criminal Judge of Tinnevelly, the Acting Criminal Judge of Madura has under this date been instructed to transfer to that Officer with as little delay as possible, twenty Convicts- the unexpired period of whose sentences may be not less than one nor more than seven years,- for the purpose of completing the number of Hands required for carrying on the paper manufactory in the Jail under his charge.-

18th July 1836. / Signed / J. H. Davidson. Actg Asst to the Regr

№ 840. To the Acting Criminal Judge of Madura

Sir.

1 I am directed by the Judges of the Foujdaree Udalut to desire that as soon as possible after the receipt of this communication, you will transfer to the Joint Criminal Judge of Tinnevelly under the prescribed guard of Peons, twenty Convicts, the unexpired period of whose sentences may be not less than one nor more than seven years- for the purpose of their being employed in the manufacture of paper in the Jail under that Officer's charge.-

18th July 1836 / Signed / J. H. Davidson Actg Asst to the Regr

№ 841. To A. Crawley Esqr and W. H. Arbuthnot Esqr

Gentlemen

1 With reference to an Extract from the Minutes of Consultation in the Judicial Department under date the

No 844. To the Provincial Court of Circuit in the
Gentlemen,
Southern Division
1 I am directed to acknowledge the receipt of your
letter of the 8th instant, accompanied by a copy of a communication
from the Acting Criminal Judge of Madura, and an original
sketch of the Jail at that station and an estimate of the expence
to be incurred, in carrying into effect certain alterations in the
building which that Officer considers "absolutely necessary
" for the well being and regularity of the establishments
2 The Judges direct me to return to you the sketch and
Estimate, and to request that in retransmitting them to the
Acting Criminal Judge, you will instruct that Officer to pro-
ceed in conformity with the Circular Order of the Court of Sudr
Udalut No 22 dated the 8th December 1835, which requires "that all
"estimates for the repair &c of Civil buildings in the Judicial
" Department in the provinces, be prepared by the Executive
" Engineer, in Communication with the Civil Officer who
" occupies the building and considers such repairs &c
" to be necessary &c &c."
18th July 1836. Signed J. H. Davidson Sr Asst to the Regr

No 149.

No 845. To the Chief Secretary to
Sir,
Government.
1 I am directed by the Judges of the Joujdaree Udalut to
forward to you — to be laid before the Governor in Council
the annexed copy of a letter dated the 27 instant received from
the Provincial Court of Circuit for the Western Division from
the Native Criminal Judge of Sircy, and of the Statement
which accompanied that communication exhibiting the

amount of the charges incurred on account of four Extra
Peons temporarily employed by that Officer.-
2 The Native Criminal Judge having requested
to be informed whether he was at liberty to entertain addi-
tional Peons when he had turbulent characters under ex-
amination, it was pointed out to that Officer under date the
25th February 1836, that under the Circular Order of the
Joujdaree Udalut No 18, dated the 15th October 1834 issued
with the sanction of the Right Honorable the Governor in
Council in the event of such a contingency occurring he
was authorized to do so but that every instance of the ex-
ertion of that discretionary authority must be immediately
reported through the Provincial Court of Circuit, to the
Court of Joujdaree Udalut.-
3 The Native Criminal Judge on the 7th of
March last, accordingly reported that having Sixteen
Prisoners under examination of whom twelve were charged
with Murder, and thirty one Prisoners in all in the Jail
he considered "that the ordinary guard" was "not
" sufficient for their safe Custody and that more than
" ordinary Security was required" and that he had
consequently employed four additional Peons, each
on a monthly salary of four Rupees.-
4 The Judges of the Joujdaree Udalut beg to
recommend that the Statement submitted by the Native
Criminal Judge, amounting to Rupees (60-4-7) Sixty
Anas fourteen and Pice seven, may receive the sanction
of Government.- (Signed) W. Douglas
19th July 1836.- Register

J.

№848. To the Chief Secretary to
Government.

Sir,

The Acting Second Judge on Circuit in the Northern Division having requested to be informed whether he is expected to visit the State Prisoners from Kimmedy under the charge of the Magistrate of Rellore the Judges of the Court of Toujdaree Udalut direct me with reference to the Second Section IV Regulation II of 1819 to solicit information whether it is the pleasure of the Governor in Council that the State Prisoners referred to should be visited by the Judge on Circuit in the Northern Division.

20th July 1836. / Signed / W. Douglas. Register

№849. To the Magistrate of
Malabar

Sir,

I am directed to acknowledge the receipt of your letter of the 9th instant accompanied by another original letter and its enclosures from the Joint Criminal Judge of Tellicherry on the subject of the claim of the Jailor at that station to the reward offered by proclamation for the discovery and apprehension of the Murderers of Pookiyael Koopaiah and in reply to inform you that this additional reference has not induced any change in the opinion of the Judges of the Udalut as communicated to you in my letter of the 30th ult.

2 The Judges direct me to observe that had an application been preferred for an increase of the salary of the Jailor or of a reward on the ground of faithful and important services performed, it might have been deemed to consideration but that a claim to the reward offered un-

the provisions of Section XXI. Regulation IX of 1816 on the grounds set forth in the reference from the Joint Criminal Judge is inadmissable.

20th July 1836 / Signed / Tt. Davidson. Nr. Asst. to the Regr.

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

Gentlemen,

With reference to your letter dated the 21st Ultimo I am directed by the Judges of the Court of Toujdaree Udalut to state for your information that in consideration of the expense attendant on the removal of Convicts from a distant Jail for the purpose of their being employed under the orders of the Officer Commanding Arcot, the Governor in Council has resolved to authorize the Officer Commanding Arcot to execute such portion of the repairs to the roads in that Cantonment as may be urgent, on an estimate of the expense being submitted for the sanction of Government.

2 It will not be necessary for you to communicate the order of Government above referred to the Officer Commanding Arcot, the necessary instructions having been issued to that Officer thro' the Military Department.

21st July 1836. / Signed / W. Douglas. Register.

№856. To the Provincial Court of Circuit in the
Northern Division

Gentlemen,

1 With reference to your communication of the 8th instant I am directed by the Judges of the Toujdaree Udalut to forward to you the annexed copy of a letter addressed under date the 16th instant to the Acting Joint Criminal Judge of Vizagapatam, communicating to that Officer their opinion upon

upon the mode of proceeding to be adopted in respect to the
Second prisoner in the case sent up by the Magistrate of
Vizagapatam, wherein the first prisoner was charged with
stealing property to a considerable amount from the house
of the Prosecutors, and the second with illegally inter-
fering to prevent the Prosecutors from preferring a Compla-
2 I am directed to add that of the letter addressed to the Provincial Court of Circuit by the Acting
Joint Criminal Judge, a copy was under date the 18th Ultimo
forwarded by that Officer to the Foujdaree Udalut -
21st July 1836. /Signed/ J. H. Davidson. Act. Sec. to the Govt.

№857. To the Provincial Court of Circuit for the
Gentlemen, Southern Division.

I am directed to acknowledge the receipt
of your letter of the 14th instant and in reply to inform
you that upon a consideration of the circumstances represented
by the Criminal Judge of Combaconum the Judges of the
Foujdaree Udalut have resolved to authorize the immedi-
diate removal under a suitable guard of the prisoner
Rungarajaly from that Zillah to the Jail of the Zillah
of Chingleput -
2 You will be pleased to instruct the Criminal Judge to
communicate on the subject with the Criminal Judge
of Chingleput, in order that the latter Officer being ap-
prized of the desperate character of the Criminal in question
may be enabled to adopt such precautionary measures with
a view to his safe custody, as may appear to him to be
necessary -
21st July 1836. /Signed/ J. H. Davidson.
Head Assistant

№151.

№867. To the Chief Secretary to
Government.
Sir,

I am directed by the Judges of the Court of Foujdaree
Udalut to transmit to you translation of a communication
from the Native Criminal Judge of Sirsee reporting his
having committed a case for trial before the Court of Cir-
cuit and with reference to the order of Government dated
the 26th January last to request that the Governor in Coun-
cil will be pleased under the provisions of Section III
Regulation III of 1827 to order that the prisoner "Munhya"
charged with Murder be forwarded to the Native Criminal
Court at Honore for trial by the Court of Circuit -
23d July 1836. /Signed/ W. Douglas. Register -

№868 To the Magistrate of
Malabar -
Sir,

I am directed by the Judges of the Court of
Foujdaree Udalut to acknowledge the receipt of your
letter of the 17th Ultimo forwarding Account particu-
lars of certain charges for subsistence of the Prisoners
transferred from the Jail at Calicut to Cochin under the
orders of Government of the 4th May 1832 and of the rewards
paid for the apprehension of robbers in the District under
your charge during fusly 1244, and to return to you the
said "Account Particulars" with the sanction of Government
dated the "18th July 1836" endorsed thereon.
2 The Government have requested the Judges to
draw your attention to the Orders of Government dated
the 22d November 1833 the 13th Clause of which directs
that

"that the sum total of Bills shall invariably be entered
"in words at length.-
23d July 1836. /Signed/ G.L. Prendergast. Sent after Mr

N.871- To the First Judge late on Circuit in the
Centre Division.
Sir,

Letters
From the 1st Judge on Circuit to the C.D. dated 2d April With reference to the Correspon-
To --- Do --- Do ---------- 11th April dence noted in the Margin, relative to the prisoner "Kenna Naun
From --- Do --- Do ---------- 27th May
Fouj: Proc to Do Do ---------- 2d June
Return to Precept of 2d June dated 6th June 1836 "yadoo" and "Beeda Paupadoo"
the improper release of the latter of whom occurred through
the criminal neglect of duty on the part of the Jailor at
Cuddapah, Mahomed Ishank, I am directed by the Judge
of the Court of Foujdaree Udalut to request that you will
cause to be furnished to the Acting Magistrate, the necessary
information and instructions for the reapprehension and
transmission to the Criminal Court of Cuddapah of the
said "Beeda Paupadoo."
25th July 1836.- /Signed/ G. L. Prendergast. Sent Do Do

N.872 To the Acting Joint Criminal Judge of
Vizagapatam.
Sir,

I am directed by the Judges of the Foujdaree Udalut
but to return to you the two Statements which accompanied
Mr Arbuthnots letter of the 14th instant exhibiting the
amount of Batta paid to the children of the prisoners
in the Jail of the Auxiliary Court at Vizagapatam during
the first and second quarter of 1836: and to desire that
at the foot of each the sum total may be entered in
words at length as well as in figures agreeably to the

practice prescribed by the thirteenth Clause of the Rules
of the 27th November 1833 published in the Fort St.
George Gazette N.204- the neglect of which on the part
of Subordinate Officers has attracted the notice of Go-
vernment on several recent occasions.-
26th July 1836. /Signed/ J.H. Davidson Ag. Asst to the Regr

N.873. To the Officiating Criminal Judge of
Bellaree.
Sir,

I am directed to acknowledge the receipt of your
letter of the 16th instant reporting the destruction by fire
on the night of the 12th instant, of the thatched paper
Manufactory attached to the Jail at Bellaree and to
request that the result of your enquiries respecting the cause
of the accident may be communicated for the information
of the Foujdaree Udalut.-

2 With reference to the third paragraph of your
letter in which you request authority to construct a new
manufactory with stone beams and chunam at an esti-
mated expence of Rupees 250- I am directed to request that
you will explain whether or not this sum includes the
charge on account of Tiles: as the Judges of the Foujdaree
Udalut would deem it inexpedient to recommend the con-
struction of a new building with a thatched roof.

3 I am desired to add that to enable the Judges
to make reference on the subject to Government, it will
be necessary that you submit a formal Estimate of
the expence which the construction of the proposed
new building will involve and that the Circular Orde-

pa

Nº 22 dated 8th of December last he alluded to.
26th July 1836. /Signed/ J. H. Davidson. Nº Asst to under Sr

Nº 874. To the Criminal Judge of Chingleput.

Sir,

I Application having been made to Government by the Military Board, for the services of thirty (30) Convicts to be employed at Palavenam in constructing a Butt for Infantry Ball Practice under the Orders of the Officer Commanding that Cantonment, I am directed by the Judges of the Foujdaree Udalut to desire that you will immediately report for their information whether that number of Convicts can without inconvenience be spared from the Jail under your charge.
26th July 1836 /Signed/ J. H. Davidson. Nº Asst to Sr Regr

Nº 883. To the Magistrate of Chingleput.

Sir.

I am directed by the Judges of the Court of Foujdaree Udalut under instructions from Government dated the 21st Instant to request that you, or one of your Assistants, will visit the Jail at Ponamalee once in each months and bring to the notice of the Court of Circuit on its arrival in your district, any circumstances respecting the Convicts lodged in the Jail at that station which you may consider necessary.
28th July 1836 /Signed/ G. L. Prendergast, Senr Dy Regr

Nº 884. To the Acting Second Judge on Circuit in the Northern Division

Sir

With reference to your letter dated the 15th Instant I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you copy of an order of Government dated the 25th Instant Nº 632 intimating that the Governor in Council directs the Judge on Circuit in the Northern Division to visit the State Prisoners from Kimmedy under the charge of the Magistrate of Nellore and to make the Report required by Clause Second Section IV Regulation II of 1819.
28th July 1836. /Signed/ W. Douglas Register

Nº 887. To the Four Provincial Courts of Circuit.

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Udalut to transmit, for Communication to

to the several subordinate authorities whom it may concern
the accompanying Extract from the Minutes of Consulta-
tion, dated the 21st Instant, upon a letter addressed
to Government by the Adjutant General of the Army, re-
lative to the recent death of a Private in the 40th Regiment
of N. I. while escorting two women carrying bundles of
Rockets, which exploded during a festival at Conjeveram
and to request that particular attention be paid to the
Orders thereon contained viz.t that the employment of
Native Troops on occasions similar to that on which the
accident in question occurred "be rigidly restricted to such
"Military duties as they have hitherto been called upon
"to perform."—

29th July 1836

Signed G. L. Prendergast
Senior Asst Resr

No 888. To the Acting Criminal Judge of
Cuddapah

Sir

1 With reference to your letter of the 20th Instant
reporting that in exercise of the discretionary authority
vested in Criminal Judges by the Circular Order No 18
of 1834, you have appointed eight Extra peons for the
purpose of attending the committed prisoners to and from
the Jail during the Sessions or until the number of the con
are considerably decreased, I am directed by the Judges of
the Joujdaree Udalut to request that those peons may be
discharged as soon as practicable, and that upon
their services being dispensed with, you will forward
to this Office for the special sanction of Government,

an account Particulars of the expence actually incurred
in consequence of the measure you have adopted.—

29th July 1836. Signed J. H. Davidson Nr Asst to the Regr

No 893. To Lieut. Orr in charge of the Convicts at
Guindy

Sir,

1 I am directed by the Judges of the Court of
Joujdaree Udalut to request that the "Statement of priso-
ners at Guindy" for the months of "June" may be
furnished with the least practicable delay.—

30th July 1836. Signed G. L. Prendergast Senr Asst Regr

No 152.

No 894 To the Chief Secretary to
Government.

Sir,

1 With reference to the Extract from the Minutes
of Consultation under date the 19th Instant I am directed
by the Judges of the Court of Joujdaree Udalut to explain
that besides their Circular Orders there are no "standing
"Orders" prescribing rules for guidance of Officers in
charge of Jails.—

2 This has been communicated to the Officer Com-
manding the Neilgherries thro' the Provincial Court of
Circuit in the Southern Division and measures have been
taken by this Court to ensure the Officer Commanding
the Neilgherries being furnished with copies of all stand-
ing Orders subsequent to June 1834 which could be of use
to him, and from them having been issued since June
1834 are not to be found in the Printed Book, a copy
of which however the Judges direct me to suggest be

furnished

furnished by Government to the Officer Commanding the Neilgherries; if not previously supplied for the use of his Office.—

30th July 1836. /Signed/ W. Douglas. Register.—

No 895. To the Provincial Court of Circuit in the Southern Division.

Gentlemen,

1 I am directed by the Judges of the Court of Toujdaree Udalut under instructions received from Government to request you will furnish the Officer Commanding the Neilgherries with copies of such of the Circular Orders noted in the margin of this letter as upon enquiry may not be found among the records of his Office.

C. O. No 11
14
16
17
18
19
27
33
34
42
45
50
53
60
65
67

2 You will be pleased at the same time to inform the Officer Commanding Neilgherries that all previous Orders issued by the Toujdaree Udalut prescribing rules for the observance of Officers in charge of Jails, will be found in the printed edition of the Orders of this Court; a copy of which the Judges have suggested to Government should be furnished to Lieut. Colonel King for the use of his Office.—

30th July 1836. /Signed/ W. Douglas. Registrar.—

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

Gentlemen,

With reference to your letter dated the 8th Ultimo I am directed by the Judges of the Joujdaree Udalut to inform you that on their recommendation the Governor in Council was pleased under date the 25th Ultimo to sanction the sum of Rupees 160-14-7½ Sixty Annas fourteen and five seven, expended by the Native Criminal Judge of Sirsee on account of the salaries of 4 Additional Peons employed to assist in guarding the Jail at a period when the Native Criminal Judge considered the ordinary guard insufficient for its custody

1st August 1836 Signed J. W. Douglas. Register

№897. To the Provincial Court of Circuit in the Northern Division.

Gentlemen,

1 I am directed by the Judges of the Court of Joujdaree Udalut to transmit to you for your information and guidance copy of an order of Government dated the 25th Ultimo directing the Judge on Circuit in the Northern Division to visit the State Prisoners from Kimmedy under the charge of the Magistrate of Nellore and to make the report required by Clause Second Section IV Regulation II of 1819.

2 I am directed to add that a copy of the above order has been furnished from this Office

to

№896 To the Provincial Court of Circuit in the
Western Division
Gentlemen,

With reference to your letter dated the 8th
Ultimo I am directed by the Judges of the Jaujdaree
Udalut to inform you that on their recommendation
the Governor in Council was pleased under date
the 25th Ultimo to sanction the sum of Rupees —
160-14-7 / Sixty Annas fourteen and five seven,
expended by the Native Criminal Judge of Sirsee
on account of the salaries of 4 Additional Peons
employed to assist in guarding the Jail at a period
when the Native Criminal Judge considered the or-
dinary guard insufficient for its custody
1st August 1836 Signed / W. Douglas. Register—

№897 To the Provincial Court of Circuit in the
Northern Division.—
Gentlemen,

1 I am directed by the Judges of the —
Court of Jaujdaree Udalut to transmit to you for
your information and guidance copy of new order of
Government dated the 25th Ultimo directing the
Judges on Circuit in the Northern Division to visit
the State Prisoners from Kimmedy under the —
charge of the Magistrate of Nellore and to make
the report required by Clause Second Section IV
Regulation II of 1819.—

2 I am directed to add that a copy of
the above order has been furnished from this Office

to

to the Judge now on circuit in the Northern Di-
-vision.-
(Signed) W Douglas
1st August 1836. Register

№898 To the Provincial Court of Circuit in the
Gentlemen, Western Division

1 With reference to your letter dated the
12th Ultimo I am directed by the Judges of the Joujdaree
Udalut to inform you that under the provisions of
Section III Regulation III of 1827 the Governor in
Council has been pleased by an order in Council
dated the 26th Ultimo to authorize the Native Cri-
minal Judge of Sirsee to forward the prisoner
Mounkya charged with Murder to the Native
Criminal Court at Honore for the purpose of being
tried by the Court of Circuit.-
1st August 1836. (Signed) W. Douglas. Register

№899 To the Chief Secretary to
№153.
Sir, Government.

1 I am directed by the Judges of the Court
of Joujdaree Udalut to report for the information
of the Right Honorable the Governor in Council
that there are now 36 Convicts under sentence of
transportation at the Depot at Chingleput. The
Judges beg leave to suggest that measures be
taken for the early embarkation of these prisoners,
and of such further number as may accumulate

by the period when the means of transport may be
procured.- (Signed) W. Douglas
1st August 1836. Register

№900 To the Joint Criminal Judge of
Tellicherry
Sir,

1 With reference to your letter of the 22d Ultimo
soliciting authority to provide 12 Carts for the use of
the Convicts employed on the roads at Tellicherry,
I am directed by the Judges of the Joujdaree Udalut
to inform you that the application cannot be laid
before the Government without an estimate of the
expence which the measure will involve.-

2 As the number of carts mentioned in your
letter appears to be out of proportion to the number of
Convicts ordinarily confined in the Jail at Tellicherry,
the Judges direct me to request that you will explain
the grounds on which you propose that so large a
number shall be provided.-
1st August 1836.- (Signed) J.A. Davidson. Asst to the Regr
№154

№903 To the Chief Secretary to
Sir, Government.

1 I am directed by the Judges of the Court
of Joujdaree Udalut to acknowledge the receipt of the
order of Government dated the 18th Ultimo,
communicating for their consideration and re-
port, with reference to your letter of the 28th
June

*unanimously
2 M. of 16th July
*1833 No 148

to the Judges now on circuit in the Northern Division -
(Signed) W Douglas
1st August 1836. Register

№898 To the Provincial Court of Circuit in the Western Division

Gentlemen,

With reference to your letter dated the 12th Ultimo I am directed by the Judges of the Jouydaree Udalut to inform you that under the provisions of Section III Regulation III of 1827 the Governor in Council has been pleased by an order in Council dated the 26th Ultimo to authorize the Native Criminal Judge of Sirsee to forward the prisoner "Munkya" charged with Murder to the Native criminal Court at Honore, for the purpose of being tried by the Court of Circuit -

1st August 1836. (Signed) W. Douglas. Register

№899 To the Chief Secretary to Government

№153

Sir,

I am directed by the Judges of the Court of Jouydaree Udalut to report for the information of the Right Honorable the Governor in Council that there are now 36 Convicts under sentence of transportation at the Depot at Chingleput. The Judges beg leave to suggest that measures be taken for the early embarkation of these prisoners and of such further number as may be

by the period when the means of transport may be procured. -
(Signed) W. Douglas
Register
1st August 1836.

№900 To the Joint Criminal Judge of Tellicherry

Sir,

With reference to your letter of the 22d Ultimo soliciting authority to provide 12 Carts for the use of the Convicts employed on the roads at Tellicherry, I am directed by the Judges of the Jouydaree Udalut to inform you that the application cannot be laid before the Government without an estimate of the expence which the measure will involve. -

2 Your letter appears to be out of proportion to the number of Convicts ordinarily confined in the Jail at Tellicherry, the Judges direct me to request that you will explain the grounds on which you propose that so large a number shall be provided. -

1st August 1836. - (Signed) J. H. Davidson. Nr. Asst to the Regr.

№154

№905 To the Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Court of Jouydaree Udalut to acknowledge the receipt of the order of Government dated the 18th Ultimo, communicating for their consideration and report, with reference to your letter of the 28th June

* sanctioned by G.O. of 16th July 1836 No 148

Letter from Jaun Major to the Addt Govt dated 26th June 1836 with memorial of Sheek Jureed.

Letter from Addt Govt to the Mil. Secy to Govt dated 30th June 1836.

Extract from Min. Con. Public dept dated 5th July 1836

June last, certain original papers, noted in the margin, respecting a memorial from Pensioned Havildar Sheek Jureed praying that measures may be taken for his recovering the sum of Rupees 1673-14, stated to have been irregularly paid to "Havildar Bawa Sahib" by the late Additional Government Commissioner for his claims.—

2 It appears to the Judges, from a perusal of the Papers laid before them, that the memorialist Sheek Jureed has been defrauded by "Bawa Sahib" and others; that there can be no question that the money is recoverable from the persons who have fraudulently obtained it by a Suit. The parties can, also, be prosecuted against under the provisions of Section V. Regulation IX of 1833, and the Judges would accordingly recommend that the Acting Additional Government Commissioner may be desired by Government to institute proceedings.—

3 This appears to be the proper course for the fraud committed upon Government. But the Judges would observe that, so far as regards the rightful claimant, a question may arise whether either the Government, or the Additional Government Commissioner, is not responsible to him, for the payment of the sum of which he has been thus defrauded.—

4 The papers, however, at present before the Judges do not afford sufficient information for the determination of this point; and, as the matter requires to be

there "judicially"; I am desired respectfully to state that they are not prepared to offer any opinion upon it.—

3d August 1836.— (Signed) W. Douglas. Register

No 906 To the Acting Criminal Judge in the Zillah of Madura

Sir,

The Government having it in contemplation to open the Paumbum pass, I am directed by the Judges of the Court of Jorydaree Udalut under instructions received from Government to request you will report without delay what number of Convicts can be spared from the Jail under your charge for the purpose of being employed on this work.—

As no letter has been received from you reporting that any portion of the Convicts under your charge have been employed in repairing the road leading from Madura to Dindigul, the Judges conclude, that no application to this effect has been made to you by the Principal Collector with reference to the order of Government of the 26th of May 1836.

Vide letter from the S.C. dated 31st May 1836.

The Judges desire that previous to replying to this reference you will ascertain and report whether it will be practicable to employ the labor of Convicts in repairing the road from Madura to Dindigul, and if so, the probable number of Convicts that will be required by the Principal Collector for this work, and the period when their services will be required.—

3d August 1836 (Signed) W. Douglas

Register

To

№ 907. To the Magistrate of Jaffna

Sir

I The Government having it in contemplation to open the Paumbum Pass, I am directed by the Judges of the Court of Jaffna at Udalut under instructions received from Government to request you will report without delay what number of Convicts can be spared from the Jail under your charge for the purpose of being employed on this work without prejudice to the order of Government of the 3d of February last requiring that a daily supply of Convicts from the Jail under your charge be employed on the repairs of the roads of the Cantonment.

3d August 1836. (Signed) W. Douglas
Register

№ 908. To the Criminal Judges of Tambacoreem

Sir.

I The Government having it in contemplation to open the Paumbum Pass I am directed by the Judges of the Court of Jaffna at Udalut under instructions received from Government to request you will report without delay what number of Convicts can be spared from the Jail under your charge for the purpose of being employed on this work.—

3d August 1836. (Signed) W. Douglas
Register

№ 155.

№ 916. To the Chief Secretary to Government.

Sir.

I With reference to the Extract from the Minutes of Consultation under date the 19th Ultimo I am directed by the Judges of the Court of Jaffna at Udalut to report for the information of the Governor in Council that the required number of Convicts can be spared from the Jail at Chinglepet to be employed at Palaveram in constructing a Butt for Infantry Ball Practice, under the orders of the Officer Commanding that station.—

Should the Governor in Council deem it proper to direct the transfer of 30 Convicts accordingly, the Judges direct me respectfully to suggest that provision be made for their accommodation at Palaveram and that sanction be given for the employment of a Duffadar, on 7 Rupees per Mensem, to accompany the prescribed number of Peons; to accompany the prescribed number of Peons.

4th August 1836. (Signed) W. Douglas. Regr.

№ 917 To the Magistrate of Ganjam

Sir

I In reply to your letter dated the 20th Ultimo I am directed by the Judges of the Court of Jaffna at Udalut to inform you that the parties concerned in the case stated in that communication must, if there is evidence against them, be sent up

up to the Criminal Court for trial with reference to the provisions of Clause third Section IX Regulation VI. of the

2 I am directed also to point out to you that the question should have been proposed through the Provincial Court of Circuit in the Northern Division.—

4th August 1836. [Signed] W. Douglas. Register.—

№ 919. № 156.

To the Chief Secretary to Government.

Sir

1 With reference to the Extract from the Minutes of Consultation under date the 10th of May last I am directed by the Judges of the Court of Joujdaree Udalut to transmit to you for the purpose of being laid before the Governor in Council the reports received from the several Judges in whose Jails paper is manufactured, containing information as to the process in use in the respective manufactories, the quantity of the article produced, its cost, and such information as to the introduction and success of the manufactures as may be useful to the Committee sitting in Bengal to enquire into the subject of Prison discipline.—

2 Together with the above reports the several Judges have submitted, for transmission to Bengal, specimens of the different kinds of paper manufactured in the Jails under their charge.—

3 The correspondence which has passed between this Court and the Government on the subject of the manufacture of Deny and Toolachy paper in the

Jail at Nellore would appear to have been already submitted to the Right Honorable the Governor General in Council, and the records of this Office do not contain any further information on the subject which the Judges conceive would be found useful.—

6th August 1836.— [Signed] W. Douglas. Register

№ 157.—

№ 920. To the Chief Secretary to Government.

Sir,

1 I am directed to acknowledge the receipt of the order of Government № 586 dated the 9th July 1836, in which the Judges of the Joujdaree Udalut are requested to ascertain from the Acting Criminal Judge of Bellaree and report for the information of the Governor in Council, whether the two men "Abdoollah and Hamed Hoossaines" referred to in the Extract from the Minutes of Consultation in the Judicial Department under date the 21st June 1836, and in my letter of the 4th Ultimo, have any friends in that Zillah who are willing to take charge of them and to watch over their conduct.—

2 The report received on the 4th instant from the Acting Criminal Judge is to the following effect: "the "prisoner Abdoollah said is a resident of Surat on "the other side of Bombay and has no friends in this "Zillah; he murdered his own brother while travelling "in this part of the country, Mahommed Hoossain

and

"and Abdool Cander of this Zillah will take care of the
"other prisoner." Nana Hoosaine, an inhabitant
of Adoni - but they declined going to Madras to take
"charge of them"—

3 With this report before them, the Judges
of the Jouydaree Udalut direct me respectfully to state
their opinion that it is inadvisable to send Abdool Cuh
Said to Bellaree where he has no relations: and that
unprovided as he is with any ostensible means of
livelihood, and without any friends to watch over his
conduct, his release at Madras would be a proceeding
wrought with danger to the community—

4 Under these circumstances, the Judges would
recommend that a reference be made to the Government
of Bombay with a view to ascertain whether or not he
Presidency he has any friends or relations able and
willing to take care of him—

5 With respect to the other prisoner Nana
Hoosaine, the Judges direct me to suggest that he
be forwarded to the Criminal Court of Bellaree
for the purpose of being made over to the individuals
who have expressed their willingness to take charge
of him—

(Signed) H Douglas
Registr

8th August 1836—

№921 To the Native Criminal Judge of
Honore—

Sir

I am directed to acknowledge the receipt

of your letter of the 26th Ultimo, submitting a further
reference respecting the case in which a person of the
Mount is charged by one of your servants with having
bitten off a portion of his right ear during a celebra-
tion of a Mahommedan Festival, stating the grounds
on which you deem the sentence passed by the Sudr
Ameen contrary to the evidence, and requesting to
be informed whether you may exercise the same discre-
tionary power over that sentence in the particular case
referred to, as in other cases disposed of by that Officer—

2 In reply I am desired to observe that the
Judges of the Jouydaree Udalut are aware of no objection
to your exercising in the present instance, the dis-
cretionary power vested in the Criminal Courts by Section
II Regulation III of 1833—

8th August 1836— (Signed) J. H. Davidson. Ass. Agt to the Regr.

№926— To the Criminal Judge of
Chittoor

Sir,

With reference to the correspondence
recently laid before the Government by the Officer Com-
manding at Vellore, on the subject of the case of a
prisoner, named Naraimsamy, who was sent to
the Criminal Court under the provisions of Section
XXXIV Regulation VII of 1832 charged with perjury
from which it would appear, that you was absent
from your station about the 20th April last, I am
directed

directed by the Judges of the Joujdaree Udalut to desire that you will immediately report for the information of the Court and if requisite of Government how it happened that you left the station without leave of absence, and for how many days your absence therefrom continued.-
9th August 1836 (Signed) W. Douglas. Register.-

№ 159.

№ 927. To the Chief Secretary to Government.-

Sir.-

1 With reference to the Extract from the minutes of Consultation under date the 27th Ultimo, I am directed by the Judges of the Court of Joujdaree Udalut to request that the Draft of Rules for carrying into effect the system pursued in Bengal of employing convicts at a distance from the Jail, submitted to Government under date the 5th of November 1835, may be returned to this Office, with a view to such of the suggestions of the Committee of Convict Labor at Calcutta being added as the Judges deem advisable should be embodied in the proposed rules.- (Signed) W. Douglas
9th August 1836.- Register.-

№ 160.

№ 928. To the Chief Secretary to Government.-

Sir,

1 I am directed by the Judges of the Court of Joujdaree Udalut to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 2d instant

instant referring for their consideration and report a letter addressed by the Adjutant General of the Army to the Secretary to Government in the Military Department requesting the decision of Government as to whether a Felon is entitled to Prize money.-

2 As pointed out by the Advocate General, in the opinion recorded on the Adjutant General's letter of the 23d Ultimo, the terms Felon and Felony are technical terms of English Law, and the rule as to forfeiture in such cases belongs exclusively to that Law.-

3 There is no similar provision in the Regulations of this Government nor is the estate of a Native convicted in any of the Courts subject to this Presidency of a crime, amounting to Felony under the English Law, ipso facto forfeited to the Government.-

4 The Court of Joujdaree Udalut are not however aware whether a claim to prize money is according to Military Law liable to forfeiture from the misconduct of the Soldier to whom it may be due and upon this point the Governor in Council may perhaps deem it advisable to consult the opinion of the Judge Advocate General.- (Signed) W. Douglas
9th August 1836.- Register.-

№ 929. To the Magistrate of Vizagapatam

Sir,

1 I am directed by the Judges of the Court of Joujdaree

Foujdaree Diary 9th and 12th August 1836

Foujdaree Udalut to transmit to you for your information copy of a letter addressed by Captain Reynolds Officiating General Superintendent of the operations for the suppression of Thuggee to the Chief Secretary to Government under date the 16th Ultimo together with an extract from the Minutes of consultation thereon under date the 5th Instant.—

2. The Judges desire you will forward without delay the prisoners in the case of murder referred to in Captain Reynolds letter to Captain Malcolm at Hyderabad together with Copies of all proceedings which may have been held on the occasion and the Judges further desire you will be careful to see that the Prisoners are forwarded under a strong escort.—

3 You will be pleased also to explain the cause of the delay which has occurred in furnishing Captain Reynolds with the informations requested by him in his letters to your address of the 15th of April and 15th of June last and the Judges desire me to instruct you to pay due attention in future to any requisitions that may be made to you by the Officers employed in the suppression of Thuggee.—

9th August 1836.— (Signed) H. Douglas. Registr

No 163.

No 941. To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court

Foujdaree Diary 12th August 1836.

of Foujdaree Udalut to acknowledge the receipt of an Extract from the Minutes of consultation under date the 2d Instant communicating for their information and guidance an Extract from the Minutes of Consultation in the Military Department under date the 26th Ultimo containing a resolution to the effect that the number of Convicts on the Neilgherries be augmented to 200, "if it can be done without inconvenience to the public Service".—

2 To complete the number of Convicts at present under the charge of the Officer commanding the Neilgherries to 200, it would be necessary to transfer 90 Convicts to the Jail at Cotacamund, and with reference to the orders of Government noted in the margin I am directed to explain that no Convicts for this purpose are at present available in any of the Jails in the Southern Division.—

No 158 dated the 23d of Feb 1836.
No 638 dated the 26th of May 1836.
No 677 dated the 30th of May 1836.
No 964 dated the 25th of July 1836.

3 It has hitherto been usual to transfer Convicts required to be employed on the Neilgherry Hills from the Jails at Coimbatore and Calicut, but the letter addressed to Government under date the 24th of May last will shew that from the former Jail no Convicts can at present be spared without interfering with the public works now in progress at that station; and from the latter Jail all the Convicts that could be spared have been lately transferred to the

Tanjore

charge of the Joint Criminal Judge at Tellicherry for the purpose of being employed on the works enumerated in the letter addressed to Government under date the 11th June last.

4 The Judges would therefore suggest that the transfer of a further number of Convicts to Cannanore be for the present delayed, and that the Joint Criminal Judges of Malabar and the Judges of Coimbatore may be directed to communicate with each other so shortly thereafter as the public works will admit, and without prejudice to the order of Government of the 16th of June 1836. The Criminal Judge of Malabar and the Joint Criminal Judge of Coimbatore being required to report to this Court whenever the number of Convicts in confinement in the Jails under their respective charge will enable them to give effect to the wishes of Government.

12th August 1836. (Signed) W. Douglas. Register.

No. 164.

No. 945. To the Chief Secretary to Government.

Sir,

With reference to the 3d paragraph of my letter of the 10th May last, I am directed by the Judges of the Court of Tongdaree Adalut to transmit the accompanying copy of a letter from the Magistrate of Coimbatore dated the 5th Instant reporting that no convictions of the absconded of the deceased prisoner Raoben are to be found in the District under his charge.

2 Under the peculiar circumstances of the

case the Judges respectfully solicit the instructions of Government regarding it.

13th August 1836. (Signed) W. Douglas. Register.

No. 165.

No. 946. To the Chief Secretary to Government.

Sir,

With reference to the order of Government No. 663 dated the 21st May 1836, desiring that the Acting Assistant Judge of Guntoor may be instructed to call upon the Superintending Engineer in the Northern Division to state his opinion whether the increased rent demanded by the owner of the Court house at that station for providing the required additional accommodations, is reasonable or otherwise, I am directed by the Judges of the Tongdaree Adalut to forward to be laid before the Governor in Council the annexed copy of a letter dated the 23d Ultimo, received on the 9th Instant through the Provincial Court of Circuit in the Northern Division from the Acting Joint Criminal Judge of Guntoor, affording the required information.

2 From the letter of the Acting Joint Criminal Judge it will be observed that although the Superintending Engineer is of opinion that 30 Rupees per mensem will in addition to the rent now paid be a reasonable remuneration for the improvements required to be made by the proprietor to the present Court house, yet that Officer considers it would be more advisable to build an entirely new Court house, since with the assistance

of Convict labor, a building might be erected at an outlay of about three thousand Rupees, which at the rate of eighty Rupees per mensem, the sum which the proprietor of the present house will be entitled to receive if she be required to erect the additional rooms, Government will be enabled to receive in little more than three years. —

3 The Judges of the Tonjdaree Udalut concur with the Provincial Court of Circuit in deeming the suggestion of the Superintending Engineer to be worthy of adoption, and accordingly beg to recommend it to the favorable consideration of the Governor in Council.

13th August 1836. (Signed) H. Douglas. Register.

No 947 To the Provincial Court of Circuit in the Northern Division.

Gentlemen

1 I am directed to acknowledge the receipt of your Register's letter of the 26th Ultimo, forwarding for the consideration and orders of the Tonjdaree Udalut, a copy of a correspondence with the Acting Joint Criminal Judge of Masulipatam relative to a prisoner in the Jail at that station, named Veera Moosoo Alias sentenced to imprisonment for six months for severely wounding two men with a sword during the Mohurrum, whose release is recommended by the Medical Officer as the most probable means of restoring his health undermined by the intemperate use of Narcotic stimulants. —

2 In reply, I am desired to observe that the Judges of the Tonjdaree Udalut see no sufficient grounds for authorizing a remission of the sentence passed upon the prisoner. They are of opinion that he should be placed under the care of the Medical Officer from whom he will experience such treatment as his case may appear to require.

3 I am also directed to request that you will instruct the Acting Joint Criminal Judge on the expiration of the prisoners sentenced to place him under the care of any relations who may be willing to take such charge of him as may prevent the possibility of his doing further mischief. —

13th August 1836. (Signed) J. St. Davidson. Nr Asst to the Regr.

No 166.

No 948. To the Chief Secretary to Government.

Sir,

1 I am directed to forward to you to be laid before the Governor in Council the accompanying Extract from the Accounts of Audit of the Coimbatore Collectorate for July 1836 and comparative Statement of Magisterial charges not estimated but actually incurred in that District during the same July, together with an Account Particulars of the Batta paid to the prisoners sent up to the Criminal Court and to those transferred to the charge of the Magistrate from the Zillah Jail of Salem, and a Statement of the expenditure incurred on account of the Convicts employed under the Officer

Commanding

Commanding the Neilgherries, which reached this Office on the 9th Instant.-

2 The Statements do not appear to call for any remark and the Judges of the Fouydaree Udalut beg to recommend that sanction be granted for the charges in question amounting in the aggregate to Rupees (5885-12-5) five thousand eight hundred and eighty five annas twelve and pice five.-

15th August 1836.- (Signed) W. Douglas - Register -

No 949 To the Provincial Court of Circuit in the Centre Division

Gentlemen,

1 I am directed by the Judges of the Court of Fouydaree Udalut with reference to instructions received by them from Government, to request that you will issue to the Criminal Judge at Chingleput orders to transfer to the charge of the Officer commanding Palaveram, for the purpose of being employed in conducting a Ball for Infantry Ball Practice, 30 Convicts with the prescribed proportion of Peons and a Duffadar

2 For the employment of this Duffadar on a salary of (7) seven Rupees per mensem Government have granted sanction under date the 8th Instant.-

3 The form of "Statement" which, as in the case of convicts under charge of other Military authorities, will be required monthly from the Officer commanding Palaveram should be transmitted by you to him with a request that he will forward the Statement

early each month to this Court through the Criminal Judge of Chingleput.- Signed G. L. Prendergast.-

15th August 1836.- Sent to Dept Register.-

No 950 To the Acting Second Judge on Circuit in the Northern Division

Sir,

1 With reference to your letter dated the 8th Instant I am directed to communicate to you the opinion of the Court of Fouydaree Udalut that under the circumstances detailed the commitment of the prisoners concerned in cases No 1. 2. 4 and 5. of the Guntoor Calendar was proper, and to desire you will proceed to try and dispose of the cases accordingly.- (Signed) W. Douglas

15th August 1836.- Register

No 961 To the Provincial Court of Circuit in the Centre Division

Gentlemen,

1 I am directed by the Judges of the Court of Fouydaree Udalut to request an early reply to the letter from this Office, to your address, under date the 21st of May last, wherein they approved of the dismissal, from his situation as Jailor at Cumbum, of Rufsool-khan, and in requiring the Native Criminal Judge of Cumbum to transfer "all committed prisoners" to the Jail at Cuddapa, desired that the Native Criminal Judge might be called on to explain why he had not attended to the provisions of Section VII Regulation VIII of 1827.- (Signed) G. La. Prendergast

17th August 1837.- Senior Dept Register -

№962 To the Acting Second Judge on Circuit in the Northern Division

Sir,

1 I am directed by the Judges of the Soujdaree Udalut to inform you that under the circumstances represented in your letter of the 8th Instant, it will not be necessary for you to submit the report required by Clause Second, Section IX Regulation II of 1819 upon the State Prisoners from Kimmedy now under the charge of the Magistrate of Vellore, the duty of visiting whom will devolve upon your successor on Circuit in the Northern Division.—

2 With reference to the third paragraph of your letter, I am directed to state that you are expected to visit the Convicts who are employed under the orders of the Officer Commanding Samulcottah

17th August 1836.- (Signed) W. Douglas. Register.—

№963 To the Chief Secretary to Government.

Sir

1 With reference to the Order of Government №632 dated the 25th July 1836, desiring that the Judge on Circuit in the Northern Division may be directed to visit the State Prisoners from Kimmedy now under the charge of the Magistrate of Vellore, and to make the report required by Clause Second, Section IV, Regulation II of 1819; I am directed by the Judges of the Soujdaree Udalut to inform you that the

the order in question, (which was dispatched from this Office on the 28th Ultimo,) did not as appears by a letter from the Acting Second Judge on Circuit, reach that Officer until after his arrival at Guntoor: and that in consequence, and in order to a reference from him on the subject he has been apprized that he will not be expected to make the report upon the prisoners in question, the duty of visiting whom will devolve upon his successor on Circuit in the Northern Division.—

17th August 1837.- Signed W Douglas.- Register.—

№968. To the Chief Secretary to Government.—

Sir

1 I am directed by the Judges of the Soujdaree Udalut to forward to you to be laid before the Governor in Council, the annexed copy of a communication dated the 2nd and received on the 12th instant through the Provincial Court of Circuit in the Central Division from the Criminal Judge of Chinglepute, together with a copy of the letter and estimate therein referred to from the Officer Commanding St. Thomas's Mount and to state that the Judges recommend that sanction be granted for the outlay of Rupees 137 4 (Thirty seven and Annas four) in erecting the sloping Verandah required for the accommodation of the Convicts who have been transferred to that station from the Jail of the Zillah of Chinglepute

18th August 1836.— (Signed) W Douglas

Register.—

To

№ 969.

№ 169.

To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Joujdaree Udalut to request that you will bring to the notice of the Governor in Council the circumstances connected with case № 2 on the Madura Calendar for the Second Sessions of 1836, in which the prisoner Palany-aundy stood charged before the Court of Circuit with having been an accomplice of the Gang of Robbers who, on the 19th November 1835, attacked the houses of the first and second Prosecutors, named Veemaren Chetty and Alangaren Chetty, situated at Aiyemcoolum in the Tripattoor Taluk, Sheveganga District, in the Zillah of Madura, plundered therefrom property valued at Rupees 1123-8 beat the first Prosecutor, and wounded the third, fourth, fifth, and sixth Prosecutors.

2 It appears from the evidence for the prosecution that on the night in question, the third, fourth, fifth, and sixth Prosecutors named respectively Adykon: Peroomaul, Veeren and Poosamy Adykon, being roused by the alarm of Robbers, who were engaged in plundering the houses of the first and second Complainants, collected a band of the Villagers and immediately proceeded to attack the Gang, one of whom they

succeeded in capturing; though he was rescued by his comrades after a conflict of which the result was that these four prosecutors were left senseless on the ground; — when the Robbers made off — They were however pursued by the other Villagers who apprehended one of them, the prisoner Palangaundy who was unable to continue his flight owing to a wound he had received during the fight; on the Ankle, so severe as to lead the Medical Officer at first, to apprehend that the amputation of the lower part of the leg would be necessary — This prisoner I am desired to add, has been convicted and sentenced by the Court of Joujdaree Udalut to transportation for life —

3 In the fourteenth paragraph of his letter accompanying the trial the Acting first Judge of Circuit in the Southern Division observes "in consideration of "the praiseworthy manner in which the third, fourth, "fifth and Sixth Prosecutors with other inhabitants, — "turned out to repel the Robbers, when the said four- "Prosecutors received very severe wounds; I would — "strongly recommend their case to the favorable con- "sideration of the Joujdaree Udalut, and would beg "to suggest that the Judges should authorize a re- "ward of fifty Rupees to be paid to each of the said "four Prosecutors, the Magistrate being required to pub- "lish a proclamation throughout the District detail- "ing for general information, the circumstances — "under which the rewards have been granted; —

In

4 In the fifth paragraphs of his letter the
Acting First Judge states that "all of these Prosecutors
"bear scars of severe wounds on their persons."—

5 The Judges of the Tongdaree Adalut ap-
prove of the recommendations of the Presiding Judge
and accordingly beg respectfully to recommend that
the Magistrate of Madura be authorized to confer upon
each of the four Prosecutors in question, the sum of
fifty Rupees as a mark of the approbation of the
Government of their courageous conduct on the occa-
sion referred to.— (Signed) W. Douglas.—
19th August 1836.—

Register.—

№ 970. To the Chief Secretary to Government

№ 170.—

With reference to the order of Govern-
ment dated the 11th August 1836, I am directed by
the Judges of the Court of Tongdaree Adalut to transmit
to you for the Special sanction of the Governor in Coun-
cil one Statement prepared for the 1st Quarter and 11
Statements prepared for the Second Quarter of the present
year exhibiting all payments made by the Criminal Judge
of Chicacole and Tellore, the Acting Joint Criminal Judge
of Vizagapatam, and the Officer Commanding Cotta-
mund for bringing up the children of convicts in
cases in which there were no relations near whom —

willing

willing to take charge of them.—
The aggregate of the charges for which sanc-
2 tion is solicited amounts to Rupees (16-2-1) Sixteen
Annas two and Pice one.—
The children named Taloory Atchee
3 and Taloory Nursegaudoo the Criminal Judge of
Nellore will be instructed to transfer to their families
respectively.— Signed W Douglas
Register—
19th August 1836.—

№ 971. To the Second Judge late presiding at the Court
of Quarter Sessions
Tellicherry

Sir,

I am directed by the Judges of the Court
of Tongdaree Adalut to acknowledge the receipt of your
letter of the 11th Instant regarding the disposal of the
Prisoner "Cotalu Mayen", and to inform you that,
under the circumstances therein represented, and, the
provisions of Clause fifth Section VIII Regulation XV
of 1803, they authorize his removal to the Jail at Comba-
conum, the Officer incharge of which will be prepared
to receive him.—

2 Upon the transfer of the prisoner to Comba-
conum under these orders you will be pleased to
place the Criminal Judge at that station in possession
of full information as to the object of the removal
of the Prisoner and his character—
19th August 1836.— (Signed) G. L. Prendergast Sen. Mr. Regr.

To

№972 To the Criminal Judge at Combaconum

Sir

I am directed by the Judges of the Court of Jouydaree Udalut, to acquaint you that they have authorized the removal, to the Jail under your charge from that at Tellicherry, of a Prisoner named Colada Mayen

2 Upon the transfer of the prisoner you will be placed in possession of the full information regarding his character, and the object of his removal

19th August 1836. (Signed) G. L. Prendergast Sen.r Regr

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

Gentlemen,

In reply to your letter dated the 8th Instant I am directed by the Judges of the Court of Jouydaree Udalut to inform you that the prisoner named Cooten Cunpooty apprehended by the Magistrate of Trichinopoly on suspicion of having returned from transportation should be forwarded to the Criminal Judge of Chingleput in order to his being tried on the charge of escape at the Sessions to be holden at that station.

19th August 1836. (Signed) W. Douglas. Registr.

№978. To the Criminal Judge of Combaconum

Sir

I am directed by the Judges of the Jouydaree Udalut to desire that you will immediately

submit in the form prescribed by their Circular Order №11 dated the 16th August 1836, an Account Particulars of the Number and the amount of the pay of the Extra Peons and Duffadars employed during July 1245 to guard the Convicts working outside the Jail under the orders of the Court, of the 26th August 1833.

20th August 1836. (Signed) J. H. Davidson, Actg Regr to the Regr

№979. To the Criminal Judge in the Zillah of Malabar

Sir

In reply to your letter dated the 5th Instant I am directed by the Judges of the Court of Jouydaree Udalut to point out to you that to admit either of the actual perpetrators of the horrible Murder detailed in your letter to a Conditional pardon, would be illegal as an infringement of the express prohibition contained in Section XX Regulation VIII of 1802; the Judges therefore cannot sanction the Course recommended in your letter now under acknowledgment.

20th August 1836. (Signed) W. Douglas. Register.

№17

№985

ascertain and report who those persons are and what their object is, in offering to take charge of the prisoner.

22d August 1836. (Signed) J. A. Davidson
Head Assistant to the Register.

No 173.

No 994. To the Chief Secretary to Government.

Sir,

With reference to the Extract from the Minutes of Consultation under date the 27th Ultimo and the order of Government No 680 dated the 11th Instant I am directed by the Judges of the Court of Joudaree Adalut to transmit to you to be laid before the Governor in Council a revised Draft of Rules for carrying into effect the system pursued in Bengal of employing Convicts at a distance from the Jail, to which have been added such of the suggestions of the Committee of Convict Labor at Calcutta, as the Judges have deemed it advisable should be embodied. (Signed) W Douglas
Register.

23d August 1836.

No 174.

No 995. To the Chief Secretary to Government.

Sir,

With reference to the Extract from the Minutes of

17

No 986. To the Acting Criminal Judge of Bellary

Sir,

With reference to the third paragraph of your letter of the 26th Ultimo, in which you report, that Mahommed Hoosain and Abdool Cauder will take care of Nana Hoosaines, I am directed by the Judges of the Joudaree Adalut under instructions received from Government, to desire that you will immediately ascertain

of Consultation under date the 23d Ultimo and 15th
Instant I am directed by the Judges of the Court of
Joudaree Adalut to report for the information of the Governor
in Council that at present only 53 Convicts can be
spared from the Jail at Combaconum for the purpose
of being employed in the proposed work of opening
the Paumbum Pass, but tho' no further number of
Convicts are at present available for this employment
in any of the other Zillah Jails in the Southern Divisn
yet the Judges do not anticipate that any difficulty
will be experienced in completing the number re-
quired by the Superintending Engineer, from among
the number of Convicts placed at the disposal of the
Magistrate of Tanjore; and the Judges desire me
therefore to solicit information as to the period when
the transfer of the required number should take place.
25th August 1836. (Signed) W Douglas Registr.

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

Gentlemen,

I am directed to acknowledge the receipt
of your letter of the 11th Instant, forwarding for the
consideration and orders of the Court of Joudaree
Adalut a copy of a communication from the Acting
Criminal Judge of Salem, in which that Officer
submits the question, whether in a committable case
where the accused are brought before the Criminal Court
at various intervals, it is absolutely necessary to demand

the witnesses on every such occasion, notwithstanding
that the Criminal Judge may have satisfied him-
self enough for the purposes of commitment as to
the prisoner being those intended by the witnesses
when they gave their evidence before the Court.

In reply, I am desired to commu-
nicate to you the opinion of the Judges of the
Joudaree Adalut, that under the existing Regula-
tions, the prisoner must be confronted with all
the witnesses against him previously to his commit-
ment for trial, unless he shall himself agree to
dispense with their attendance.
25th August 1836. Signed J. H. Davidson. Nr. Asstt to the Regr

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

Gentlemen,

With reference to my letter, to your
address, of the 25th of May last, I am directed
by the Judges of the Court of Joudaree, to acquaint
you that, the Magistrate of Coimbatore having
informed them that "no connections" of the
deceased prisoner, Roobens, could be found in
his District, they solicited, under date the 13th
Instant, the instructions of Government regard-
ing the case: and that Government were pleased
on the 19th Instant, to direct the Judges "to cause
"the Female child of the Convict named Roobens
"to be taken care of and provided at the expence of
Government

never to exceed 4 Rupees a month

Government under the limitations mentioned in the Order № 602 dated the 11th August 1836 until some relation come forward to claim her, or until she is able to earn a livelihood.-

2 You are requested to communicate these instructions of Government to the Officer commanding the Neilgherries.- (Signed) G. L. Saunderquist Senior Deputy Register.-

№998 To the Chief Secretary to Government.

Sir,

1 A prisoner, by name Sudgapully Cuddereegadoo, transmitted from the jail at Cuddapah to that at Quindy having effected his escape and having been re-apprehended and brought before the Criminal Court at Cuddapah, I am directed by the Judges of the Court of Tovydaree Udalut, with reference to the fact of his offence having been committed in the Zilla of Chingleput, and to the provisions of Regulation III of 1827, respectfully to request the sanction of Government for his trial at Cuddapah.-

25th August 1836 (Signed) W. Douglas Register.-

№999 To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court of Tovydaree Udalut to transmit to you a translation of a communication from the Native Criminal Judge of Tinsed reporting his having committed a cause for trial before the Court of Circuit and with reference to the orders of Government dated the 26th January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the prisoner "Kaggya" charged with wounding be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit.-

26th August 1836.- (Signed) W. Douglas. Register.-

№1000 To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court of Tovydaree Udalut to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 19th Instant Communicating Copy of a letter and its enclosures from the Principal Collector and Magistrate of Madura, and requesting the Court will be pleased "to report which will be the most economical arrangement "to retain the prisoners referred to for the repair of the "roads in the Madura District as suggested by the "Principal Collector, or to send them to be employed on "the Judicial buildings at Coimbatore as ordered by "Government.-

2 The Court of Tovydaree Udalut have not before them information sufficient to enable them to determine which of the two arrangements would be the most

economical, but the Government having given to the
experience of repairing a building for the accommoda-
dation of the convicts ordered to be transferred
to Coimbatore, and as it is of importance that no
further delay in completing the repairs to the Court
house and Jail at that station should take place
the Judges would recommend that immediate effect
be given to the instructions of Government under date
the 30th of May last requiring the transfer of the
convicts from the Jail of Madura to that of Coimba-
tore.

So soon as the Judicial Buildings
at Coimbatore have been completed the convicts
may be returned to the Jail at Madura, and in the
meantime should the Government consider
it advisable that a further number of Prisoners
than are at present available on the Jail at the
Black Town those named above it is in contemplation
tion to employ at Paumbum may be forwarded
to Madura where they would be so far on their
journey ready to be transferred when required
by the Chief Engineer.

26th August 1836 (Signed) W. Douglas Registrar

No 1007 No 178.

To the Chief Secretary to
Government

Sir

I am directed by the Judges of the

Joujdaree Udalut to forward to you to be laid
before the Governor in Council for his consideration
and orders, the annexed copies of the letters noted
in the margin, received
on different dates through
the Magistrate of Malabar
from the Joint Criminal
Judge of Tellicherry, with
a copy of one dated the 11th
Instant, addressed direct to this Court by the same Officer.

It will be observed that these communications
have reference to a claim preferred by Canoth Manualy
the Jailor attached to the Auxiliary Court of Tellicherry,
to the reward of twelve hundred Rupees offered by the
proclamation of the 1st June 1833, for the discovery
and apprehension of the parties concerned in the
Murder of one Peedigail Koosaun on the night of
the 21st February 1833.—

So early as the 5th May 1836, the Joint Criminal Judge was
informed that the Judges of the Joujdaree Udalut were
not aware upon what grounds the Jailor is considered
to be entitled to the reward in question.—

The Joint Criminal Judge, having,
in his subsequent communication of the 8th June 1836,
detailed the circumstances which, in his opinion, went
to support the claim of the Jailor was informed that

as by

From the Jr Cl Judge of Tellicherry to the Magte of Malabar dated the 5th May 1836 & Dr to Dr dated the 8th June 1836 and its accompaniments 6 7
From ——— Dr to Dr dated the 6th June 1836 and its original enclosures 3
From ——— Dr to the Regt to the Joujdaree Udalut dated the 11th Augt 1836 and the accompanying "Certificate" 1 2

"after giving to this further reference, and especially
"to that extract from the Joint Criminal Judge's letter
"of the 20th September 1833, in which the name of the
"Jailor is inserted in Red Ink in the places where
"his services are alluded to, all the attention it
"deserves, the Judges of the Fouydaree Udalut" had
"failed to discover any grounds whatever on which
"the Jailor can be deemed entitled to the reward in
"question under the provisions of Section XXI.
"Regulation IX of 1816", and that, with reference to the
second paragraphs of his letter in which he represents
that he (the Joint Criminal Judge) was "the individual
"by whom the first intelligence upon which the Police
"Jahseeldar of Colegong" &c and requests that the
amount of the reward may be filled up at his discre-
tion, he "was in virtue of his office bound to commu-
"cate all the information respecting the case which
"had come to his knowledge, and that even
"if it were not so, his claims to the reward, rested
"in the opinion of the Fouydaree Udalut on no
better foundation than those of the Jailor."

5 The Joint Criminal Judge having
with his intermediate communication of the 6th
June 1836, submitted a "paper" in which were recorded
"the particulars of his (the Jailor's) services towards
bringing

"bringing to light the murderers of Peedigoah Hoosaind"
was informed that "this additional reference had
"not induced any change in the opinion of the Judges
"of the Fouydaree Udalut", but that "had an ap-
"plication been preferred for an increase of the
"salary of the Jailor, or of a reward on the ground of
faithful and important services performed, it
"might have been deemed entitled to consideration."

6 Referring to these last observations of this
Court, the Joint Criminal Judge in his letter of the
4th instant requests that his "letter to the Magistrate
"of Malabar of the 6th June last with its enclosure
"and the annexed Certificate may be submitted
"to the Right Honorable the Governor in Council
"from whom" he "would solicit on behalf of the Jai-
"lor a written testimonial in approval of the ser-
"vices rendered by this Officer, as being, after the
"rejection of his pecuniary claim, the mode of reward
"most congenial to his feelings, as well as that which
"may lead to his future promotion in Offices of higher
"trust and emolument than that now held by him."

7 On this point, the Judges of the Fouydaree
Udalut direct me to observe that they have much satis-
faction in recording their concurrence with the Joint
Criminal Judge: and should the measure appear to
the Governor in Council unobjectionable, they would res-
pectfully recommend that as a token of the estimation

in

in which his services are held, and of the Appreciation which his excellent character for efficiency and integrity as recorded in the certificate furnished by his immediate Official Superior has elicited the Jailor Canoba Manoo who is now in the Second, be raised to the first class. which will have the effect of increasing his pay from Rupees fifteen (15) to Rupees (20) Twenty per mensem. 26th August 1836. (Signed) W Douglas. Register.

№ 1008 To the Judges of the Provincial Court of Circuit in the Western Division

Gentlemen,

I am directed by the Judges of the Court of Joydaree Udalut to acknowledge the receipt of your letter dated the 17th Instant and to transmit herewith the accompanying printed forms Viz.

4 Copies of № 1
4 Do. of № 2
10 Do. of № 3

26th August 1836. (Signed) W. Douglas Register.

№ 179

№ 1009 To the Chief Secretary to Government

Sir

I am directed by the Judges of the Court of Joydaree Udalut to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 11th Instant Communicating for their information and guidance an Extract from the Minutes of Consultation of the Military Department referring for the opinion of the Judges of this Joydaree Udalut a letter addressed to

Government by the Adjutant General of the Army — soliciting the decision of Government on the points first

Whether Complaints against persons — simply residing within Military limits are subject to be decided by the Military Police?

Secondly. Whether there is any, and if so what remedy when the decisions of Police Officers on summary investigation are found to be unjust?

With respect to the 1st question it appears to the Court of Joydaree Udalut clear from the provisions of Sections VII. XIII. XIV. XX and XXII Regulation VII of 1832 that in neither Civil nor Criminal Cases have the Military authorities jurisdiction over parties, not subject to — "Military Law" merely because resident within Military limits excepting so far as is provided in Section VI and XVI of that Regulation.

And if the 2nd question refers to the 1st and applies to decisions unjust because they are against — persons not liable to Military jurisdiction, the latter part of Section XX Regulation VII of 1832 points out the remedy — by declaring that all servants of the East India Company or of his Majesty are liable for subjecting parties to an illegal trial or punishment, to prosecution before the Magistrate or Criminal Judge of the Zillah and to be fined to the extent of 500 Rupees, and also to be sued before the Civil Courts for damages to an unlimited amount.

But

But if the 2d question applies to persons legally subject to Military Jurisdiction and to decisions against them unjust on the merits of the cases, such sentences are not liable to be modified or mitigated except under the authority of Government as declared in the General Orders of Government referred to in the Minutes of Consultation under date the 13th of August 1833.—

27th August 1836. (Signed) W Douglas Register.

No 180.

No 1010 To the Chief Secretary to Government.

Sir.

1 I am directed to request that you will lay before the Governor in Council the annexed copy of a letter dated the 9th and received on the 18th Instant through the Provincial Court of Circuit for the Southern Division from the Magistrate of Tanjore together with a copy of the Extract from the remarks of the Civil Auditor referred to in that communication; and the original Statement exhibiting the amount paid to the Sibbendies in charge of the Convicts transferred to the charge of the Magistrate from the Jail of the Zillah of Combaconum.—

2 In his letter of the 5th July 1834, the Magistrate of Tanjore reported that the two hundred convicts allowed by Government for the purpose of filling up the Fort Ditch at Negapatam and keeping the roads in the neighbourhood in repair, were reduced by releases

and casualties to one hundred and eighty five and that fifteen more would be released by the end of the following September. He therefore requested that the Court would direct the transfer of thirty Convicts from the Jail of Combaconum to his charge, and added that in the Jail at Negapatam there was "full accommodation for fifty more Convicts and abundant means of employing them."—

3 Under these circumstances the Judges of the Tonjore Adalut with the view of relieving the Jail at the former station deemed it proper to grant the authority for the transfer of eighty Convicts from the Jail at Combaconum to the Magistrate of Tanjore which was communicated to that Officer under date the 17th July 1834.—

4 And with reference to the foregoing remark, the Judges of the Tonjore Adalut beg to recommend that sanction be granted for the expences incurred in July 1244 on account of the salaries of the Duffadars and Peons employed to guard the Convicts in question; amounting in the aggregate to Rupees (1230-13-2) Twelve hundred and thirty, Annas thirteen and Pice two.—(Signed) W. Douglas

27th August 1836.— Register

No 1011 To the Second Judge on Circuit in the Western Division.

Sir

1 With reference to para 4 of your letter dated

dated the 19th Ultimo. I am directed by the Judges of the Tovjdaree Udalut to inform you that on the recommendation of the Court of Tovjdaree Udalut the Governor in Council was pleased under date the 18th Instant to grant a pension of Rupees (3-8) three and Annas eight, per Mensem to the Peon named Poodoocoody Imbichy Nair for the term of his natural life, and you are accordingly requested to obtain and forward a descriptive Roll of this individual according to the form annexed to this letter.-

2 The Governor in Council has also been pleased to express a hope that the Zillah Judge of Calicut has in appointing a successor to the Office held by this unfortunate individual, selected a member of the family in preference to a stranger.-

27th August 1836 (Signed) W. Douglas- Register.

№1012 To the Acting Joint Criminal Judge of the Auxiliary Court at Coimbatore

Sir,

1 I am directed by the Judges of the Tovjdaree Udalut to acknowledge the receipt of your letter of the 18th Instant reporting the particulars of a Murder which has occurred in the District of Coimbatore and requesting permission to offer a conditional pardon to two of the persons implicated.-

2 The Judges being of opinion that the adoption of the measure proposed in your letter of the 18th Instant is expedient with a view to the conviction of the principal Offenders, direct me to convey to you their sanction to make the tender of a conditional pardon to

Palany and

Seeran.

the fourth and fifth Prisoners in case №53 of 1836 as proposed the 24th August 1836. (Signed) W. Douglas- Register.-

№1018 To the Provincial Court in the Northern Division

Gentlemen,

With reference to your letter dated the 26th Ultimo. I am directed by the Judges of the Tovjdaree Udalut to state that for the reasons contained in the order of Government dated 18th December 1835 communicated to the Officer in charge of the Auxiliary Court at Guntoor on the 29th of the same month, the Governor in Council declines to sanction the erection of a new Court House at Guntoor but will be prepared to sanction an increase of Rupees 130 thirty to the present Court House on the Proprietors completing the provision of additional accommodations you will be pleased therefore to direct the Joint Criminal Judge at Guntoor to call upon that person to commence the work without delay, and at the same time require her to execute such repairs as may be necessary to the whole building.-

29th August 1836.- (Signed) W. Douglas- Register-

№181

№1021 To the Chief Secretary to Government

Sir,

With reference to the order of Government №702 dated the 22d Instant I am directed by the Judges of the Court of Tovjdaree Udalut to explain that the order of Government of the 25th of July last directing the

the Judge on Circuit in the Northern Divisions to visit
the State Prisoners from Kimmedy under the charge of the
Magistrate of Nellore was communicated to the Northern
Provincial Court of Circuit for its information and
guidance as well as to the Judge there on Circuit in
the Northern Division at whose instance the reference of
the 20th of July 1836 was submitted to Government.

2 In conformity however to the order of Govern-
-ment of the 22d Instant fresh instructions have been
issued to the Judges of the Provincial Court in the Northern
Division directing them wherever they may be on Circuit
in the District of Nellore to visit the prisoners from Kim-
-medy under charge of the Magistrate and to submit the
Report required by Clause Second Section IV Regulation
II of 1819.- (Signed) W Douglas
30th August 1836.- Register

№1022 To the Provincial Court of Circuit in the
Gentlemen, Northern Division

1 In explanation of the letter from this
Office dated the 1st Instant I am directed to inform
you that the Judges of the Provincial Court in the Nor-
-thern Division wherever they may be on Circuit in the
District of Nellore are expected to visit the Prisoners from
Kimmedy under charge of the Magistrate at that Station
and to submit the report prescribed by Clause Se-
-cond Section IV Regulation II of 1819.-
30th August 1836.- (Signed) W Douglas

Jouydanee Diary 30th August 1836.

№182

№1023 To the Chief Secretary to
Government

Sir

With reference to the Extract from
the Minutes of Consultation under date the 5th Instant I
am directed by the Judges of the Court of Jouydanee Adalut to
transmit to you to be laid before the Governor in Council a
copy of a letter received from the Magistrate of Vizagapatam
explaining the cause of the delay which occurred in furnish-
-ing Captain Reynolds with the information requested by him
in his letter addressed to the Magistrate of Vizagapatam under
dates the 15th of April and 15th of June last.-

I am directed also to state for the information
2 of the Governor in Council that in communicating the
orders of Government of the 5th Instant to Magistrate of
Vizagapatam that Officer was instructed to pay a readier
attention in future to any requisitions that may be made
to him by the Officers employed in the Suppression of Thuggee
30th August 1836.- (Signed) W. Douglas Register

№1024 To the Magistrate of
Coimbatore

Sir

With reference to your letter dated the 3rd Instant
1 I am directed by the Judges of the Jouydanee Adalut to inform
you that Government under date the 22d Instant sanctioned the
Statement of Magisterial charges incurred in July 1836 in the
District of Coimbatore amounting to Rupees (5,885-12-5) five thousand
eight hundred and and eighty five, Annas twelve and pice five
and under instructions received from Government I am
directed to desire you will submit your future Statements
immediately

immediately at the close of each today.—
30th August 1836 (Signed) J. W. Douglas Registr.

No. 183.

No 1031 To the Chief Secretary to
Government

Sir

I am directed by the Judges of the Joujdaree Adalut to submit for the consideration and orders of the Governor in Council the annexed copies of the documents noted in the margin.

N.B. Copies of the papers to be submitted to Govt Marquis and the two original Plans thereon attached to the

1st Letter from the Actg Sr Ct of Vizag to the Sec to Govt dated 20th Jan 1836 having reference to the Estimate

2d Do ——— Do ——— to the Sec to Govt dated 27th Jan 1836 from the Minutes of Council

3d Do ——— Actg Supt Engineer to the Sec to Govt dated 27th Jan 1836 of the 5th February 1836, in which as the Acting Joint Criminal Judge of Vizagapatam in his letter of the 19th October 1835 represents that the convenience of the Court at the station from the building in which it is now held will be much increased if measures necessary before long

4th Do ——— Actg Supt Engineer S.D. to the Sec to Govt dated 8th Augt 1836

5th Do ——— Sec to Govt to the Actg Sr Ct of Vizag: No. 7. 16. dated 6th Sept 1836

6th Do ——— Actg Supt Engineer S.D. to the Sec to Govt dated 23d July 1836 and 2 original Plans.

the Judges are desired to communicate without delay on the subject with the Court of Circuit in the Northern Division the Acting Joint Criminal Judge and the Magistrate of Vizagapatam and "in the mean time" it is stated "the Governor in Council is pleased to suspend the sanction granted under date the 10th November last for the construction of a new Jail, if the work has not already been commenced upon."—

In his letter of the 20th January last,
2 Mr Rhode, who was then in temporary charge of the Auxiliary Court, details the circumstances which led him to conclude that "the present Court House, at a slight expence, might be converted into one of the most secure Jails in the Division" and states that "the walls of the present Court are fully capable of supporting an upper story, which need not extend over the whole and which would make an excellent Court" and that he has "consulted the Medical Officer on the subject of the above arrangement" and has "the sanction of his opinion for so stating that no objection can be raised on account of salubrity" which opinion "appears fully confirmed by a reference to the Hospital Reports."—

Thus Mr Rhode proposes that the building at
3 present used as a Court House should be converted into a Jail and that for the purpose of a Court House, an upper story should be raised on that building.—

Of this plan, the Provincial Court of Circuit,
4 in their letter of the 4th February last, signify their approval, "should no objections arise out of the enquiry they have addressed to the Superintending Engineer or out of that which Mr Rhode has been directed by them to make, of the Officer commanding his station."—

In his subsequent letter to the Provincial
5. Court, under date the 27th January 1836, Mr Rhode recapitulates the advantages which in his opinion will attend the adoption of the plan recommended in his former communica-

and

and adds "the arrangement of having an upper story
"of two rooms would allow of the Auxiliary Court sitting
"at the same time as the Judge presiding at the Sessions
"and rooms of the denomination proposed would. I imagine
"be erected at an expence of not above 700 Rupees if built
"with burnt brick in mud and tiled."

6. In his letter of the 4th February Lieutenant Rundall, then Acting Superintending Engineer in the Northern Division remarks, "as far as I am at present
"able to form an opinion, the plan proposed by the Joint
"Criminal Judge appears to be preferable to that of constructing an entire new Jail; but, regarding the expence he declares himself unable to express any opinion until he should be furnished with a Plan &c. &c. and adds that "should the Judges be pleased to grant him
"authority for so doing; he "shall delay proceeding with
"the sanctioned work pending further informations."

7. In their letter to the address of this Officer under date the 8th February, the Provincial Court authorized him accordingly to defer proceeding with the work.

8 In his letter of the 27th February, the Magistrate of Vizagapatam briefly observes "I know of no
"place or place better calculated for a Court House
"and Jail, either as regards the site or the expence, than
"that transmitted by Mr J. Rhode the Acting Assistant
"Judge, and which indeed was upon his offering to me
"suggested by myself."

9. And in their letter of the 11th March, the Provincial Court again recommend that plan for adoption

10. In his letter to the Provincial Court, under date the 6th April 1836. Mr W. Arbuthnot who had then resumed charge of the Auxiliary Court, records his concurrence in the views of Mr Rhode; on the assumption however, that "upper rooms can be erected on the present
"Court as it now stands."

11 But in the fourth paragraph of his letter Mr Arbuthnot observes "the original Court House of this
"station is situated opposite the present one but some
"distance removed from the road. It is admirably calculated for a Court House and would afford abundant
"accommodation both to the Auxiliary and Circuit Court
"some time after the abolition of the Court at Vizagapatam
"it was made over to the Military authorities and is
"now used as a Church - but it has never been consecrated
"There is much of its accommodation which is not required
"for a Church - Divine Service might be performed in
"this Court House on Sundays till a Church could
"be built" &c.

12 In his letter to the Provincial Court, under-
date the 23rd Ultimo Lieutenant H. B. Armstrong the Acting Superintending Engineer, details the grounds on which he deems Mr Rhode's plans objectionable, and that Gen-
eral Kennard's "suggestions of 700 Rupees even for such an
"inferior building as he recommends very erroneous."
He shows that the wood work of the roof is in a very bad state and would require to be all taken down and carefully examined that it is impossible to calculate to what extent the beams are damaged or to what expence it would lead

to

1 to replace them so as to bear any superior strong but that it is certain it would be considerable and that by such an arrangement Government would be put to the expence of hiring a house for the board during the progress of the building which at Vizagapatam would be very considerable. He expresses himself decidedly favorable to the adoption of Mr Arbuthnot's propositions as explained in the second paragraphs of this communication. He also submits the plans which are herewith forwarded for the consideration of the Governor in Council.—

13. In the second paragraphs of their letter of the 8th Instant, the Provincial Court state that "they concur with the Superintending Engineer "plans suggested by Mr Arbuthnot to that preferred by Mr "Rhode" but in the 3d Paragraphs they mention certain circumstances which in their opinions constitute objections even to the plans of the former Gentleman.—

14 The Judges of the Tongdaree Udalut direct me to observe that after giving their best attention to the subject they are not of opinion that the objections stated by the Provincial Court are sufficiently strong to counterbalance the advantages which are likely to result from the adoption of the suggestions offered by Mr Arbuthnot namely that the house now used as a Court House be converted into a Jail, and that the building in which Divine Service is now held, be appropriated over to the Civil authorities for the accommodation of the Auxiliary Court and they accordingly beg to recommend the arrangement to the favorable consideration of the Governor

in Council.—

15. It appears to the Judges of the Tongdaree Udalut that the Superintending Engineers suggestions respecting the building of a new Chapel, is a subject for the exclusive consideration of the Governor in Council.—

30th August 1836.—(Signed) W. Douglas. Register.

No 184.

No 1032. To the Chief Secretary to Government.

Sir,

1 With reference to the order of Government No 531 dated the 22nd June 1836, I am directed by the Judges of the Tongdaree Udalut to forward to you to be laid before the Governor in Council, the annexed copy of a statement received on the 25th Instant through the Provincial Court of Circuit in the Western Division from the Criminal Judge of Canara, exhibiting the charges incurred on account of Batta to the Prosecutor and witnesses sent to Madras to give their evidence in a case committed for trial before the Supreme Court in its Admiralty Jurisdiction, as well as on account of the salaries of the four Extra Peons entertained in their room.—

2 The Judges beg to recommend that sanction be granted for these charges which amount in the aggregate to Rupees 129-3-4 One hundred and twenty nine Rupees and three fourths.

31st August 1836.— (Signed) W. Douglas. Register.

No 185.

No 1033. To the Chief Secretary to Government.

Sir,

1 I am directed to forward to you to be laid before

before the Governor in Council the annexed copy of a letter dated the 25th Instant from the Acting Joint Criminal Judge of Guntoor, and to state that under the circumstances set forth in that communication the Judges of the Tongdaree Udalut recommend that sanction be granted for the employment of four Additional Peons until the building of the Jail at that station be brought to a conclusion.—

31st August 1836.— (Signed) W. Douglas. Register.

№1034 To the Chief Secretary to
Government

Sir,

I am directed to forward to you to be laid before the Governor in Council, the annexed copy of a letter dated the 22d Instant from the Criminal Judge of Guntoor, and to state that the Judges of the Tongdaree Udalut recommend that sanction be granted for the disbursement of Rupees 131-1-9 Thirty one Canteroy One and Pice nine being the value of forty Setams of Straw, considered indispensably requisite for the use of the Convicts in the Jail at that station.—

31st August 1836.— (Signed) W. Douglas. Register.

№187

№1035. To the Chief Secretary to
Government

Sir,

I am directed by the Judges of the Tongdaree Udalut to forward to you to be laid before the Governor in Council for his consideration and orders; the annexed copy of the Correspondence

Extract from Court of Circuit noted in the margin which has reference to the present
18th Augt 1836 and
Copy of a letter from
Asst Civil Engineer
2d Division 17th Augt 1836

insecure state of the Jail at Cuddapah and was received in this Office on the 25th Instant from the Acting Criminal Judge of that Station;—

It will be observed that the Acting Second Judge on Circuit considers "the roofs of several of the ward "to be in so bad a state as to endanger the lives of the Pri- "soners confined in them" while the Assistant Civil Engineer reports that "the buildings now in use are nearly "all of them in a wretched condition" and "during the "Monsoon few portions of any extent are free from leakage" and recommends "the erection of new quarters altogether "of a more durable nature than those now in use."

The Tongdaree Udalut beg to recommend that the Superintending Engineer of the Division receive instructions to inspect the Jail and submit to the proper Department a report on the subject and that in the mean while authority be granted for making such repairs to the roofs as may be found to be absolutely necessary.—

31st August 1836.— (Signed) W. Douglas. Register.

№1036. To the Acting 1st Judge Late on Circuit in the Southern Division

Sir,

With reference to the 5th para: of your letter of the 19th Ultimo submitting the record of trial in case №2 Madura Calendar 2d Sessions of 1836 I am directed by the Judges of the Tongdaree Udalut to inform you that on the recommendations of the Court of Tongdaree Udalut the Governor in Council was pleased under date the 24th Instant to sanction the disbursement of a Reward of Rupees 150 fifty each to the 3d 4th 5th and 6th Prisoners in that case as a mark of the Approbation of the Government of their courageous conduct in resisting the

you

gang of armed Robbers who attacked and plundered the houses of the 1st and 2d Prosecutors in the same case.
31st August 1836 (Signed) W. Douglas Register

№ 1037 To the Provincial Court of Circuit in the Centre Division
Gentlemen With reference to your letter dated the 3d Instant I am directed by the Judges of the Tongdaree Udalut to inform you that the Governor in Council was pleased under date the 23d Instant to sanction the disbursement of Rupees 137 9/ Thirty Seven and Anas nine for erecting a Verandah for the convicts of the Convicts under the Officer commanding St Thomas' Mount
31st August 1836- (Signed) W. Douglas Register

№ 1038 To the Provincial Court of Circuit in the Northern Division
Gentlemen I am directed by the Judges of the Court of Tongdaree Udalut to acknowledge the receipt of your letter of the 11th Instant and its enclosure from the Acting Joint Criminal Judge at Vizagapatam requesting authority to remand an irregular and of the late Native Judge whereby the Jurisdiction of the Assistant Judge Moonshee on the Establishment of the Court at Vizagapatam was "divided" and to convey to you the authority solicited-
31st August 1836- (Signed) G. to Provincial Court & Sub Register

№ 1039 To the Criminal Judge on the Zillah of Chittoor
Sir With reference to the letter from this Office dated the 13th Ultimo I am directed by the Judges of the Court of Tongdaree Udalut to transmit to you for your information a copy of an Extract from the Proceedings of this Court under date the 12th Instant together with a copy of the order of Government thereon dated the 19th of August 1836-
31st August 1836- (Signed) W. Douglas.
Register

№ 1040 To The Acting Criminal Judge of Cuddapah.
With reference to Cadr. № 85 on the
Sir,
Criminal Report for the month of July 1836 I am directed by the Judges of the Tongdaree Udalut to inform you that the Governor in Council under date the 30th Ultimo authorized under the provisions of Section III Regulation III of 1827 the prisoner Sudyapilly Cudderee gandoo to be brought to trial before the Criminal Court at Cuddapah-
(Signed) W. Douglas-
Register-
1st September 1836-

(№ 881)

№ 1041 To The Acting Secretary to Government-
With reference to the order of Government
Sir,
of the 30th Ultimo I am directed by the Judges of the Court of Tongdaree Udalut to state that before the convicts at present in confinement in the Jail at Guindy can be sent back to their respective Districts it will be necessary to procure additional Guards for the purpose of escorting them on the road, and under these circumstances the Judges me respectfully to suggest that Lieut Orr may continue in charge of the Convicts until arrangements have been made for their removal-
(Signed) W. Douglas.
Register-
1st September 1836-

Foujdaree Diary 2d September 1830.

No 1045 To The Provincial Court in the Southern Division

Gentlemen,

In reply to your letter dated the 22d Ultimo I am directed by the Judges of the Court of Foujdaree Udalut to convey to you their opinion that the Convict "Baupoo Reddy" transferred to the charge of the Magistrate of Coimbatore should be forwarded to the Joint Criminal Judge of Coimbatore in order that the corporal punishment, which formed part of the sentence awarded by the Criminal Court of Tanjore, may be inflicted under the Superintendence of the Medical Officer attached to the Jail.

2d September 1830

(Signed) H Douglas
Register

No 1046 To The 4 Provincial Court of Circuit.

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Udalut under instructions received from Government to request you will issue the necessary instructions to the Medical Officers in charge of Jails within your Division to comply when practicable with requisitions from Officers Commanding Divisions of the Army, for Convicts to construct or keep in repair practice Butts.

2d September 1830

(Signed) H Douglas
Register

No. 1048 To The Provincial Court of Circuit in the Northern Division

Gentlemen With reference to your letter dated the 15th Ultimo I am directed by the Judges of the Foujdaree Udalut to inform you that under the provisions of Section III Regulation III of 1827 the Governor in Council has been pleased by an Order in Council dated the 30th Ultimo to authorize the Native Criminal Judge of Surat to forward the prisoner "Ragga" charged with wounding to the Native Criminal Judge at Canara, for the purpose of being tried by the Court of Circuit.

2d September 1836. (Signed) W Douglas

Register.

No 1050 To The Provincial Court of Circuit in the Southern Division

Gentlemen, I am directed by the Judges of the Foujdaree Udalut to forward to you the accompanying original Petition No 1392 of 1836 with its several accompaniments preferred by one Sellap of the Zillah of Madura to the Right Honorable the Governor in Council, and also a copy of the second and third paragraphs of a letter dated the 27th ultimo from the Chief Secretary to Government.

2 I am further directed to request that you will furnish the Magistrate of Madura with a copy of the Petition, and instruct that Officer to institute the necessary inquiries with a view to ascertain what degree of credit is due to the allegation therein contained to afford the

the petitioner such redress as her case is capable of receiving, and to report the result for the information of Government

3 You will be pleased to return to this Office the petition herewith transmitted and its accompaniments.

(Signed) W Douglas

Register.

3d September 1836.

No. 1050 To The Magistrate of Chingleput.

Sir, The Government having directed that the Convicts now in confinement in the Jail at Cuundy be immediately returned to the Districts from which they were originally transferred I am directed by the Judges of the Court of Foujdaree Udalut to request you will communicate to this Office at your earliest convenience what number of Peons can be furnished from your establishment for the purpose of escorting the Convicts on their march.

(Signed) W Douglas

Register.

3d September 1836

No. 1052 To The Provincial Court in the Southern Division.

Gentlemen With reference to your letter dated the 13th Ultimo, I am directed by the Judges of the Foujdaree Udalut to inform you that on their recommendation the Governor in Council was pleased under date the 31st Ultimo to sanction the charges incurred in Fusly 1244 on account of the Salaries of the Peons employed

employed to guard the convicts transferred from Combaconum to the Magistrate of Tanjore under the orders of the Court of Fouydaree Udalut of the 7th July 1836 amounting to Rupees (1230-13-2) One thousand two hundred Thirty Annas thirteen and Pie two.

(Signed) W. Douglas
Register.

5th September 1836.

No. 1056 To The Provincial Court of Circuit in the Centre Division.

Gentlemen,

I am desired by the Judges of the Court of Fouydaree Udalut to request with reference to the Circular Order No. 45, dated the 25th May 1835, that no further delay may be allowed to occur in the transmission of the Statements and Sketch plans of roads and all public works connected with roads; also of the Statements of works of extensive public utility executed by individuals at their own private cost, for the 1st half of the current year.

(Signed) G. L. Rendegath
Asst. Regr.

6th September 1836.

No. 1057 To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of the Extract from the Minutes of Consultation, under date the 16th Ultimo, requesting them to call upon the Acting Criminal Judge of Bellary to report who are the parties are to whom it has been recommended to make over the prisoner Rama

Nana Hoopajee and what their object is in offering to take charge of that prisoner, and to submit to be laid before the Governor in Council the accompanying copy of a letter dated the 27th ultimo, from the Acting Criminal Judge at Bellaree containing the required information.

(Signed) W. Douglas
Register.

6th September 1836.

No. 1058 To The Provincial Court of Circuit in the Southern Division.

Gentlemen,

With reference to your letter dated the 8th July last I am directed by the Judges of the Court of Fouydaree Udalut to return to you with the Sanction of Government endorsed thereon the Statement of disbursements made for bringing up the child of a convict in the Jail at Rotacamund during the 2d Quarter 1836.

(Signed) W. Douglas
Register.

6 September 1836.

No. 1059 To The Provincial Court of Circuit in the Northern Division.

Gentlemen,

I am directed by the Judges of the Court of Fouydaree Udalut to return to you with the Sanction of Government endorsed thereon the Statement of disbursements made for bringing up the Children of Convicts in the Jail of Nellore during the 2d Quarter of 1836 which accompanied your letter of the 8th Ultimo.

(Signed) W. Douglas
Register.

6th September 1836.

To

No 1060 To The Criminal Judge of

Sir, Chicacole.

I am directed by the Judges of the Court of Foujdaree Udalut to return to you with the sanction of Government endorsed thereon, the Statement of disburse-ments made for bringing up the Children of Convicts in the Jail of Chicacole during the 2d Quarter of 1830.

(Signed) W. Douglas
Register.

6th September 1830.-

No 1061 To The Acting Joint Criminal Judge of

Sir, Vizagapatam.

I am directed by the Judges of the Court of Foujdaree Udalut to return to you with the sanction of Government endorsed thereon the 2 Statements of disburse-ments made for bringing up the Children of Convicts in the Jail at Vizagapatam during the 1st and 2d Quarters of 1830 which accompanied your letter of the 1st Ultimo.-

(Signed) W. Douglas
Register.-

6th September 1830.-

No 1066 To The Acting Secretary to

Sir, Government.

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of the order of Government of the 29th Ultimo No 1385 referring for their further

6 Enclosures

further report copy of a letter addressed to Government, under date the 25th Ultimo, by the Acting Additional Government Commissioner relative to the case of "Bava Sahib and the other parties who de-frauded Sheik Fureed of 1473 Rupees 11 Annas, and for their opinion of the Judges as to the course which they would advise Government to adopt.-

2 With reference to the 3d and 4th paragraphs of the letter of the Acting Additional Government Commissioner the Judges would respectfully observe that of course if the Acting Additional Com-missioner cannot furnish the Criminal Judge with any evidence to prove the fraud, for which it was suggested in my letter dated the 3d Ultimo that Bava Sahib, and the other persons who fraud-ulently obtained the money in question, should be tried, it will be of no avail to send them on that charge to the Criminal Court.-

3 Adverting to the 5th paragraph of the letter of the Acting Additional Government Commissioner I am desired by the Judges to state that all this is necessary in this case is to prove the facts and that Khutteja Beebee's attendance will not be required to prove any thing which can be proved without her presence. The Government Vakeel is competent to prosecute Bava Sahib on the charge of having fraudulently obtained the share of Khutteja Bee, sister of Sheik Fureed, by declaring that she was present at the office (in Goshah) while she was actually at Bangalore, if there is other evidence forthcoming, to establish the fact than that of Khatteja Bee

(Signed) G. L. Prendergast
7th September 1830.- Senr Dept. Register.

No 1069 To The Acting Secretary to
Government.-

Sir,

1 I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of the order of Government dated the 5 instant referring for their consideration and report a letter from the Secretary to the Military Board containing a suggestion that the Convicts in Confinement at Guindy, whose services are no longer required by the Breakwater executive Committee, may be employed in breaking Granite for paving the side Roads at the Presidency.-

2 As regards their labor it is suggested that the Convicts be under the general direction of the Superintendent of Roads, but as the Military Board shew that that Officer's duties entirely precluded his residing on the spot it will be necessary that a European Officer be appointed to the charge of the Jail.-

3 A very considerable extra expense will also be incurred by Government if the Convicts are detained at the Presidency, on account of the additional pay authorized to be received by the Peons transferred from the Jails of Cuddalore Chittoor, Cuddapah, Vellore and Trichinopoly and by the Duffadars of the four last named Jails, so long as they may be employed at Guindy, amounting to Rupees 116 per Mensem, and the Monthly rent of the building occupied as a Jail in the Court below Rupees 175.-

4 The Court of Soujdaree Udalut are not aware, with reference to these extra expenses, what would be the saving to

Government by the proposed work being performed by Convicts, but if not very considerable the Judges would not recommend the adoption of the arrangement proposed by the Military Board, as it is within the knowledge of the Court of Soujdaree Udalut that during the period the Convicts were employed under the orders of the Breakwater Executive Committee a strict observance of the Jail rules was not enforced. The Judges have suspended the arrangements for the removal of these Convicts pending the final determination of the Government as to their disposal.-

(Signed) W Douglas
Register-

8th September 1836.-

No 1070 To The Chief Secretary to
Government.-

Sir,

1 I am directed to forward to you to be laid before the Governor in Council, the accompanying Statement received on the 5 instant from the Magistrate of Coimbatore shewing the charges not estimated but actually incurred under Twenty Rupees in that District during the 2d Quarter ending the 30th June 1836.-

2 The Judges of the Soujdaree Udalut recommend that the charges in question, amounting to Rupees (43-8-9) forty three, annas Eight and pice nine be sanctioned.--

(Signed) W Douglas
Register-

8th September 1836.-

No 1071 To The Provincial Court in the Southern Division

Gentlemen,

In reply to your letter dated the 31st ultimo I am directed to communicate to you the opinion of the Court of Soujdaree Udalut that Police Peons equally with other persons are entitled to rewards offered for the apprehension of persons pursuant

8th September 1830.

(Signed) W Douglas
Register

No 1072 To The Acting Joint Criminal Judge of Guntoor

Sir,

With reference to your letter dated the 23d Ultimo I am directed by the Judges of the Court of Soujdaree Udalut to inform you that on the recommendation the Governor in Council was pleased under date the 5th Instant to authorize you to employ four additional peons at the usual rate until the completion of the new Jail at Guntoor.

8th September 1830.

(Signed) W Douglas
Register

No 1073 To The Acting Criminal Judge of Madura

Sir,

With reference to your letter dated the 11th ultimo I am directed by the Judges of the Court of Soujdaree Udalut to inform you that it is not thought proper to countermand the order for the transfer of 20 convicts to Tinnevelly, nor to interfere with the order for the transfer of 90 convicts to the

charge

charge of the Joint Criminal Judge at Coimbatore and you are accordingly requested to make arrangements for effecting their Transfer with the least possible delay.

(Signed) W Douglas
Register

8th September 1830.

No 1078 To The Provincial Court for the Southern Division

Gentlemen,

1 I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 2d Instant transmitting, for their consideration and orders, copy of a correspondence between the Acting Criminal Judge and the Magistrate of Madura, relative to a reference on the part of the latter Officer to make certain alterations in a case in which several persons were charged with perjury and which was returned to him by the Criminal Court as informal and defective.

2 The Judges fully concur in the opinion expressed in the 2d paragraph of the letter now under acknowledgement It appears to them that the course of proceeding requisite for the Magistrate to observe on such occasions, is distinctly pointed out in the Circular Order of the 1st August 1821 They also coincide with you that it is not necessary that the Magistrate or other authority forwarding cases of Perjury to the Criminal Court should be bound to observe the proceeding required from the Criminal Court itself under the Circular Order of the 6th August 1832 and further that before the

Criminal

"criminal court the examination of each prisoner ought
"to form a separate case in order that the proceedings may
"be submitted to the court of Circuit in a clear and distinct
"form the event of its being considered necessary to commit
"the prisoner for trial before that court."

3 In reply to the last para of your letter I am desired to state the opinion of the Judges that the Papers required by Section XXV Regulation IX of 1816 should be in English

9th September 1836.-

(Signed) G. L. Prendergast
Sent. Dep. Register.-

No. 1079 To The Provincial Court of Circuit on the Southern Division.-

Gentlemen,

1 I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 29th Ultimo, forwarding a copy of a communication from the Officer Commanding the Nuddyaurees requesting to be informed how and from whom the amount of Rupees 250 2, sanctioned for the repair of the Ootacamund Jail is to be drawn, and, in reply, to state that the Collector of Coimbatore will doubtless, be prepared upon receipt of a copy of the sanction of Government to comply with an application from Colonel King for the sum to be remitted from his (the Collectors) Treasury.-

2 Should the Collector not deem himself at liberty to comply with the application, the Judges are sure as they are made acquainted with the circumstance, will

request.

request the special sanction of Government for the payment from such Treasury as may be most convenient to Lieut. Colonel King.-

(Signed) G. L. Prendergast
Sent. Dep. Register.-

9th September 1836.-

No. 1080 To The Chief Secretary of Government.-

Sir,

1 I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you to be laid before the Governor in Council the accompanying copy of a correspondence between the Acting Criminal Judge of Bellary and this Court relative to the destruction by precept of the thatched paper manufactory at the Bellary Jail, together with the original estimates of the expenditure which will be requisite for the reconstruction of the Manufactory," and also the "Plan" framed by the Superintending Engineer.-

2 It appears to the Judges that the plan and Estimate of the Superintending Engineer are upon too expensive a Scale, and as the Acting Criminal Judge in his letter of the 16th July last, states that the expence in reconstructing the paper Manufactory with stone beames and chunam by the aid of the convicts will cost only Rupees 250, including the charge for Tiles for the roof, the Judges beg leave to recommend that sanction may be granted for the disbursement of that sum viz. Rupees (250) two hundred and fifty

(Signed) W. Douglas
Register.

9th September 1836.-

No. 1080 From the acting Cr. J. of Bellary dated 16th July 1836.-
No. dated 2nd " "
No. dated 3rd August 1836.-

N° 1081 — To The Criminal Judge of
Combaconum —

Sir,

With reference to your letter dated the 22d Ultimo I am directed by the Judges of the Fouydaree Adalut to inform you that the Governor in Council at Madras by Proceedings under date the 5th Instant to sanction the Establishment of Peons at 4-9 Rupees per Mensem one Annas one and Pice nine for the purchase of forty Fanams of Iron required for the use of the Convicts; but it has been observed that the purposes to which the Iron is to be applied should have been stated in your letter requesting Sanction for its purchase

9th September 1836. (Signed) W. Douglas Register

N° 1082 — To The Acting Criminal Judge of
Madura —

Sir,

1 I am directed to return to you the accompanying Circulars (which accompanied your letter of the 31st Ultimo,) of the expence actually incurred in erecting a Gallows at Madura and to desire that you will conform to the instructions contained in the thirteenth clause of the Rules of the 23d November 1833 published in the Fort St. George Gazette N° 206, by entering the Sum total in words at length as well as in figures without which it cannot be submitted to Government.

2 You will also be pleased to explain under what circumstances it became necessary to erect a New Gallows —

9th September 1836. (Signed) J. H. Cavendish Actg Sec. to the Govt

N° 1085 — To The Acting Register in charge of the Criminal Court at Chicacole

Sir,

The Criminal Judge of Chicacole having omitted at the conclusion of his enquiry to submit a final report of the circumstances attending the escape of the 13 Convicts who made off from their guard on the 2d of July last and of the depositions of the persons who may have witnessed the affair I am directed by the Judges of the Court of Fouydaree Adalut to desire you will submit without further delay a copy of the proceedings held by the Criminal Judge in the case —

(Signed) W. Douglas Register

10th September 1836.

N° 1088 — To The Magistrate of
Vizagapatam —

Sir,

With reference to your letter dated the 16th Ultimo submitting the explanation required by Government respecting the delay in furnishing Captain Reynolds with the information requested in his letters of the 15th of April & 15 June last I am directed by the Judges of the Fouydaree Adalut under instructions received from Government to inform you that it was your duty when you found you could not readily comply with Captain Reynolds requisition to have acquainted him with the cause of the delay, especially when Captain Reynolds repeated his requisition a second time —

(Signed) W. Douglas Register.

12th September 1836.

No. 1089 To The Provincial Court of Circuit on the Northern Division

Gentlemen,

1 Referring to your letter of the 17th ultimo, accompanied by a copy of a communication from the Criminal Judge of Canara, and a statement exhibiting the actual charges incurred on account of Batta to the Prosecutor and Witnesses sent up to the Supreme Court, and of the saleries of the four extra Peons entertained on their arrival, the Judges of the Soujdaree Udalut direct me to inform you that "the Governor in Council, before sanctioning these charges desires to be informed whether a Sum of Rupees 66 13 6 paid by the Chief Magistrate and Superintendent of Police for the subsistance of the Prosecutor, Witnesses and Prisoners in the above case during their stay at Madras and their return to Canara is included in that amount. If it is not included the payment of Batta would appear to have been twice made, and in that case it is desirable that the Criminal Judge should forthwith recover the amount overpaid and submit for Sanction a Statement of the proper charges.-

2 I am directed to request that the necessary instructions may be issued to the Criminal Judge of Canara, and the required information and if necessary a new statement furnished to this Office with the least possible delay.- -

/ Signed / J H Davidson
Asst to the Regr

12th September 1836.-

No. 1090 To The Magistrate of Malabar.

Sir,

1 With reference to your letter of the 2nd instant, submitting for Sanction an account Particulars of Rewards paid in 1835 for the apprehension of Robbers and under Receipts from the Circuit Court, amounting in the aggregate to Rupees Seven hundred and fifty five, I am directed by the Judges of the Soujdaree Udalut to request that you will report for their information the dates on which authority was granted for the payment of rewards, under Section XI, Regulation I of 1818, for the apprehension of the Convicts who on different occasions effected their escape from the Calicut and Neilgherry Jails.-

2 I am also directed to inform you that in a letter addressed to "the Magistrate of Malabar" under date the 5th September 1823, the Judges of the Soujdaree Udalut communicated their opinion that the provisions of Section XXI Regulation IX of 1816 are not applicable to the cases of Convicts who may escape from their guards or from Jail.-

/ Signed / J H Davidson
Asst to the Regr

12th September 1836.-

No. 1096 To The Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court of Sudder and Soujdaree Udalut with reference to their proceedings Submitted.-

submitted to Government under date the 6th of April last
to report for the information of the Governor in Council that
up to this date no return had been received from Mr Wey
the Judge and Criminal Judge of Rajahmundry on the subj-
-ject of the escape of certain prisoner from the Jail under his
charge on the 26th of November 1835 and the 17th of January 1836.
2 On the 20th of May 1836 the attention of Mr Wey was called
to the subject and he was required by precept returnable
within 3 days from and after its receipt to submit the nec-
-ary information without further delay and at the same time
to state the circumstances which precluded an earlier compli-
-ance with the orders in question.-
3 The return to this precept made under date the
13th of June last shewed that up to that date Mr Wey had
taken no steps to make return to the precept of the
Foujdaree Udalut of the 6th of April 1836, that Officer sim-
-ply stating that "during the chief part of the time since
he returned" to Rajahmundry he had been confined to his
"bed by illness" but that he would endeavour to submit the
"information called for as soon as he could" refer to the
"records of proceedings."
4 Upon the receipt of this return and upon its having
been brought to the Notice of the Judges by the 1st Judge
late on circuit in the Northern Division that a prisoner
named "Soolton" "Soobbee" had complained of long confine-
-ment in the Jail at Guntoor in contemplance of Mr Wey
when Officiating Judge of Circuit having failed to refer
any

any instructions respecting her disposal and it appearing that
the called upon for information respecting her case Mr Wey had
given none the Court of Foujdaree Udalut in proceedings ad-
-dressed to the Provincial Court of Circuit in the Northern
Division under date the 16th ultimo directed that Mr Wey be
called upon to submit an immediate explanation of the
grounds on which he omitted in the first instance to issue
any instructions respecting the disposal of the prisoner in
question, and they desired that that Officer be warned that
unless he made an immediate return to the Precepts above
mentioned they would deem it their duty to pursue the
course prescribed by Section XXXIX Regulation X and Section
XXIX Regulation VIII of 1802 by reporting his wilful and ag-
-gravated neglect of duty to the Governor in Council.-
5 In reply to this precept Mr Wey under date the 25th
ultimo addressed a letter to the Court of Circuit and Foujdaree
Udalut stating that he was "under the necessity of begging
"the indulgence of the Judges for a few days in regards to
"the returns which ought" "to be made to their precept of
"the 16th of the same Month as he" was at present confined
"to his "bed and did" not expect to be able to quit it before
"the commencement of the ensuing week."-
6 To this communication the Court of Foujdaree Uda-
-lut replied on the 2d Instant by calling the attention of
Mr Wey to the remarks of the Governor in Council contained

in

in the extract from the Minutes of Consultation under date the 18th of August 1833 circulated by the Court of Sudr Adalut under date 4th of the following Month to the effect that "whenever a Public Officer labours under indisposition &c. "&c. were as to prevent him from doing his duty, it is incumbent "upon to report it in order that he may be relieved and "fit prisoner made to render the Court effective" and the Judges added that it was only by adopting this course and forwarding a Medical Certificate of illness that Mr Wray could escape the censure which attached to the non-performance of duty.—

7— The Judges direct me to state that Mr Wray has not yet submitted to the Court of Foujdaree Adalut his Circuit Report due for the 1st Sessions of 1835, and the last Civil returns received in this Office show that the Judges of Rajahmundry decided only one suit during the first ten weeks of the present year, viz from the 1st of January to the 15th of March 1836, and that the Head called upon by the Provincial Court for explanation in the proceedings of that Court under date the 25th July last none has yet reached this Court.—

8 There are also several important Precepts issued by the Sudr and Foujdaree Adalut yet to be returned by Mr Wray and not in a Miscellaneous Matter pending in this Court since the 28th of December last, the

delay

delay from the 27th of January last is solely attributable to the Judge of Rajahmundry who up to this date has neglected to furnish the information requisite to enable the Court to dispose of the claims of the party interested in the result.—

9 An application was received in this Office from Mr Wray on the 27th of June last for permission to be absent from duty for a period of six weeks for the purpose of residing on the Sea Coast for the benefit of his health but the Court of Sudr Adalut intimated to the Judge of Rajahmundry under date the 4th of July last that they were precluded from even a temporary support to the Application in consequence of his request not having been accompanied by a Medical certificate.—

10 With reference however to that communication as to the letter addressed to Mr Wray under date the 2d instant no medical certificate of illness has been forwarded to this Office, but from a letter addressed to the Court of Foujdaree Adalut under date the 8th instant forwarding the original Death warrant issued in Case No 6 on the Rajahmundry Calendar for the 1st Sessions of the present year, it appears that Mr Wray from alleged illness was unable to attend the execution of the Criminal and that "having no Register or Deputy to take his place he "directed the Nazir of the Court, the Criminal Record

Keeper

"Keeper and criminal Jawabnevis to form a Committee for
"the Superintending the execution.—

11 From the foregoing it is sufficiently evident that Mr
Grey from indisposition or some other cause, is not equal to
the discharge of the duties of Judge and Criminal Judge of
Rajahmundry, and the Judges therefore desire me respectfully to
suggest that provision be made for the efficient discharge of
the functions of Judge and Criminal Judge at this impor-
-tant station.—

15th September 1836.— (Signed) W. Douglas
Registar.

To the Chief Secretary to
Government.—

Sir,

1 I am directed by the Judges of the Court of
Foujdaree Udalut to acknowledge the receipt of your letter
of the 6th Instant requesting them to report the result of
"any measures which may have been adopted in consequence
"the instructions contained in the Minutes of Consultation
of the 15th August 1834.—

2 Agreeably to the orders of Government conveyed in
the Minutes of Consultation of 15 August 1834 the Ma-
-gistrate of Sinnavelly was required on the 28th of the same
Month, through the Provincial Court of Circuit to "institute
an

"an enquiry into the conduct of Ibrahim Khan and also
"into the alleged conspiracy, respecting which, the Magis-
"trate was likewise directed to call upon Ramsing to prefer
"specific charges and to adduce "the forthcoming evidence
in support of them. On the 26th of December following the Pro-
-vincial Court of Circuit transmitted copy of a letter from the
Magistrate of Sinnavelly reporting the result of his enquiries,
together with copy of a Petition presented to them, by Ram-
-sing, on the subject.—

3 I am directed to submit herewith the Provincial
in No 1847 of 1834 Court of Circuit of the 26th December 1834 together with the
original report of the Magistrate which, it is requested, may
be returned to this Office.—

4 The opinion of the Judges upon the Report was recorded
in their proceedings of the 10th January 1835 in the following term.

5 "The Court have given the documents before them ma-
-ture consideration and they have no hesitation in recording
their opinion that the evidence adduced against Beram Khan
is entitled to no consideration and is, on its face incredible
and false. They concur fully with the Magistrate that
nothing has been established against him. The Court con-
-sider the Magistrate to have been in error in receiving a motion
from Beram Khan, he should have examined him and placed
his deposition on record," and on the 6th February 1835 it was

certified

certified by the Provincial Court of Circuit that the Magistrate had been put in possession of a copy of the above proceedings.-

6. I am desired to add that if the Judges had been aware that it was the expectation of Government that a final report should be made, they would have directed the same to be submitted at a much earlier period.-

(Signed) W Douglas
Register

16th September 1836.-

No 2001 To The Chief Secretary to

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to transmit to you translation of a communication from the Native Criminal Judge of Salem reporting his having committed a caste for trial before the Court of Circuit and with reference to the order of Government dated the 26th January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the prisoner Barthe charged with theft be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit.-

(Signed) W. Douglas
Register

16th September 1836.-

No 2002 To The Provincial Court of Circuit on the Western Division

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Adalut to acquaint you that a letter was addressed by this Court to the Chief Secretary to Government under date the 26th ultimo on the subject of a claim preferred by Canoto Pramaly the Jailor attached to the Auxiliary Court of Tellicherry to the reward of Rupees 1200 offered by the proclamation of the 1st of June 1833 for the discovery and apprehension of the parties concerned in the Murder of one Peedegail Nooptain on the night of the 21st February 1833.-

2 The Court of Foujdaree Adalut not being of opinion that the Jailor was entitled to the reward in question they rejected his pecuniary claim, but in consideration of the faithful and important Services rendered by the Jailor they recommended an increase of his pay by raising him to a first class Jailor.-

3 It has been intimated however to the Court of Foujdaree Adalut in a letter from the Chief Secretary to Government under date the 3d instant copy of which is enclosed for your information is that the Governor in Council considers it inexpedient to raise the Jailor of the Auxiliary Court to the 1st Class, but desires that the Officers in charge of Jails within your Division be instructed on the first occurrence of a vacancy in the 1st Class

to

to offer the situation to the "Cante Mannaly"

4 The Governor in Council has also desired that a letter be addressed to the Joint Criminal Judge of Tel-cherry specially acknowledging the services of the Jailor under him, and that a Silver badge not exceeding (30) Thirty Rupees in value with a Suitable inscription thereon be presented to Cante Mannaly in open Court on the part of the Government in token of the great satisfaction with which the Governor in Council has noticed the testimony borne to the usefulness of this Officer by his immediate Official Superior and with a view to incite others to a similarly Zealous and faithful discharge of their duties.-

5 These instructions the Judges are requested to carry into effect by the Provincial Court at their earliest Convenience.-

16th September 1836.- (Signed) W. Douglas
Register

No 2003 To The Acting Criminal Judge in the Zillah of Cuddapah.-

Sir,

With reference to your letter dated the 20th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit for your information and guidance the annexed copy of an Order of Government under date the 8th Instant relative to the present State of the Jail at Cuddapah and requesting you will cause such repairs as may

may be necessary for the present security of the place to be forthwith executed and that you will furnish a Plan of a building which you may consider adapted for a Jail accompanied by an Estimate of the cost framed with reference to the observations contained in the 1st paragraph of the above Extract.-

(Signed) W. Douglas
16th September 1836.- Register

No 2004 To The Magistrate of Coimbatore.-

Sir,

1 I am directed to inform you that the Judges of the Foujdaree Adalut do not consider it requisite to transmit to Government the "Extract from the accounts of Assistant of the Coimbatore Collectorate for Fasly 1246" which reached this Office on the 12th instant - as from the "Remarks of the Asst Auditor" to the effect that Item "No 42 will be referred "for the Special sanction of Government" they conclude that it is the intention of that Officer that the reference should be submitted direct from the Audit Department.

2 The Judges are confirmed in this opinion by the consideration that the reward for the apprehension of the absconded "Peon" was offered under the provisions of the Regulations, and that consequently a reference for sanction through this Court is unnecessary as it is certainly unusual.-

(Signed) J. H. Davidson
16th September 1836.- Asst to the Regr

N° 2005 To The Joint Criminal Judge at
Cuddalore.

Sir,

1 I am directed by the Judges of the Fouydaree Udalut to request that you will report for their information whether the special sanction of Government was obtained for the expences incurred on account of certain European prisoners the Officers and crew of the Bark Shannon who were sent up to the Chief Magistrate and Superintendent of Police for trial before the Supreme Court at Madras and included in the statement of Contingent Charges of the Auxiliary Court of Cuddalore for Fusly 1245.

2 Whenever you may again have occasion to proceed a distance from the Kosseer Station for the purpose of superintending the Execution of Criminals condemned to death by the Fouydaree Udalut, You will be pleased to submit a Statement of the expences incurred on that account to this Court in order that the same may be laid before the Government for its special sanction you will also be pleased to specify the number of the cadu on the Cubundar, and the date of the Warrant issued by the Court of Circuit. On the present occasion this information should have been entered in the appropriate columns of the Statement.

3 In conclusion, I am directed to request that you will explain upon what grounds a fourth Duffadar was employed

employed from December 1835 to June 1836 while under the orders of the Fouydaree Udalut relative to the employment of Extra Peons and Duffadars the number of those servants should with reference to the number of the Peons, have been limited to three.

(Signed) J H Dawdson
Asst to the Regr

16th September 1836.

(N° 209)

N° 2015 To The Chief Secretary to
Government.

Sir,

1 I am directed to forward to you to be laid before the Governor in Council, the accompanying Statement received on the 12 instant through the Provincial Court of Circuit in the Northern Division from the Acting Register in charge of the Zillah Court of Chingleput, shewing the amount expended (under the Circular Orders of the Court of Fouydaree Udalut N° 34 dated the 16th March 1835 paras 1 and 2) in Fusly 1244, in the purchase of the raw materials for the Manufactures carried on by the prisoners in that Jail, and the amount realized from the sale of the articles so manufactured.

2 It appears from the letter of the Acting Register that the reference is submitted in compliance with the request of the Govt Auditor, and the Judges of the

the Foujdaree Udalut beg to recommend that the sanction of Government be granted for the sum actually expended, amounting to Rupees 48-5-7½ Forty eight, annas five and pice seven.—

(Signed) W. Douglas.
Register.

17th September 1836.—

N° 2016 To The Acting Criminal Judge at
Bellary.

Sir,

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 6th Instant reporting the escape of the prisoner named "Ramchak" and forwarding two statements of the depositions taken from the Duffadar and Peons on the subject.

2 In reply to the suggestion contained in the last paragraph, "that all the prisoners be secured by irons to their feet while the Peons are escorting them to a distance outside," and founded upon the consideration that the late reduction of Peons renders that measure advisable, I am desired to state that the Judges are not prepared to adopt it, inasmuch as the reduction of Peons has not been in comparison with the reduction of the prisoners. It is to be observed that when there were 1200 prisoners in the Jail at Bellary, the standing guard

guard was fixed at 60 Peons, and that at present, there is a standing guard of 58 Peons, although there were only 694 prisoners in confinement on the 31st of July last, of whom 612 being worked outside the Jail and extra guard of 153 Peons was retained up to that date.—

(Signed) G. L. Prendergast
Asst Dep. Regr

17th September 1836.—

N° 2017 To The Judges of the Provincial Court of Circuit
in the Centre Division.—

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to return for correction the accompanying Statement of Crimes and Misdemeanors prepared by the Magistrate of Chingleput which was forwarded with your return of the 22d Ultimo.—

2 The correction necessary to be made in the above Statement is as regards Column N° 18 of the Statement in which a case of Forgery containing 5 prisoners reported not to have been disposed of at the close of the report ending the 31st December 1835 ought to have been entered shewing at the same time how the case was disposed of.—

(Signed) W. Douglas.—
17th September 1836.— Register

Nº 2018. To The Criminal Judge of

Sir,

Rajahmundry.-

I am directed by the Judges of the Fouzdaree Udalut to return to you the statement of Contingent charges incurred in Fusly 1245 in the Zillah Court of Rajahmundry, and to desire that you will cause to be prepared and submit with the least possible delay, an Account Particularly in the form prescribed by their Circular Order Nº 11 dated the 18th August 1834 - of the Number and the Amount of the pay of the Extra Peons and Duffadars employed during that Fusly to Guard the prisoners worked outside the Jail under the orders of this Court dated the 28th August 1833.-

2 I am directed to add that this and any other "Contingent Charges" which the Civil Auditor may require to be submitted to Government through the Court of Sudr Udalut, should be included in the one General Statement, and not, as in the present instance be appended thereto, under the denomination of an "Additional Statement".-

(Signed) J. H Davidson

17th September 1836.-

(Nº 202)

Nº 2019 To The Chief Secretary to

Sir,

Government.-

With reference to the order of Government of the 18th Ultimo Nº 690 I am directed by the Judges of the Court of Fouzdaree Udalut to state that a descriptive Roll of Poodoocoody Simbichy Nair has been this day forwarded to the Acting Secretary to Government in the Public Department in order that a Pension Certificate may be prepared; and I am desired also to report for the information of the Governor in Council that although the office formerly held by this individual has been abolished (Peon in the District Moonsiffs establishment) the Criminal Judge of Malabar has provided for a brother of Simbichy Nair by making him a Jail Coltar.-

(Signed) W Douglas

19th September 1836.- Register.

Nº 2020 To The Provincial Court of Circuit in the

Gentlemen, Northern Division.

With reference to the correspondence which has recently passed on the subject of the Jail proposed to be constructed at Vizagapatam, including the Provincial Courts Letter of the 30th ultimo, I am directed by the Judges of the Fouzdaree Udalut to forward to you for your information the annexed copy of an extract from the Minutes of Consultation under date the 9th instant, and to request that a copy of the same may be furnished to the Acting Joint Criminal Judge of Vizagapatam for that Officers information.

(Signed) J. H Davidson

19th September 1836.- Asst to the Register

To

N° 2021 To The Acting Criminal Judge of

Bellaree

Sir,

1 With reference to your letter of the 27th ultimo, I am directed by the Judges of the Foujdaree Adalut to inform you that the prisoner Nana Roopanee now in the Lunatic asylum at Madras will be made over to a Guard of Peons to be furnished by the Magistrate of Chingleput who has, under this date been instructed to adopt the necessary measures for effecting his safe transmission to Bellaree.-

2 On his arrival at that Station, you will be pleased to take charge of him.-

3 In pursuance of instructions received from the Government in Council, I am directed to desire that you will take the requisite steps for causing a quarterly Report upon the Health and treatment of this individual to be laid before the Court of Foujdaree Adalut.-

19th September 1836.- (Signed) J H Davidson

Actg Sec.y to the Register-

N° 2022 To The Magistrate of

Chingleput.-

Sir,

With reference to the annexed copy of a Proceeding of Government dated the 12th instant, respecting an individual named Nana Roopanee now lodged in the Lunatic Asylum

Asylum at Madras, but whose release is authorized on the representation of the Medical Officer that he is of Sound mind, I am directed by the Judges of the Foujdaree Adalut to request that you will with as little delay as possible, forward to the Presidency a suitable Guard of 2 or More Peons, who shall receive into their custody from the Lunatic Asylum, the prisoner in question: and that you will adopt the necessary measures for effecting his transmission to the charge of the Acting Criminal Judge of Bellaree to whom the requisite instructions respecting his ultimate disposal will be issued from this Office.-

19th September 1836.- (Signed) J H Davidson

Actg Sec.y to the Govt

N° 2023 To The Secretary to the

Medical Board.-

Sir,

With reference to the order of Government N° 760 - dated the 12th September 1836, I am directed by the Judges of the Foujdaree Adalut to state for the information of the Medical Board that the Magistrate of Chingleput had been instructed to forward to the Presidency a suitable Guard of Peons who shall receive and take charge of the prisoner Nana Roopanee, now lodged in the Lunatic Asylum at Madras, and to request that the Board will be pleased to order that the prisoner be-

be delivered over to the Peons who may be selected by the Ma-
-gistrate for that duty.-

(Signed) J. H Davidson
19th September 1836. Hr Asst to the Register

No 2024 To The Acting Joint Criminal Judge of
Vizyapatam.

Sir,

1 With reference to your letter of the 7th instant,
forwarding for sanction a Bill for the wages of a Monthly
Stone Cutter employed to teach the business of Stone Cutting
to the prisoners in the Jail at Vizyapatam, I am directed
by the Judges of the Fouzdaree Udalut to
will report for their information and wether by that of
the Government, by whom and under what authority
that individual was employed.-

2 If by you the Judges direct me to call your
attention to the repeated and peremptory orders of Govern-
-ment prohibiting the incurring of any charge not of an
Emergent Nature without previous sanction.-

(Signed) J. H. Davidson
19th September 1836.

(True Copy) Hr Asst to the Regr

No 2026 To The Chief Secretary to
Government.

Sir,

1 With reference to your letters under dates the 27th

ultimo and 16th instant, relative to a Petition - No 1392 of 1836 -
addressed to the Right Honorable the Governor in Council
by one Sellozee of the Zillah of Madura, I am directed by
the Judges of the Fouzdaree Udalut to inform you that that
petition with its accompaniments and a copy of the second
and third paragraphs of your letter of the 27th ultimo was
immediately transmitted to the Provincial Court of Circuit
in the Southern Division, who were at the same time direct-
-ed to furnish the Magistrate of Madura with a copy of the
Petition and instruct that Office to institute the necessary
inquiries with a view to ascertain what degree of credit is due
to the allegations therein contained, to afford the petitioner
such redress as her case is capable of receiving, and report
the result for the information of Government.-

2 The reply of the Provincial Court will immedi-
-ately upon its receipt be laid before the Governor in Council.-

3 The petitioner "Sellozee" I am directed to observe, pre-
-sented two petitions (Nos 26 and 28) to this Court under
dates the 22nd and 29th February 1836.-

4 Her complaint was to the following effect: that
three females resident in her village came to her "on the
1st of Curaltundee of the Year Veejaya" the 15th February
1833 - and pretending that they had lost a ring and
suspected her of having taken it, desired her to shew them
her purse that having done so, she then at their request
accompanied

accompanied them to a Tank for the purpose of ablution, leaving her purse which contained Rupees 18 ½ on one of its steps: that without her knowledge the three females removed and concealed it: that missing it, she demanded it of them and that they positively denied all knowledge of the matter.

5 This petitioner concluded by praying that orders might be issued for the recovery of her property or that the alleged offenders might be required to take a solemn oath of denial "standing on the eighteenth steps of the Alagar Coil or in the Pagoda of Varadpurna Swamy".—

6 It appeared from the Petitioners Statement that investigation of her charge have been made by the proper authorities and on her own showing it was clear that there had no evidence whatever in support of the alleged theft and it was obviously incompetent to the Foujdaree Udalut to issue an order directing an oath to be administered to her on the 18th step of the Pagoda.—

7 Under these circumstances the Court deemed it necessary to decline to interfere in the matter.—

20th September 1836.—

(Signed) W Douglas

Register

№ 2030 To The Criminal Judge of

Trichinopoly

Sir.

With reference to your letter dated the 15th instant I

am directed by the Judges of the Court of Foujdaree Udalut to inform you that for the reason stated in the letter addressed to you by the Foujdaree Udalut under date the 20th of July 1835 the Convict "Rungiah" should not undergo the punishment of Gedna.—

(Signed) W. Douglas

Register.—

21st September 1836.—

№ 2031 To The Acting Criminal Judge of

Bellary.

Sir.

With reference to your letter dated the 31st Ultimo.

I am directed by the Judges of the Foujdaree Udalut to inform you that the Governor in Council was pleased under date the 16th Instant to sanction the disbursement of Rupees (350) two hundred and fifty for the construction of a new Jail at Bellary and to state that it was not considered expedient to recommend so great an outlay as exhibited in the estimate of the Engineer.—

(Signed) W Douglas.—

Register.—

21st September 1836.—

№ 2032 To The Magistrate of

Coimbatoor

Sir

With reference to your letter dated the 31st Ultimo I

am

am directed by the Judges of the Foujdaree Adalut to inform you that the Governor in Council consented under date the 13th Instant to sanction the charges incurred under 20 Rupees in the District of Coimbatoor during the 2d Quarter of 1836 amounting to Rupees (43-8-9) Forty three Rupees eight and Pice Nine:-

2 The Judges have been at the same time directed to draw your attention to Clause 13 of the Rules of the 22nd of November 1833 published in page 843 of the Official Gazette which directs that the sum total of Bills shall invariably be entered in words at length

21st September 1836.-

(Signed) W. Douglas
Register.

No. 2041 To The Chief Secretary to
Government.-

Sir,

1 With reference to the second paragraph of the Extract from the proceedings of the Foujdaree Adalut under date the 9th July 1836, and to the seventh paragraph of the Report of the second Judge of the Provincial Court of Circuit on the Western Division dated the 15th June 1836, on the Sessions held at Tellicherry for the fourth Quarter of 1835 and the first quarter of 1836-

1836. I am directed to state that under date the 22nd July last, the Joint Criminal Judge of Tellicherry reported that "the employment of Carts for the conveyance of earth by the prisoners employed on the roads, will much facilitate the repair of the roads," and accordingly solicited sanction "for the provision of twelve carts for the use of that station, of which eight may be of such size as to require each six prisoners, and four of such size as to require each four prisoners to draw them.-

2 As the number of carts mentioned by the Joint Criminal Judge appeared to be out of proportion to the Number of Convicts ordinarily confined in the Jail at Tellicherry, the Judges before submitting the application to Government, deemed it proper to call upon that Officer to explain the grounds he proposed that so large a number should be provided.-

3 In his reply under date the 7th instant, the Joint Criminal Judge stated that "the reason why twelve "Carts were applied for, was that the State of the Jail would occasionally enable the whole to be used, and provision "would have been made for breakages:" and adds that "eight "carts will suffice for the use of the prisoners on the Jail, "of which two should be arranged for the conveyance of water "to bind the earth when beaten upon the roads, and six for "the carriage of earth. There a carpenter has undertaken to

Make

make for the sum of Rupees forty four each, and his contract appears to be reasonable.—

4 The Court of Foujdaree Udalut are of opinion that if by providing these carts, the labour of a small number of Convicts can be made much more useful that it is at present by reason of the great distance from which the material is to be brought, the Money would be well expended.—

5 On this ground, the Court direct me to submit their recommendation that the Joint Criminal Judge be authorized to disburse the sum of Rupees (360—0—0) Three hundred and sixty for the purpose abovementioned.—

(Signed) W. Douglas
Registar

23d September 1836.—

N° 2042 To The Acting 3d Judge of the Court of Circuit in the Northern Division.

Sir,

With reference to the Extract from the proceedings of the Foujdaree Udalut under date the 12th Instant on your Circuit Report for the Masulipatam 3d Quarterly Sessions of 1836 I am directed by the Judges of the Foujdaree Udalut to communicate to you the accompanying copy of the Order of Government of the 19th Instant.—

(Signed) W. Douglas
Registar

28th September 1836.—

N° 2046 To The Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to forward to you to be laid before the Governor in Council the accompanying account Particulars received on the 21st instant from the Acting Criminal Judge of Madura, shewing the expences incurred in the erection of a New Gallows at that station.

2 The Acting Criminal Judge explains that a new "Gallows was necessary from the circumstance of the old "one being unfit for use, and no regular drop being attached to it."—

3 The Judges of the Foujdaree Udalut beg to recommend that sanction be granted for the charges incurred amounting to Rupees (15 " 12 . 6) fifteen and twelve and five six.—

(Signed) W. Douglas
Registar

24th September 1836.—

N° 2047 To The Secretary to the Medical Board.—

Sir,

1 With reference to the order of Government of the 12th instant N° 760 I am directed by the Judges of the Court of Foujdaree Udalut to request that the Medical Board will be pleased to instruct the Medical Officer in charge of the Lunatic Asylum to deliver into the custody of the accompanying two

two Peons the prisoner "Rana Korpanna" with the view to his transmission to the Acting Criminal Judge of Bellary for the purpose of his being made over by that Office to the parties who have offered to take charge of him.-

2 The Judges request that you will cause the Peons to be furnished with instructions as to the treatment of the prisoner and that provision may be made for his subsistance on the road.-

(Signed) W. Douglas.
Register

24th September 1836.-

No. 2048 To The Provincial Court of Circuit on the Western Division.-

Gentlemen,

With reference to your letter dated the 5th Instant I am directed by the Judges of the Fouzdaree Udalut to inform you that under the provisions of Section III Regulation III of 1827 the Governor in Council has been pleased by an Order in Council dated the 20th Instant to authorize the Native Criminal Judge of Salem to forward the prisoner "Poorsha" charged with theft, to the Native Criminal Court at Honore; for the purpose of being tried by the Court of Circuit.-

(Signed) W. Douglas
Register

24th September 1836.-

No. 2055 To The Officiating Second Judge on Circuit in the Centre Division.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 16th instant, in which you recommend "that a pardon "be tendered to a person named Garlapatty Casa of the Comatee "Caste, the fourth prisoner in case No. 8 of the Cumbum "Calendar 1st and 2d Sessions of 1836, on condition of his making "a full disclosure of every circumstance within his knowledge, "relative to the Murder of a Telica named Goneevardo, at a well "close to the Village Mootchagoondum Cumbum Taluk, Zillah "of Cuddapah, at ten o'Clock on the night of the 25th June "1835, with which he and other five prisoners stand indicted "in that case."-

2 In reply I am desired to observe that after a mature consideration of all the circumstances now brought to their notice, and of the several documents which accompanied the above communication, the Judges of the Fouzdaree Udalut are pleased, in exercise of the power vested in them by Section XII, Regulation XIII of 1832, to authorize the offer of a pardon to the aforesaid prisoner "Garlapatty Casee" on the terms and conditions specified in Section XX Regulation VIII of 1802.-

3 You will be pleased to instruct the Criminal Judge of Cuddapah to make the offer of pardon, and in the event of that offer being accepted, to take the examination of the fourth prisoner and to adopt such other Measures as

as may be necessary with a view to bringing the accused person for trial before the Court of Circuit at the next ensuing

as it is deemed expedient that the case should be entirely taken out of the hands of the Native Criminal Judge of Cumbum.-

4 In conclusion I am directed to request that the explanation of the Native Criminal Judge respecting his omission to examine the witnesses mentioned in the joint Magistrate's letter of the 21st May last, and to act upon the suggestion of the last Judge late on Circuit in the Centre Division, contained in the 4th para of Jeven his proceeding under date the 4th February 1836, may be submitted for the consideration of the Toungdaree Adalut.-

26th September 1836.- (Signed) T. H. Davidson

Actg Regr to the Bgl

No. 2060 To The Magistrate of

Sir,

Chingleput.-

With reference to your letter dated the 21st instant I am directed by the Judges of the Court of Toungdaree Adalut to request you will cause the Peons, who you propose should receive charge of the prisoner Hanna Hoysinna from the Lunatic Asylum to be furnished with money for the subsistence of the prisoner on the Road to Bellary.-

27th September 1836.- (Signed) W. Douglas

Register

No. 2062 To The Provincial Court of Circuit in the

Gentlemen Northern Division

With reference to your letter dated the 2nd. Instant I am directed by the Judges of the Toungdaree Adalut to inform you that the Governor in Council was pleased under date the 23rd Instant to sanction the charges incurred in Fully 1244 in purchasing raw materials for the manufacture, carried on in the Jail of Chicacole, amounting to Rupees 148-5-7½ Forty eight Rupees five and Pice seven.-

(Signed) W. Douglas

28th September 1836.- Register

No. 2063 To The Chief Secretary to

Sir, Government.-

I am directed by the Judges of the Court of Toungdaree Adalut to acknowledge the receipt of an extract from the Minutes of Consultation under date the 16th instant accompanied by a copy of a letter from the Secretary to the Government of India dated the 15th of August 1836 in which it is observed that the Governor General in Council is very averse, without the clearest necessity, to the enactment of Special penal Laws for particular portions of our Territory and that there does not appear to his Lordships in Council any such peculiarity in the circumstances of the position or population of the Vizagapatam Hills as to warrant or require that they

Should

should be exempted from the operation of the ordinary rules,
by which crimes are defined and punishments apportioned.-

2 His Lordship in Council therefore proposes a re-
reconsideration of the subject "with a view to ascertain whether
it will not be practicable to adopt some arrangement which
may provide for the collection of the Revenue for the adminis-
-tration of Justice within the tract in question, either by em-
-powering on the Commanding Officer the powers of a Deputy
Collector, Joint Magistrate and Assistant Judge or by such
other arrangement as may seem more convenient and may
at the same time be consistent with the system of Criminal
Law established in other parts of the Madras Territories.-

3 And the Foujdaree Adalut are required "to state
"whether there are any objections to the arrangement suggested
"in the foregoing letter, and if any such exist, to suggest
"any other arrangement which may occur to them for giving
"effect to the wishes to Government consistently with the
"Sentiments expressed by the Government of India".-

4 The wishes of Government on this subject are
stated in the extract from the Minutes of Consultation under
date the 28th. of June 1836 to be "that in addition to all the
"powers conferred on Collectors, Magistrates and Justices of
"the Peace by existing Regulations and Acts of Parliament,-
"the Officer appointed to the charge of the Neilgherry Hills
"should also be vested with authority to hear and adjudicate
personally

"personally or by Punchayet, if both the parties interested consent
"to it, actions for debt and Civil Suits of the Nature and to the
"extent indicated by Section XXI Regulation XII of 1832 provided
"the Causes of action arose and the defendants were residing
"within the limits of his jurisdiction".-

5 The powers of Assistant Judge being so much more
extensive, as well as different in their nature from those
proposed by this Government to be vested in the Officer of
the Hills as to civil Suits.- no better method of reconciling
the wishes of the Government of Fort St George with the Sen-
-timents of the Government of India occurs to the Court of
Foujdaree Adalut than to pass an act conferring on the said
commanding Officer the powers of a Subordinate Collector, Joint
Magistrate and Justice of the Peace together with Special
Jurisdiction in regard to Civil Suits the Neilgherry Hills
being by an order in Council annexed to the Collectorate of
Coimbatore.-

(Signed) W Douglas
Register

28th. September 1836.-

No. 2064

To The Chief Secretary to
Government.

Sir,

I am directed by the Judges of the Foujdaree
Adalut to acknowledge the receipt of the Minutes of Council
under date the 27 Instant and to submit enclosed the
Draft Act therein directed.-

Although

Soujdaree Diary 28th September 1836.-

Although the Judges have perused the modern Draft Act in general terms, it appears to them open to the strongest objection to bring persons accused of capital offences to trial before a tribunal unknown to the law and on this ground they would respectfully suggest whether it would not be preferable by law to enable the Government to limit the number of officers who shall constitute a Court Martial under Regulation VII 1808, to such as can be conveniently assembled and to authorize the execution of their sentence upon confirmation by the Officer Commanding.-

28th September 1836.- (Signed) W. Douglas
Register

Act

It is hereby enacted that it shall be competent to the Governor in Council of Fort Saint George to bring the immediate trial, all persons owing allegiance to the British Government, who shall be taken in arms in open hostility thereto, 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, within the Goomsoor and Soorada states and their dependances and such other parts of the Ganjam District to which the rebellion may extend, before such Officer or Officers as may be determined by the said Government, and that such Officer or Officers shall possess all the powers vested in Court Martial by the provisions of Section III Regulation VII of 1808 of the code of Fort Saint George.-

Soujdaree Diary 28th and 29th September 1836.-

2065- To The Provincial Court for the
Centre Division.-

Gentlemen,

1 I am directed by the Judges of the Court of Soujdaree Udalut to acknowledge the receipt of your letter of the 20th Instant transmitting, with reference to your former letter of the 9th Instant copy of a return by the Acting Criminal Judge of Cuddapah to your Precept requiring him to transmit the Statements Sketch Plans under the Circular Order No. 45 of the 18th May 1835 for the first half of the Current year.-

2 If you have not already requested the attention of the Acting Criminal Judge, in future, of the 2d paragraph of the Circular Order in question agreeably to which he should have earlier reported the fact mentioned in his return, you will be pleased to do so upon receipt of this letter.-

(Signed) G. L. Prendergast
Asst Dept Registr.

28th September 1836.-

2072- To The Provincial Court of Circuit in the
Centre Division.-

Gentlemen,

1 In reply to your letter dated the 16th Instant I am directed by the Judges of the Court of Soujdaree Udalut to convey to you their opinion that in a case of the Nature described in Mr Casamajor's letter of the 7th instant a prosecution for perjury is not sustainable, inasmuch as the Judges do not perceive in what respect the Mans Statement "that he did not inform of certain Material facts which the 3 Witnesses on oath declare that he did

did inform of, can be material to the issue of the judicial proceeding referred to in the Acting Magistrates letter, and it is obvious to remark that the evidence of the three persons of the fact that the informant gave a different account of the transaction in their hearing, is no proof of the falsity of the deposition given on oath before the Acting Magistrate.-

29th September 1836.-

(Signed) W Douglas
Register

2073- To The Secretary to the Medical Board.-

Sir,

With reference to your letter dated the 28th instant I am directed by the Judges of the Court of Foujdaree Adalut to inform you that the two Rand Sepoys attached to the charge of the prisoner Rana Ruttonee have been provided with funds for the subsistance of the prisoner on the road to Bellary.-

29th September 1836.- (Signed) W Douglas
Register

2076- To The Acting 2nd Judge on Circuit in the Northern Division.-

Sir,

With reference to your letter dated the 19th instant I am directed by the Judges of the Court of Foujdaree Adalut to request that a translation of the whole Record of the case of [illegible] in the Petty Calendars laid before you by the Magistrate of Bijapore

may be furnished to this Office for their consideration.-

(Signed) W Douglas
Register

30th September 1836.-

2078 To The Provincial Court of Circuit in the

Gentlemen,

Southern Division

1 I am directed by the Judges of the Court of Soujdaree Udalut under instructions received from Government, to request you will instruct the Criminal Judge of Combaconum in communication with the Magistrate of Tanjore to transfer to the Magistrate of Madura from the number of prisoners under their respective charge one hundred Convicts for the purpose of their being employed in erecting Sheds and Huts for the party to be eventually employed in the proposed work of opening of the Paumbum Pass.-

2 The Convicts to be selected for this employment should be able bodied but not dangerous characters, and I am directed to request that they be accompanied by the undermentioned complement of Peons and Duffadars, and that the actual Roll of the 100 Convicts to be transferred, to be furnished to the Magistrate of Madura.-

3 You will be pleased to report to this Office whether these instructions may have been carried into effect, and to direct the Criminal Judge of Combaconum to make the necessary communication to the Magistrate of Madura for his information.-

30th September 1836.-

(Signed) W Douglas

Register.-

2079 To The Magistrate of Madura.

Sir,

I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you for your information copy of a letter this day addressed to the Provincial Court of Circuit in the Southern Division directing the transfer to your charge of one hundred Convicts to be selected from the Jails at Combaconum and Tanjore.-

2 Instructions for their employment will be furnished to you thro' the Board of Revenue.-

(Signed) W Douglas

30th September 1836.- Register

(No 210)

2080 To The Chief Secretary to

Sir, Government.-

1 The Criminal Judge of Chingleput had requested the Provincial Court of Circuit to forward to him the deposition given to him by a prisoner named Coolum Cocoputhy before the Police Magistrate and Court of Circuit, in Case No 8 of the Chingleput Calendar for the Second Sessions of 1836, as they are required by that Office for reference in the investigation of Criminal Case No 167 of 1836.-

2 The Provincial Court of Circuit state that the deposition required have been bound up with similars papers in a book of folio size too heavy to be sent by Bangy, and cannot be abstracted without injury to the Records and in consequence suggest that the book be sent to the Criminal Judge of Chingleput by a Cooly.-

3 The reference of the transmission by that mode of conveyance, will, according to the accompanying Bill received in this Office on the 28th Instant be Rupees 13-11-9, three annas eleven and five nine - for which sum the Judges of the Soujdaree Udalut

Foujdaree Diary 30th September 1836.-

Udalut recommend that sanction be granted.-

30th September 1836.- (Signed) W Douglas-
Register.

№2081 To the Acting Criminal Judge of
Madura

Sir,

With reference to your letter dated the 15th Septem-
ber 1836 I am directed by the Judges of the Jongdaree Udalut
to inform you that the Governor in Council was pleased under
date the 28th Ultimo to sanction the Account particulars of the
expence of erecting a new Gallows at Madura amounting to
Rupees / 15-12 6/ Fifteen Annas twelve and Pice Six.—
1st October 1836.— /Signed/ W. Douglas.
Register

№2082 To
The Criminal Judge of
Chinglepet

Sir,

I am directed by the Judges of the Jong-
daree Udalut to desire, that you will immediately
forward to the Superintendent of Police at Madras,
all convicts in your Jail under sentence of Trans-
portation. They are to be embarked on the "Brig
Frederica" on the 6th Instant, from which date, in
the event of being detained, the Ship will come under
demurrage at the rate of Fifty Rupees per diem.

2 You will be pleased to transmit immedi-
ately to this Court, the usual Calendar of the Pri-
soners who may be forwarded by you under
these instructions.—
1st October 1836.— (Signed) W. Douglas
Register

To.

№ 2083. To the Acting Criminal Judge of Cuddapah.

Sir

1 The Judges of the Foujdaree Udalut having observed that in case № 11 on the Cuddapah Calendar for the Second Sessions of 1836, the first and fourth Prisoners named respectively "Bhadra Ramjee" and "Chevan Dhakia" have been sentenced by the Acting Second Judge on Circuit in the "Centre" Division to be imprisoned with hard labour in irons and to be banished from the Zillah of Cuddapah; direct me to request that in conformity to their Circular Order of the 6th January 1823, you will without further delay transmit to this Court for their instructions as to the prisoners disposal, a copy of the warrant issued by the Court of Circuit, under Clause third, Section IV and Clause third, Section VIII, Regulation XV of 1803.

1st October 1836. / Signed/ H. Davidson. Act. Regr.

№ 2084. To the Acting Assistant Criminal Judge incharge of the Criminal Court of Chicacole.

Sir

1 I am directed by the Judges of the Court of Foujdaree Udalut to return to you to be translated the Depositions which accompanied your letter of the 20th Ultimo and to call your particular attention to the orders circulated by the Court of Sudr and Foujdaree Udalut under date the 15th of March 1831 enjoining the several Judges on no account to omit to send translations of all documents in the Native Languages which they may forward to this Office.

3d October 1836. / Signed/ W. Douglas

Regr.

To

№ 211. A

№ 2085. To the Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Court of Foujdaree Udalut to transmit for the information of Government copy of communications from the Officers incharge of the Jails at Chicacole and Vizagapatam shewing that by order of the Honble Mr Russel certain Prisoners have been delivered over to their charge.—

2 As the general Regulations give no authority to the Criminal Court to detain the Prisoners in question, it appears proper that an order of Government should be issued, under Section II Regulation II of 1819, regarding such as are not committed for trial.—

3d October 1836.— / Signed/ W Douglas. Register.—

№ 211.

№ 2089. To the Chief Secretary to Government

Sir,

1 With reference to the Extract from the Minute of Consultation under date the 1st Instant, I am directed by the Judges of the Foujdaree Udalut to report that thirty Eight Convicts under sentence of transportation were to be despatched this morning from Chingleput for embarkation at Madras; for which number the Judges request that the Commissary General may be instructed to supply the necessary provisions.—

2 The usual Calendar accompanies this communication.— (Signed/ W. Douglas

4th October 1836.— Register

To

№2096. To the Chief Secretary to
№212.
Government

Sir,

With reference to my letter of the 20th Ultimo №203— I am directed by the Judges of the Toujdaree Udalut to transmit to you to be laid before the Governor in Council, the Annexed copy of a communications dated the 23rd Ultimo from the Provincial Court of Circuit in the Southern Division, reporting the result of the enquiry instituted by the Police and the Magistracy of the Zillahs of Madura into the charges preferred by a Female named "Sellayee" which have subsequently formed the subject of a Petitions №1392 of 1836— addressed by that individual to the Right Honorable the Governor in Council: and explaining that the "Endorsements" referred to in the Second Paragraphs of your letter of the 27th August last as being without date or signature, "were addressed exclusively "to the Judges to whom" the Petition" was sent, and were "not meant as decisions on the case."

2 The Petition and its accompaniments received with your letter of the 27th August, are herewith returned.—

(Signed) W. Douglas.
Registry—
4th October 1836.

№2091. To the Native Criminal Judge at
Honore—

Sir,

I am directed by the Judges of the Court of Toujdaree Udalut to acknowledge the receipt of your letter of the 21st Ultimo soliciting their orders respecting the disposal of a Prisoner named "Buttoo" charged with wounding

wounding two persons while "his mind was deranged" and to state their opinion that he may be restored to his friends upon their engaging that he shall not wear a knife, and that they will be answerable for his conduct.

4th October 1836. (Signed) G. L. Prendergast Senr Dept Registr

№2095. To the Chief Secretary to Government.
№214

Sir, I am directed to forward to you to be laid before the Governor in Council, the annexed copy of a letter from the Acting Criminal Judge of Cuddapah who solicits special sanction for the expence incurred in the employment of 8 Extra Peons from the 15th July to the 15th September 1836, for the purpose of attending the committed Prisoners to and from the Jail during their trial before the Court of Circuit.

2 The Judges of the Toujdaree Udalut beg to recommend that sanction be granted for the charges in question amounting to Rupees (82:14) eighty two and Annas fourteen.

5th October 1836. (Signed) W. Douglas, Register.

№215

№2096. To the Chief Secretary to Government

Sir, I am directed to forward to you to be laid before the Governor in Council the annexed copy of a letter dated the 27th Ultimo from the Acting Criminal Judge of Cuddapah, and to state that under the circumstances represented in that communication the Judges of the Toujdaree Udalut recommend that that Officer be authorized to disburse the sum of Rupees (7) Seven per Mensem as the Rent of Godowns etc which to store the Grain which, under the management of Mr Boileston the late Acting Assistant Criminal Judge in charge, certain individuals have contracted to supply for the consumption of the Prisoners for the

№751 dated the 7th September 1836 in which the Governor in Council desires to be informed whether a sum of Rupees 46.13.6 paid by the Chief Magistrate and Superintendent of Police for the subsistence of the Prosecutor, Witnesses and Prisoners in the case sent up for trial before the Supreme Court during their stay at Madras and for their return to Canara is included in the amount of Rupees 1293.4. for which sanction was solicited in my letter №184 dated 31st August 1836. I am desired by the Criminal Judge of Canara has reported that "the sum of "Rupees (14.8) fourteen and Annas eight is only included in that "amount, in as much as the balance was paid by the Superintendent "of the Police to the eleven Prisoners and one Witness (a Magisterial Case) "and consequently not coming under the head of Judicial charges "will be carried to the debit of the Magisterial Department, as "directed in the Circular Order of the 10th November 1827."

2 The Criminal Judge adds that "in the sanction of the "Honorable the Governor in Council being obtained to the charge "incurred of 1293.5 "he "proposed remitting the amount of "14.8 advanced to the witnesses in the Judicial Department "to the Superintendent of Police at Madras; but "in the event of "this mode being deemed circuitous "he "enclosed a Statement "with the deduction of 14.8. which can be substituted for the one originally forwarded

3 Should it be deemed proper to adopt this Statement of which a copy is herewith submitted, the Judges of the Tovydaree Adalut beg to recommend for sanction the sum of Rupees (Three Hundred Fourteen Annas Eight Pagodas

№2103 6th October 1836. №218. (Signed) W. Douglas Regr.

To the Chief Secretary to
Government.

Sir,

1 The Acting Joint Criminal Judge at
Coimbatore

Tovydaree Diary 6th October 1836.

Coimbatore, in reporting under date the 24th Ultimo the escape of a Prisoner from the Jail under his charge having observed that "most of the Convicts were on the day "on which the escape was effected, "and had been for some time previous, employed "in bringing bricks from the Kilns which are nearly 2½ miles "from the Jail," and recommended that as the Prisoners have "to pass several topes and the nature of the ground is in other "respects such as affords great facility of escape, an additional "Duffadar on a salary of 7 Rupees "may be sanctioned, "until the works in progress at the Jail and Court House under "the superintendence of the Engineer is completed—

2 I am directed by the Judges of the Court of Tovydaree Adalut to submit their request that the Right Honorable the Governor in Council may be pleased to sanction for the period proposed, an additional Duffadar on the monthly salary of 7/71 Seven Rupees to superintend the Extra Peons employed to guard the Convicts at Coimbatore—

6th October 1836. (Signed) W. Douglas Registr.—

№2104 To the Acting Joint Criminal Judge at
Coimbatore

Sir,

1 I am directed by the Judges of the Court of Tovydaree Adalut to acknowledge the receipt of your letter of the 24th Ultimo reporting the escape of a Convict named "Govinden" the 2nd Prisoner in Case №18 on the Calendar "for the last Sessions—

2 The Judges conclude that you have taken measures for the reapprehension of the Peons from whose Custody the escape was effected and who is stated, in the

Second

№751 dated the 7th September 1836 in which the Governor in Council desires to be informed whether or sum of Rupees 46.13.6 paid by the Chief Magisthate and Superintendent of Police for the subsistence of the Prosecutor, Witnesses and Prisoners in the case sent up for trial before the Supreme Court during their stay at Madras and for their return to Canara as included in the amount of Rupees 1392-4- for which sanction was solicited in my letter №184 dated 31st August 1836 I am directed by the Judges of the Toyjdaree Udalut to inform you that the Criminal Judge of Canara has reported that "the sum of "Rupees (14-8) fourteen and 4 Annas eight is only included in that "amount, in as much as the balance was paid by the Superintendent "of the Police to the eleven Prisoners and one Witness (a Magisterial Item) "and consequently not coming under the head of Judicial charges "will be carried to the debit of the Magisterial Department, as "directed in the Circular Order of the 18th November 1827."

2 The Criminal Judge adds that "on the sanction of the "Honorable the Governor in Council being obtained to the charge "incurred of 1392-8 "he "proposed remitting the amount of "14-8 advanced to the witnesses in the Judicial Department "to the Superintendent of Police at Madras; but "in the event of "this mode being deemed circuitous "he "enclosed a Statement "with the deduction of 14 as. 8 which can be substituted for the one originally forwarded

3 Should it be deemed proper to adopt this Statement of which a copy is herewith submitted, the Judges of the Toyjdaree Udalut beg to recommend for sanction the sum of Rupees (14-8) Fourteen and 8 Annas only.

№2103 6th October 1836. №218. (Signed) W. Douglas Regist.

To the Chief Secretary to
Government.

Sir

1 The Acting Joint Criminal Judge at
Coimbatore

Coimbatore, in reporting, under date the 24th Ultimo the escape "of a Prisoner from the Jail under his charge having observed that "most of the Convicts were on the day "on which the escape was effected, "and had been for some time previous, employed "in bringing bricks from the Kilns which are nearly 2½ miles "from the Jail;" and recommended that as the Prisoners have "to pass several topes and the nature of the ground is in other "respects such as affords great facility of escape, an additional "Duffadar on a salary of ¶ Rupees "may be sanctioned, "until the works in progress at the Jail and Court House under "the superintendence of the Engineer is completed—

3 I am directed by the Judges of the Court of Toyjdaree Udalut to submit their request that the Right Honorable the Governor in Council may be pleased to sanction for the period proposed, an additional Duffadar on the monthly salary of ¶ Seven Rupees to superintend the Extra Peons employed to guard the Convicts at Coimbatore.—

6th October 1836. (Signed) W. Douglas Register.—

№2104 To the Acting Joint Criminal Judge at
Coimbatore

Sir,

1 I am directed by the Judges of the Court of Toyjdaree Udalut to acknowledge the receipt of your letter of the 24th Ultimo reporting the escape of a Convict named "Govinden" the 2d Prisoner in Case №18 on the Calendar "for the last Sessions—

2 The Judges conclude that you have taken measures for the recapprehension of the Peons from whose Custody the escape was effected, and who is stated, in the

Second

Second Paragraphs of your letter to have also ordered

3 They approve of your recommendation for the additions, temporarily, of a Duffadar, to your Guard Establishment and the sanctions of Government has accordingly been solicited for it.

4 They see no objection to the arrangement suggested in the 5th paragraphs of your letter and they therefore authorize you to transfer to the Jail at Palacaumund as many of the Peons on your Establishment as will suffice to relieve those, at present at Palacaumund, who "from good conduct are entitled to the indulgence of being permitted "to revisit their relations at Coimbatore

6th October 1836.-(Signed) G. Jr Prendergast. Sent Dept Secy

№2108 To the Chief Secretary to Government

№219

Sir,

1 I am directed to forward to you to be laid before the Governor in Council the accompanying Bill/ received from the Acting Joint Criminal Judges of Vizagapatam/ for the wages of a Mason by stone cutters employed to instruct in the Art those prisoners "who had previously worked as artificers when at large."

2 The Acting Joint Criminal Judge states that "the proceed of labour of the Prisoners would follow "the Bazaar a larger proceed than any other mode of employing them, and should the profits of their labour not "be required in the erection of the proposed additions to the "present Jail, it can be disposed of at a profit."

3 The Judges of the Foujdaree Adalut beg to recommend that sanction be granted for the sums of Rupees /4/ four— (Signed) W Douglas Register

7th October 1836.

№220.

№2109. To the Chief Secretary to Government

Sir,

1 The Acting Joint Criminal Judge of Guntoor has reported that in consequence of their not being sufficient accommodation for the Convicts who have been recently transferred to his charge from the Zillah of Bellary to be employed in the construction of the new Jail at Guntoor, he has been compelled to hire the house lately occupied as a Jail at a monthly Rent of Rupees /12/ twelve— 7th October 1836. (Signed) W Douglas Register.

№221.

№2110 To the Chief Secretary to Government

Sir,

1 The Acting Assistant Criminal Judge in charge of the Zillah Court of Chicacole has reported that "on account of the two wells in the Jail not having a brick "and chunam floor around them, and channels of the "same materials for the water to run off a very unwholesome "smell and a great deal of filth which must be detrimental to the health of the prisoners, is daily collected" and has at the same time submitted / through the Provincial Court of Circuit in the Northern Division, an Estimate of the expence which the repair and improvement of those wells will occasion.—

The

2

The Judges of the Foujdaree Udalut direct me to forward to you a copy of that Estimate, and to state that under the circumstances represented by the Acting Assistant Criminal Judge they recommend that sanction be granted for the expenditure of Rupees 1258 Twenty five Annas eight and five Pies.

7th October 1836. Signed W. Douglas Register.

No 2111

No 223.

To the Chief Secretary to Government

Sir,

1 I am directed to forward to you to be laid before the Governor in Council the Account Particulars (received from the Magistrate of Malabar) of Rewards fixed for the apprehension of Robbers in that province in July 1836, with the Extracts from the Proceedings of the Court of Circuit therein referred to.

2 Previously to submitting that Statement to Government, the Judges of the Foujdaree Udalut deemed it proper to call upon the Magistrate to report the dates on which authority was granted for the payment of Rewards under Section VII Regulation I of 1818, for the apprehension of the convicts who on different occasions effected their escape from the Calicut and Tellicherry Jails, and at the same time to convey to him that in a letter addressed to the Magistrate of Malabar under date the 3d September 1823, the Court communicated their opinion that the provisions of Section XXI Regulation IX of

of 1816, are not applicable to the cases of Convicts who may escape from their Guards or from Jail.

3 In reply to this communication the Magistrate has stated that "upon the receipt of the letter "above adverted to "that of the 3rd September 1823 "the then Magistrate of the District made a reference "to Government, and obtained sanction for the reward "paid on that occasions" and adds that "authentic "information having been received that the notorious "offenders" referred to in the accompanying account Particulars "had no sooner than at large again planned "and perpetrated several ——— Gang Robberies" he the present Magistrate "conceived that Section "VI Regulation I of 1818 granted sufficient authority "to pay rewards for their reapprehensions".

See letter to the Sec. to Govt. dated 26th Sept. from the Magr. of Malabar dated 12th Sept. 1823 and Letter from Sec. to Govt. to Magr. dated 26th September 1823

4 The following list exhibits the number and nature of the offences which the parties in question are supposed by the Magistrate to have committed since they regained their Liberty namely: "Sofia Beeran 8 gang robberies sentenced "to banishment for life Payaladil Beeran 8 ditto Tandanta "Ramony 5 ditto Chelly Koopallon 4 ditto Vellakatala Veelan "4 ditto Sheikh Moideen Koopandy Kondoony and Churoota "Veeran supposed to have been of the Gang headed by "Sofia Beeran".

** Reported

5 Under these circumstances, the Judges of the Foujdaree Udalut beg to recommend that sanction be granted

granted for the Rewards in question amounting in
the aggregate to Rupees (735) Seven hundred and Thirty five
7th October 1836. (Signed) W Douglas. Register

№2112 To the Officiating Second Judge on Circuit
in the Centre Division

Sir,

1 With reference to your letter dated the
28th Ultimo reporting the opening of the Sessions at
Bellary and the State of the Calendar laid before you
by the Acting Triennial Judge at that Station, I am
directed by the Judges of the Court of Joupdaree Udalut
to point out to you for your information and guidance
that in giving an Abstract of the number of Cases to be
disposed of by you, the number of Prisoners concerned
therein should be specified.

7th October 1836. (Signed) W. Douglas. Register

№2113. To the Joint Criminal Judge at
Cuddalore

Sir,

1 I am directed by the Judges of the Court
of Joupdaree Udalut to acknowledge the receipt of your
letter of the 28th Ultimo reporting the escape of the Pri-
soner named "Jondavarayan" held to security in Case
№3 of the Cuddalore Calendar for the Second Sessions of 1836

2 The Judges having remarked in the Re-
positions of the "Jail Peon Lauka Mayaka from whose"
custody it appears the "escape" was effected that "Jon-
"davarayen" was one of Six Prisoners left in his charge
direct me to request that you will not again allow so many
Prisoners to be placed at work outside the Jail under
the

the care of a single Peon.

7th October 1836. (Signed) G. L. Prendergast. Sent. Dep. Regr.

№224

№2117. To the Chief Secretary to
Government

Sir,

1 The Provincial Court of Circuit in the Northern
Division have transmitted to this Office a copy of a letter
from the Acting Joint Criminal Judge of Guntoor and
a translation of a Petition, addressed to that Officer by
certain Peons twelve in number detached from the es-
Zillahs of Bellary in charge of the Convicts recently trans-
ferred to Guntoor to aid in the construction of the new
Jail at the latter station.

2 The Peons represent that their pay as Bellary
Peons is smaller than that granted to the Guntoor Peons
that they have brought their families with them to Guntoor
and that at the latter station provisions are dearer than
at Bellaree and they pray that their salaries may be
raised to a level with those of the Guntoor Peons.

3 The Acting Joint Criminal Judge states
that according to the list received from the Zillah Court
of Bellaree, the salary of each of the Peons belonging to
that Jail is Rupees 4-4-5 and he requests sanction for
drawing the salaries of the transferred Peons at the
rate of Rupees 5 five per Mensem as is customary in
the Zillah of Guntoor.

4 And under these circumstances repre-
sented the Judges of the Joupdaree Udalut beg to
recommend that that Officer's application be

complied

complied with.- (Signed) W. Douglas
10th October 1836.-
Register

№ 223.

№ 2118. To the Chief Secretary to
Government

Sir,

1 With reference to the order of Government of the 24th November 1836. №897 sanctioning the disbursement of Rupees 240-2 for the erection of a wall around the Jail at Cotacamund and for other repairs and alterations to the Jail, I am directed by the Judges of the Court of Tovjdaree Udalut to state that it has been intimated to them that no instructions have been received by the Collector of Coimbatore to discharge the amount in question, and accordingly to request that the Right Honorable in Council may be pleased to grant Special sanction for the payment from his Treasury to Lieutenant Colonel King of the said sum viz Rupees 240 Two hundred and Forty And Annas 12 two.

10th October 1836 (Signed) W. Douglas Register

№ 226.

№ 2121. To the Chief Secretary to
Government

Sir,

1 I am directed to forward to you to be laid before the Governor in Council the annexed copy of a translation of a Petition addressed to the Acting Criminal Judge of Cuddapah by the translator to that Zillah Court and received on this Office on the 6th Instant from the Provincial Court of Circuit in the Centre Division.

2 The Acting Criminal Judge observed that

this Petition "exhibits a saving lately made by Govern-
"ment of the sum of Rupees 113 by the transfer to the
Zillah Court of Cuddapah of certain duties previously
"discharged by a seperate Establishment at Cumbum
"and in consideration of the overwhelming additions of
"business devolving on the Petitioner he solicits the aid
"of a Deputy Translator whose pay might be fixed at Rupees 35
"per mensem, still leaving a considerable saving to Govern-
"ment by the recent arrangement."

3 On the same ground the Judges of the Tovjdaree Udalut beg to recommend that sanction be granted for the employment on the establishment of the Zillah Court of Cuddapah of a Deputy Translator on a monthly Salary of Rupees (35) Thirty five.-

(Signed) W. Douglas
11th October 1836.- Register

№ 228.

№ 2128 To the Chief Secretary to
Government

Sir,

1 I am directed by the Judges of the Court of Tovjdaree Udalut to transmit for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 30th Ultimo from the Criminal Judge at Chingleput received this day the Provincial Court of Circuit in the Centre Division stating that the Treadmill in his Jail requires repair and requesting sanction for the disbursement of Rupees 4-10-8 for the above purpose.-

2 The Judges beg leave to recommend that the sanction of the Right Honorable the Governor in Council may

may be granted for the said sum of Rupees [4] four Annas [10] ten and Pice 18 eight.-
13th October 1836 - [Signed] W. Douglas. Register

№2129. To the Acting Criminal Judge of Cuddapah

Sir,

I have the honor by order of the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 4th Instant forwarding copy of a Warrant from the Officiating 2d Judge on Circuit in the Centre Division by which the Prisoners first Bhookun Ramjee and 4th Cheevan Dhaka in case № 11 on the Calendar of the Zillah of Cuddapah for the 2d Sessions of 1836 are sentenced to Banishment.-

The Judges direct that that sentence be carried into execution in the Zillah of Madura.-
13th October 1836.- [Signed] W. Douglas. Register.-

№2130. To the Acting Criminal Judge of Madura

Sir

I have the honor by order of the Judges of the Foujdaree Udalut to apprize you that instructions have under this date been issued to the Acting Criminal Judge of Cuddapah directing that the sentence of Banishment passed by the Officiating 2d Judge on Circuit in the Centre Division against the Prisoners 1st Bhookun Ramjee and 4th Cheevan Dhaka in Case № 11 on the Cuddapah Calendar for the 2d Sessions of 1836 be carried into execution in the Zillah of Madura.-
13th October 1836 [Signed] W. Douglas Register.-

№2134. To the Provincial Court for the Centre Division

Gentlemen,

I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter of the 24th Ultimo transmitting the application of the Zillah Judge of Chittoor for sanction for the disbursement of Rupees 2195-10-6 upon repairs of the Jails.-

Although the Estimate of the Superintending Engineer accompanies the application, the proposed outlay is so large that the Judges direct me to request that you will, after a personal inspection of the premises report your opinion whether, with due regard to the stability and security of the Jail, there exists a necessity for repairs to the extent suggested.-

14th October 1836.- [Signed] G.L. Prendergast Senior Deputy Register

№2135. To the Criminal Judge of Rajahmundry

Sir

I have the honor by order of the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter dated the 4th Instant forwarding copy of a warrant from the Acting 2d Judge on Circuit in the Northern Division by which the Prisoner Cavery Soobbarayadoo in Commission No 2 on the last Calendar of the Zillah of Rajahmundry for the Second Sessions of 1836 is sentenced to Banishment.-

The Judges direct that that sentence be carried into execution in the Zillah of Cuddapah

14th October 1836 - [Signed] W. Douglas
Register

To

№2136. To the Acting Criminal Judge of
Cuddapah

Sir,

I have the honor by order of the Judges of the Fouydaree Udalut to inform you that instructions have under this date been issued to the Criminal Judge of Rajahmundry directing that the sentence of banishment passed by the Acting 2d Judge on Cowrie in the Northern Division against the Prisoner Cossany Sawhaney for Case №2 on the first Calendar of the Zillahs of Rajahmundry for the Second Sessions of 1831, be carried into effect in the Zillahs of Cuddapah.

14th October 1836 (Signed) W Douglas Register

№2139. To the Acting Criminal Judge on the Zillahs of
Cuddapah

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to transmit to you with reference to your letter dated the 11th instant a copy of the remarks recorded by the Fouydaree Udalut on the Cuddapah Criminal Report for the months of June 1836 together with the copy of those return made by the late Acting Criminal Judge under date the 9th of August.

15th October 1836 (Signed) W Douglas Register

№229.

№2141. To the Chief Secretary to
Government

Sir

I am directed by the Judges of the Court of Fouydaree Udalut to transmit to be laid before the Right Honorable the Governor in Council the accompanying letter

of a letter from the Acting Assistant Criminal Judge in charge of the Court at Chicacole dated the 30th Ultimo and received through the Provincial Court of Circuit for the Northern Division, requesting sanction for the disbursement of Rupees 7-12 in making Iron grates to the sluices in the wall of the Jail at that station.-

The Judges beg leave to recommend that sanction may be granted for the expenditure for the purpose stated, of the said sum of Rupees 17 Seven and Annas 12 twelve.-

17th October 1836 (Signed) W Douglas Register.—

№2143. To the Acting Criminal Judge at
Bellary

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to acquaint you that in the first line of the Proceedings of the 30th Ultimo upon the Bellary Criminal Reports the following error has been discovered and to request that it may be corrected in the copy of the Proceedings lodged in the Criminal Court.-

For "the same prisoner is convicted"

Read "the same prisoner is concerned"-

18th October 1836 (Signed) G.L. Prendergast Junr Deputy Register

№2144. To the Third Judge of the Provincial Court of
Circuit in the
Centre Division

Sir,

I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of your letter dated the 10th Instant explaining that you ordered the Jailer to

№ 2151 To the Provincial Court of Circuit in the Centre Division

Gentlemen,

With reference to your letter dated the 23rd Ultimo I am directed by the Judges of the Tougdaree Udalut to inform you that the Governor in Council was pleased under date the 11th Instant to sanction the expenditure of Rupees (3-11-9) three Annas eleven and Pice nine as Cooly hire for carrying from Shillon to Chunglepet and back again a box containing depositions required by the Criminal Judge of the latter station.

19th October 1836. (Signed) W. Douglas. Registrar

№ 2152 To the Provincial Court of Circuit in the Northern Division

Gentlemen,

With reference to your letter dated the 28th Ultimo I am directed by the Judges of the Tougdaree Udalut to inform you that the Governor in Council was pleased under date the 11th Instant to authorize the monthly expenditure of Rupees (12) twelve for the rent of a house at Guntoor for the accommodation of the Convicts recently transferred to that station from Bellary.

2 The Governor in Council has also observed that the necessity of incurring a charge of this description should have been stated when the transfer of the Convicts from Bellary was recommended (Signed) W. Douglas Registrar

19th October 1836.

№ 2153 To the Provincial Court of Circuit in the Western Division

Gentlemen

I am directed by the Judges of the Court of

Tougdaree Udalut to acknowledge the receipt of your letter dated the 3rd Instant with copy of a letter from the Magistrate of Malabar annexed thereto in which the following questions are submitted for decision

First- Is it intended by para two of the order of Government of the 6th of January 1835 that the Magistrate should exercise the powers of Justice of the Peace at the Zillah stations in cases of complaints of Assault against Europeans that may have taken place not immediately within the stations?

Secondly Whether if in case of Assault by Europeans at Cochin or any other distant stations- the Magistrate being there at the Zillah Station, is vested with authority to summon the party accused to appear?

Thirdly Whether if the Assault is committed within the limits of the Auxiliary Court and the parties having arrived at Calicut it is necessary for the aggrieved party to travel back to Tellicherry to seek redress in that Court?

To the two first questions proposed by the Magistrate the Provincial Court of Circuit will be pleased to reply in the affirmative,- as regards the third question the Court of Tougdaree Udalut would observe that as Justices of the Peace have concurrent jurisdiction the nearest justice of the peace in a case of the nature contemplated in the concluding paras of the Magistrates letter ought to act;- the mere fact of the Assault having been committed within the limits of the Auxiliary Court would not render

it.

it necessary that the parties who may have arrived at the
Ballicut should be referred for redress to the Court at Tellicherry
19th October 1836.- (Signed) W. Douglas. Register.-

№230

№2158. To the Chief Secretary to
Government.

Sir,

1 The Judges of the Court of Fouydaree Udalut have observed in the Fort St George Gazette of the 19th Instant the Draft of a proposed Act for the punishment of Thugs read in Council at Fort William on the 26th of September 1836.-

2 With reference to the provisions of Sections I of the proposed Act, and to those of Clause Section VIII Regulation XI of 1803, the Court of Fouydaree Udalut are desirous of being informed whether or not it is intended that persons convicted of the offence made punishable by this Act and sentenced to imprisonment for life, shall be transported beyond seas.-

3 The Judges would also respectfully solicit informations as to whether mere imprisonment or imprisonment with hard labour in irons will be adjudicable under Section I in the cases of persons proved to have belonged to any gang of Thugs.-

4 The general rule, that penal laws must be construed strictly, of course bars either of the constructions of the proposed Act has indicated but it has been ruled by the Fouydaree Udalut that in the Regulations labor is always contemplated as an adjunct of imprisonment and the above clause

clause in the enactment of 1803, applies prospectively to all sentences of imprisonment for life.-

21st October 1836.- (Signed) W. Douglas. Register.-

№2159. To the Acting Criminal Judge of
Cuddapah

Sir,

1 I am directed by the Judges of the Court of Fouydaree Udalut to acknowledge the receipt of your letter of the 11th Instant forwarding translations of depositions called for on the 6th Instant upon your report of the escape of the two Prisoners "under examination"

Kallapully Cheegandoo
and
Kallapully Mullegadoo.-

2 The Judges regret to observe, from the above communication, that the escape of the prisoners in question betrays a most culpable negligence of duty on the part of the Peons in whose custody the prisoners were lodged, but as they have been sentenced to two months imprisonment no further proceedings can be held against them.-

3 It is down in the Circular order of the 23d September 1834 - №16, that the Duffadars of the Guard on every relief of a Sentinel is to accompany the relieving Peon to his Post - It would appear, however, that in the present instance this duty was allowed to devolve on one of the ordinary Peons - and moreover that the "Superintending Peon" as he is described in your letter of the 26th September has not been punished for his omissions to fulfil the duty which had been imposed upon him the circumstance of his not being

ascertained

awakened as he anticipated will not relieve him from the consequences of his negligence.

4 The Judges request that you will report whether there are any "rounds" established to ascertain that the Sentries are actually on guard, during the night; at the Jail at Cuddapah, that you will explain the height of the wall, and how the prisoner could have scaled it - and whether there are no Sentries round the wall outside - and further that you will state what account the Prisoner who has been reapprehended gives of the means by which he effected his escape.

21st October 1836. (Signed) G.L. Prendergast Senior Deputy Registr

No 2160 To the Secretary to the Indian Law Commission

Sir,

1 I am directed by the Judges of the Court of Fouydaree Adalut to acknowledge the receipt of your letter, dated the 30th Ultimo, requesting their opinions on the questions whether any and what good results from the "punishment of the offence of voluntarily procuring abortion "in whatever stage of pregnancy it may be effected."

2 This offence is by no means infrequent in the territories subject to the Presidency of Fort St George; but the Judges consider it unquestionable that the fear of punishment operates as a check upon its perpetration.

3 And in the opinion of the Court of Fouydaree Adalut it is desirable, that the Act should be made force in whatever stage of pregnancy it may be effected, as any definition of this point appears calculated to increase the difficulty of conviction. (Signed) W. Douglas. Register.

21st October 1836.

No To the Acting Criminal Judge in the Zillah of Nellore.

Sir,

1 I am directed by the Judges of the Court of Fouydaree Adalut to acknowledge the receipt of your letter of the 15th Instant requesting sanction for the disposal by public Auction of a quantity of unclaimed property which has accumulated since the year 1832 and is now in deposit in one of the Rooms of the Court House.

2 The Judges direct that previous to the sale of the Articles of property referred to in your letter, lists of the same be forwarded by you to the Magistrate with a request that they may be published by the different Police Officers throughout the District and that it be notified that such property will be sold unless reclaimed before a certain date to be fixed by you and made known in the advertisement.

3 Should any of the Articles enumerated in your letter be claimed by prisoners now in Jail, such property should not be disposed of until the release of the prisoners respectively; when if there is nothing to shew that it does not belong to them it should be restored.

22nd October 1836. (Signed) W. Douglas. Register.

No 231

No To the Chief Secretary to Government.

Sir,

1 With reference to the Extract from the Minutes of Consultations in the Judicial Department under date the 9th September 1836, No 758. in which the Board of Revenue are

are requested to cause to be prepared Estimates of the cost of converting the present Court House at Vizagapatam into a Jail and of again rendering available as a Court House the building formerly destined for that purpose and now used as a place of Divine Worship - and of constructing a Chapel for the Christian Community of the place: I am directed by the Judges of the Foujdaree Udalut to state for the information of the Right Honorable the Governor in Council, that in a letter received in this Office on the 18th Instant through the Provincial Court of Circuit in the Northern Division, the Acting Joint Criminal Judge of Vizagapatam suggests "the Propriety of immediate measures "being taken to prevent the roof of the Chapel, now to be "given up as a Court, falling in, and urges "the necessity "of strengthening every beam, many of which are already "cracked, and all in a dangerous state."

2 The Acting Joint Criminal Judge adds - "should "the Court think proper to recommend this, I beg to suggest "that no measures should be taken for entirely new roofing the "building which would be a useless expence, as the room is "sufficiently high to admit of a mode of shifting for superior "to a new roof, and at (if immediately adopted) a very trifling "expence. Many of the smaller rooms are at present in an "extremely dangerous state; I should not consider that less than "2000 Rupees would be required for a thorough repair, should "probably a much smaller Sum would suffice to prop the "roof up to last for some years to come."

24th October 1836. (Signed) W. Douglas

Register

To

No

To the Provincial Court in the Southern Division

Gentlemen,

1 With reference to your letter dated the 30th Ultimo I am directed by the Judges of the Foujdaree Udalut to inform you that the Governor in Council has under date the 18th Instant issued instructions to the Accountant General for the payment in advance to the Officer commanding the Neilgherries of the sums of Rupees (240-2) two hundred and forty and Annas two for the repair of the Jail at Cotacomund.-

2 I am also directed to request that a Bill for the actual cost of the repairs to that Jail may be submitted for the special sanction of Government.

25th October 1836. (Signed) W. Douglas Regr

No

To the Provincial Court in the Centre Division

Gentlemen, With reference to your letter dated the 4th

4th Instant I am directed by the Judges of the Foujdaree
Udalut to inform you that the Governor in Council was pleased
under date the 18th Instant to sanction the expenditure of
Rupees (4-10-8) four Annas ten and Pice eight for the repa
of the tread Mill at Chingleput.
25th October 1830. (Signed) W. Douglas. Registar

No

To the Joint Criminal Judge at
Tellicherry

Sir.

1 With reference to my letter to your address under
date the 6th Instant I am directed by the Judges of the Fouj
-daree Udalut to transmit to you the accompanying copy
an Extract from the minutes of Consultation dated the 18th
Instant authorizing the expenditure of Rupees (380) three
hundred and eighty in making eight tanks for the use of the
convicts employed on the roads.
25th October 1830. (Signed) W. Douglas. Registar

No

To the Acting Criminal Judge of
Cuddapah

Sir.

1 With reference to your letter dated the 21st
Ultimo I am directed by the Judges of the Foujdaree Udalut
to inform you that the Governor in Council was pleased
under date the 11th Instant to sanction the charge of Rs
-pees (82-14) eighty two and Annas fourteen on account of
8 Extra Peons employed temporarily to guard the prisoners
under trial before the Court of Circuit at Cuddapah on their
passage to and from the Jail.

2 I am also directed to state that such charges
not being usual at other stations any expenditure on this
account

account will not be again authorized and you will be
pleased therefore in future to make other arrangement for
guarding the prisoners under trial before the Court of Circuit.
26th October 1830. (Signed) W. Douglas. Register.

No 233.

No

Henry Sing
Chief Steward.

To the Chief Secretary to Government.

Sir. Two Peons on the establishment of the Criminal
Court at Cuddapah, having been dismissed from their situations,
because during the period they were at Madras with the Cri-
-minal Judge who has since left the Presidency on "Sick
-Certificate" they had been furnished by the Superintendent
of Police for an "Assault"; their Petition to the Court of Fouj:
-daree Udalut to order their restoration is now before the Judges.

The Court consider that the heavy fine levied
2 for the said Assault of 10 Pagodas from each was an ade-
-quate punishment for that Offence and that the dismissal
of the Peons from their situations in addition to that penalty
in a measure of uncalled for severity. but they are doubtful
whether, under the orders of Government of the 23rd of Febru-
-ary 1830 embodied in the Circular Order of the Sudr Udalut
of the 11th March of the same year they are competent to order
restoration or to dispose of their case finally in the manner
the Court may deem proper; or whether, under the orders of
Government of the 30th November 1830, the dismissal of the
Peons under the circumstances should preclude their resto-
-ration without the special sanction of Government.

3 I am desired to solicit the instructions of Govern-
-ment on the point. (Signed) W. Douglas
26th October 1830. Register

To.

Foujdaree Diary 27th October 1836.

№

To the Acting Criminal Judge of Cuddapah

Sir,

1 With reference to your letter of the 27th Ultimo reporting the nature of the Contracts entered into by Mr Copleston to the late Acting Register for the supply of grain for the consumption of the prisoners in the Jail of Cuddapah for the period of one year, and requesting sanction for the "payment of Rupees (7) seven per Mensem to induce the Contractors to let "you" have four days supply of "grain at a time, instead of forcing on" you" the full "instalments as they insisted on their rights to do, un"der their Contracts:" I am directed by the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased under date the 11th Instant to sanction the proposed arrangement and disbursement of the sum abovementioned.—

3 You will however, be pleased without delay to report when the Contract referred to expires, the Government having observed that "the period for which the "charge will be necessary has been omitted to be stated."

3 I am directed in conclusion and under instructions received from Government, to request that you will call upon Mr Copleston for an explanation of his conduct in entering into Contracts apparently, so impudicious and objectionable" and transmit his reply to this Office without delay.—

(Signed) J. N. Davidson
Head Assistant to the Regr

27th October 1836.—

To

Foujdaree Diary 27th and 28th October 1836.

№

To the Provincial Court of Circuit in the Northern Division

Gentlemen,

1 With reference to your letter dated the 27th Ultimo I am directed by the Judges of the Foujdaree Udalut to inform you that the Governor in Council was pleased under date the 24th Instant to authorize the increase of Rupees (5) per Mensem of the pay of the Peons recently transferred from Bellaree to Guntoor but directing that their pay be reduced to Rupees 4-1-4 per Mensem on their returns to Bellaree.

27th October 1836. (Signed) W. Douglas. Register

№

To the Magistrates of

Northern Division of Arcot	3 Copies	Sir
Southern Do	3 Do	I am directed by the
Bellary	3 Do	Judges of the Fouydaree Udalut
Chingleput	2 Do	to forward to you for the use of the
Cuddapah	3 Do	Magistrates Department the ac-
Ganjam	3 Do	-companying printed Copies of
Guntoor	2 Do	part 1 of Volume II of the
Masulipatam	3 Do	Circular Orders of the Fouj-
Nellore	2 Do	-daree Udalut.
Rajahmundry	2 Do	
Vizagapatam	3 Do	28th October 1836 (Signed) W. Douglas
Tanjore	3 Do	Register.
Coimbatore	3 Do	
Madura	3 Do	
Salem	3 Do	
Tinnevelly	2 Do	
Trichinopoly	1 Do	
Canara	3 Do	
Malabar		

№

To the Provincial Court of Circuit in the Southern Division

Gentlemen,

1 I am directed to acknowledge the receipt of your letter of the 21st Instant accompanied by a copy of a communication from the Acting Joint Criminal Judge of Coimbatore

Coimbatore, reporting that the Principal Collector of that
District has declined to make an advance of three hundred
Rupees for the purchase of Material required in executing the
repairs of the Court House and Jail recently sanctioned by
Government: and requesting to be informed whether the Circular
Order of the Foujdaree Udalut No 34, under which the ad-
dition in question was made, is not intended to include
advances of the nature of that required on the present occa-

2 In reply I am desired to inform you that the Circular
Order No 34 was not intended to exclude advances of the kind
of those referred to by the Acting Joint Criminal Judge,
and that further instructions are on the subject of bonds which will be
under which, the several Officers
required to meet certain disbursements other than those
-cified in the Circular Order above quoted but that advance
for the purposes specified in your letter, which cannot be
-ted monthly can be obtained only on the Special sanction
of Government. (Signed) J. H. Davidson
28th October 1836 Asst Assistant to the Register

No To the Magistrate of Bellary

Sir,

I am directed to acknowledge the receipt of
your letter of the 11th instant in which you request authority
to offer a pardon on the terms and conditions specified in
Section XX, Regulation VIII of 1802 to Boya Singadoo
Besieged in the Dhumsavaram Jail who has confessed
himself an accessary in several cases of Gang Robbery and

has given information which has led to the discovery and
apprehension of several of the principal Offenders.

2 In reply, I am desired to observe, that upon
information so vague and general, the Judges of the Foujdaree
Udalut are precluded from authorizing the offer of a conditional
pardon: and that to enable them to determine upon the expe-
diency of that measure, it is necessary that it be explained
in what respect the testimony of Boya Singadoo is material
to the convictions of the other Prisoners: and that it be shown
to the satisfaction of the Court that there is no prospect of
other evidence sufficient for the convictions of the accused
parties, being procurable from any other quarter.
28th October 1836 (Signed) J. H. Davidson Asst Asst to the Regr

No To the Provincial Court of Circuit
in the Centre Division

Gentlemen,

1 With reference to your letter dated the 1st
Instant I am directed by the Judges of the Foujdaree Uda-
-lut to inform you that the Governor in Council was pleased
under date the 24th Instant to sanction, subject to the
confirmation of the Supreme Government the employ-
-ment of a Deputy Translator in the Zillah Court of
Cuddapah on a monthly salary of Rupees (35) thirty
five per Mensem. —(Signed) W. Douglas
28th October 1836 Register

No 235.

No To the Chief Secretary to
Government

Sir,

1 I am directed by the Judges of the
Foujdaree Udalut to transmit to you translations of

a

a communication from the Native Criminal Judge of Sirsee reporting his having committed a case for trial before the Court of Circuit and with reference to the order of Government dated the 28th January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the Prisoner "Geotiya" charged with "severely wounding so as to occasion death," be forwarded to the Native Criminal Court at Honore for trial by the Court of Circuit.—
28th October 1830 (Signed) H. Douglas. Register.

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

Gentlemen,

1 With reference to your letter dated the 27th Ultimo I am directed by the Judges of the Poydaree Adalut to inform you that the Governor in Council was pleased under date the 24th Instant to sanction the expenditure of Rupees (2803) twenty five Annas eight and Pies three for improving the wells in the Jail at Chicacole.
28th October 1830. (Signed) H Douglas Regr.

No. To the Provincial Court in the
Southern Division

Gentlemen

1 In reply to your letter dated the 17th Instant and its accompaniments from the Magistrate of Tanjore I am directed to inform you that the Judges of the Poydaree Adalut do not deem it proper to recommend to Government that the Convicts

to be removed from the Jail at Negapatam to be eventually employed in opening the Paumbum Pass should be forwarded to their destinations by sea.—

2 According to the returns lately received from Combaconum it appears that there are 404 Prisoners in the Jail at that station of whom 117 are convicts 52 of which convicts are under sentence of imprisonment exceeding 7 years.—

3 The Court have resolved that there never should be more than 300 Prisoners in the Jail in question and accordingly it is necessary that as many as possible of the Convicts now ordered to Madura should be sent from Combaconum, by which there would be very few required from the greater distance of Negapatam. The fees from that station can be sent in the usual manner without difficulty.—

4 The Magistrate of Tanjore does not appear to be aware that the Convicts ordered to be transferred to Madura are to be placed under the orders of the Magistrate at that stations until required to be employed on the proposed work of opening the Paumbum Pass.—

5 The Provincial Court will be pleased to issue instructions to the Criminal Judge of Combaconum and to the Magistrate of Tanjore to the above effect and to report what may be done, for the information of this Court.— (Signed) H Douglas
28th October 1830.— Register

To

No.

To the Acting Joint Criminal Judge of
Sir. Wuzagapatam.

1 I am directed by the Judges of the Court of Foujdaree Udalut to return to you your letter and its accompaniments of the 17th Instant in order to its submission through the Provincial Court of Circuit in the Northern Division as prescribed by the Circular Order of the 31st of August 1829.

28th October 1836 (Signed) W. Douglas Registr.

No.

To the Acting Head Assistant Magistrate
Sir, incharge of Guntoor.

1 I am directed by the Judges of the Court of Foujdaree Udalut to return you as requested the list which accompanied your letter of the 22d instant.

29th October 1836. (Signed) W. Douglas. Regr.

No.

To the Magistrate of
Sir, Malabar.

1 With reference to your letter of the 27th Ultimo, reporting the grounds on which certain rewards were offered in Fusly 1245 under the provisions of section VII. Regulation I of 1818, for the apprehensions of Convicts who on different occasions effected their escape from the Calicut and Tellicherry Jails, I am directed to request that you will without delay furnish the necessary information on the several points noticed in the subjoined order of Government of the 18th Instant.

2 "The Judges of the Foujdaree Udalut will "require the Magistrate of Malabar to explain under what "circumstances such high rewards as are observable in the

"the Statement accompanying the above letter have been paid "for the apprehensions of the Prisoners since section XXI. Regulation "IX of 1816, which it is presumed was the Regulation intended to "be referred to, only authorized him to grant rewards to the extent "of 100 Rupees for a leader of a Gang and 20 Rupees for an inferiour "offender who may be discovered and apprehended."—

3 "By the first entry in the Statement, a sum of Rupees 100 "is stated to have been paid for the apprehension of Kootangalil "Cheiktoo Moideen a person who, it would appear from parts of "the above letter, was supposed to have been of the Gang headed "by Tofia Beeram, and for whose apprehension therefore, as an ac- "complice, 20 Rupees was the utmost reward which could have been "given: this requires explanation, as well as other entries of the same "kind in which the provisions of the Regulations do not seem to have "been strictly conformed to. some information is also necessary respect- "ing the parties to whom the rewards were paid, and it should be ascertained "whether they were private individuals or Officers of the Police."

29th October 1836. (Signed) J. A. Davidson. Mr. Asst to the Regr.

No.

To the Four Provincial Courts
of Circuit

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut under instructions received from Government to desire you will call upon the several Criminal and Joint Criminal Judges in your Division to prepare and submit a list of all prisoners under their charge confined under the provisions of Regulation II of 1819, specifying at the same time the date of the warrant signed by the Chief Secretary to Government.—

Independently

2 Independently of persons now fast in the usual
course of Law should any Criminal or Joint Criminal
Judge within your Division have in his custody fem-
-ales other than those confined under the warrant above
mentioned you will be pleased to require him to specify
the authority under which such Female may have been
placed under restraint furnishing Copy of letters or com-
-munications respecting each case.

29th October 1830 (Signed) W Douglas Regt

No 237.

No To the Chief Secretary to
Government.

Sir,

I am directed to acknowledge the receipt
of an Extract from the Minutes of Consultations in the
Judicial Department under date the 25th October 1830 - trans-
-mitting to this Office a copy of a letter from the Acting
Civil Auditor to which are annexed Three Forms of
Statements conformably to which, that Officer recom-
-mends "the Judges should be directed to specify
"distinctly in their monthly and annual Statement
"of Contingent charges, the number of Prisoners or Con-
"victs, subject to hard labor outside the Jail from re-
"ports, subject to like labour within the Jail, and the
"those subject to
"number of any other descriptions of Prisoners and
"keep the Audit Department informed of any
"changes that may take place in the number of Pri-
"soners in each month, as that will obviate the ne-
"cessity of making formal Retrenchments from the
"want of full information on the above points"

In reply, I am desired to observe

2 that, (as it was pointed out in the Seventh para-
-graph of the Extract from the proceedings of the
Toujdaree Adalut under date the 27th Instant,)
the rule at present obtaining in the Provinces subject to
this Presidency is that for each Jail there shall be one
Jemadar, and for every twenty five Prisoners one Duffadar

that

that Jail Peons are entertained in the proportion of one Peon to every four Convicts " actually worked outside the
See the C. of the F.H. № 33-15th March 1835. Jail " and that for the security of the Jail and of the Pris-
- soners of every other description confined within its walls a fixed guard has been sanctioned at each station pro-
- portioned to the size and strength of the building -

3 From this explanation the Right Honor-
- able the Governor in Council will perceive that of the Forms supplied by the Acting Civil Auditor, the First alone can be brought into use; the other two being inap-
- plicable under the existing circumstances -

4 I am directed to add that the suggest-
- ions of the Civil Auditor, excepting only so far as they relate to the two forms above referred to, will be embodied in a Circular Order of which a copy will be laid bef-
the Government in due course -

31st October 1830. (Signed) W. Douglas - Registr

№ To the Magistrate of
Salem

Sir,

1 I am directed to acknowledge the re-
ceipt of your letter of the 20th Instant and in reply to state that under the provisions of Sections XXI Regulation IX of 1810 the Judges of the Toujdaree Adalut authorize the offer of a Reward of three hun-
- dred (300) Rupees for the apprehension of the principal

principal and of one hundred (100) Rupees for that of each of the inferiour offenders concerned in the Murder of the youth at Pandyhaut on the 7th April 1835 -

The Judges of the Toujdaree Adalut
2 further authorize you to offer a Reward of five hundred (500) Rupees for the apprehension of the notorious -
offender Coonjaloo referred to in the second paragraph of your communication under reply -

31st October 1830 - (Signed) J. H. Dawdeswell Asst to the Regr

№ To the Provincial Court of Circuit in the
Northern Division

Gentlemen.

I am directed by the Judges of the Court of Toujdaree Adalut to acknowledge the receipt of your letter dated the 15th Instant annexing copy of a letter and its enclosures from the Magistrate of Guzam bringing to notice the inconvenience and injustice which may accrue to individuals from the proceedings of a Military Court of Inquest not being immediately made known to the Magistrate, where, as in the case referred to in his letter, the party charged with Murder may be made over to the Police by the Military authority, and the question guilt or innocence may depend on the appearance of the body and the opinion of the Medical Officer who attended the

the Inquest, whose Certificate under the rules established in the Military Department is forwarded to the Office of the Adjutant General.-

2 When a prisoner is delivered over by the Military to the Civil authorities all proceedings should of course accompany the Prisoner; but in the case referred to in the Magistrates letter there is nothing to show whether the Inquest in question took place at a Military Bazar station or not; if at other than a Military Bazar Station the Commanding Officer was not authorized by any Legislative enactment to hold the inquest, but should have applied to the nearest Civil authority competent to hold an Inquest under the provisions of Section XIII and XXXVI Regulations XI of 1816.

3 Under any circumstances however the evidence of the persons who discovered the body can be obtained, and if the Medical Officers evidence appears requisite he should be required to attend before the Magistrate.-

31st October 1836 (Signed) W Douglas Regr

No To the Provincial Court of Circuit
in the Southern Division

Gentleman, The Collector of Tinnevelly having

Returned having reported that he considers the Building marked H. in the accompanying Plan might without any difficulty be transferred, and with a few trifling alterations or additions might be rendered well adapted, for the purpose of a "Court House" at Tinnevelly and the expence of building a new "Court House" be thus saved; and the Government having called for the opinion of the Judges of the Court of Toujdaree Udalut after communication with you and the Assistant Judge at Tinnevelly, upon this proposition, I am desired by the Judges of the Court of Toujdaree Udalut to request that you will be pleased to communicate with the Assistant Judge on the subject and transmit as soon as possible the sentiments of that Officers and referring to the Circuit Report of the Acting First Judge dated the 11th of January last from Thirty five to Forty you will furnish them with your opinions collectively, as to whether the Building in question can, as suggested by the Collector

collector, be made available for a boat Roll
and what alterations or additions, with the
Estimated expence thereof will be necessary for
the purpose.-
31st October 1830. (Signed) G. L. Prendergast
Senior Deputy Register

No

To the Provincial Court of Circuit in the
Northern Division
Gentlemen,
With reference to your letter dated the
5th October last I am directed by the Judges of the Fouj-
-daree Udalut to inform you that the Governor in Coun-
-cil was pleased under date the 25th Instant to sanc-
-tion the disbursement of Rupees (7.12) Seven and Annas
-ten the disbursement of Rupees (7.12) Seven and Annas
twelve in making Iron grates to the sluices in the walls
of the Jail at Chicacole.-
2nd November 1836 (Signed) W. Douglas Register

No 239

No

To the Chief Secretary to
Government
Sir,
I am directed to forward to you to be laid
before the Right Honorable the Governor in Council the
annexed copy of a letter addressed under date the 21st
Ultimo to the Provincial Court of Circuit in the Southern
Division by the Criminal Judge of Combaconum who
solicits sanction for the payment from the Treasury of
the Collector of Coimbatore of the salaries of three Peons
for the period they were employed in escorting twelve
convicts from Combaconum to Coimbatore.-
These convicts I am desired to observe were
dispatched under the orders of the Foujdaree Udalut to
the Magistrate of Coimbatore in compliance with an
application from that Officer to be furnished with a
number sufficient to supply the vacancies which had
occurred in the party of prisoners placed under his
orders in the year 1833 for the purpose of being employed
on the roads in that District.-

The

No. 243.

To the Chief Secretary to
Government.

Sir,

I am directed by the Judges of the Court of Toujdaree Udalut to transmit to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter from the Provincial Court of Circuit Northern Division dated the 17th Instant and of the correspondence therein referred to, relative to a refusal on the part of the Acting Joint Criminal Judge at Guntoor to admit and act upon a warrant signed by "Mr. Bell" as "Acting" or "Officiating" Head Assistant Magistrate in charge of Guntoor on the ground that the Gazetted appointment of that Gentleman "to be Head Assistant to the Collector and Magistrate of Rajahmundry" rendered him incompetent to issue such a warrant in the District of Guntoor.

2 It being incumbent upon all Officers, under the orders contained in the Fort St. George Gazette of the 1st of January 1833 to notice the appointments in the Fort St. George Gazette it would appear that Mr. Bell had, strictly speaking, no authority in the District of Guntoor subsequent to the official notice of his appointment as "Head Assistant Magestrate in Rajahmundry" which could be cognized by the Criminal Court and that hence the difficulty arose the present occasion which the Judges would respectfully suggest may be obviated for the future by a general rule being published in the Fort St. George Gazette.

3rd November 1836. (Signed) W. Douglas.

Register

No. To the Acting Joint Criminal Judge of
Vizagapatam

Sir,

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 21st Ultimo soliciting sanction for the charges incurred in the furniture of a table and the alteration of the Jail.

2 The Judges direct me to desire that you will explain more fully the circumstances which rendered necessary the alteration of the Jail, and that you will state when and why the Jail Guard was temporarily reduced, and why you omitted to apply for the sanction of Government, before incurring the expenditure for which you now request sanction.

3rd November 1836. (Signed) J. A. Davidson. Sr. Assist. to the Regr.

No. To the Magestrate of
Coimbatore

Sir,

I am directed by the Judges of the Toujdaree Udalut to return to you the Statement of Contingent Charges which accompanied your letter of the 26th Ultimo.

2 In that letter the charges incurred are described as being "under twenty Rupees" while the Statement itself purports to be one of Contingent charges exceeding 20 Rupees each.

3 If the heading of the Statement be correct the Judges do not understand why the Items Nos. 1. 2. & 4. are therein entitled but if the nature of the charge be correctly described in your letter, Item No. 3 would appear to have been improperly included.

4 I am directed to desire that you will

without

No 243.

To the Chief Secretary to
Government.

Sir,

I am directed by the Judges of the Joujdaree Udalut to transmit to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter from the Principal Asst of Circuit Northern Division dated the 17th Instant and of the correspondence therein referred to, relative to a reference on the part of the Acting Joint Criminal Judge at Guntoor to submit and act upon a warrant signed by "Mr Bell as "Acting" "Officiating" Head Assistant Magistrate exchange of Guntoor on the ground that the Gazetted appointment of that Gentleman "to be Head Assistant to the Collector" "and Magistrate of Rajahmundry" rendered him incompetent to issue such a warrant in the District of Guntoor—

2

It being incumbent upon all Officers, under the orders contained in the Fort St George Gazette of the 4th of January 1833 to notice the appointments in the Fort St George Gazette it would appear that Mr Bell had, strictly speaking, no authority in the District of Guntoor subsequent to the official notice of his appointment as Head Assistant Magistrate on Rajahmundry which could be cognized by the Criminal Court and the difficulty arose the present occasion which the Judges would respectfully suggest may be obviated for the future by a general rule being published in the Fort St George Gazette—

3rd November 1836— (Signed) W. Douglas.

Registrar

No

To the Acting Joint Criminal Judge of
Vizagapatam

Sir,

1 I am directed by the Judges of the Joujdaree Udalut to acknowledge the receipt of your letter of the 21st Ultimo soliciting sanction for the charges incurred in the purchase of a table and the alteration of the Jail—

2 The Judges direct me to desire that you will explain more fully the circumstances which rendered necessary the alterations of the Jail, and that you will state when and why the Jail Guard was temporarily reduced, and why you omitted to apply for the sanction of Government, before incurring the expenditure for which you now request sanction.—

3rd November 1836— (Signed) J. A. Davidson— Actg Assist to the Regr

No

To the Magistrate of
Coimbatore

Sir,

1 I am directed by the Judges of the Joujdaree Udalut to return to you the Statement of Contingent Charges which accompanied your letter of the 26th Ultimo—

2 In that letter the charges incurred are described as being "under twenty Rupees" while the Statement itself purports to be one of Contingent charges exceeding 20 Rupees each—

3 If the heading of the Statement be correct the Judges do not understand why the Items No 1-2-4 are therein entitled but if the nature of the charge be correctly described in your letter, Item No 3 would appear to have been improperly included—

4 I am directed to desire that you will be without

without delay furnish an explanation of this point.
3d November 1836. (Signed) J. H. Davidson. Wt Asst to the Agt

No 244.

No To the Chief Secretary to
Government.

Sir,

I am directed by the Judges of the Court of Joujdaree Adalut to transmit to you a translation of a communication from the Principal Sudr Ameen at Sirsee reporting his having committed a Case for trial before the Court of Circuit and with reference to the order of Government dated the 6th January last to request that the Governor in Council will be pleased under the provisions of Section III Regulation III of 1827 to order that the prisoner Doongaya Sungad with Murder be forwarded to the Court at Honore for trial by the Court of Circuit.
4th November 1836. (Signed) W. Douglas Register.

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

Sir,

With reference to the accompanying extract from a petition presented to the Right Honorable the Governor by Sunker Row late Tehsildar of Ramalapoor Talook in the District of Cuddapah I am directed by the Court of Joujdaree Adalut to request you will submit a detailed report of all the circumstances within your knowledge or that you may on strict enquiry after receipt of this letter be able to ascertain relative to a letter stated to have been written

written by a prisoner named Chinna Aukadoo during his confinement in the Jail at Cuddapah, containing a demand on his father for 100 Rupees to bribe the Servants of the Zillah Court with a view to obtain his release.
5th November 1836. (Signed) W. Douglas. Register.

No To the Acting Magistrate in the Zillah of Cuddapah.

Sir,

With reference to the accompanying copy of a Petition presented to the Right Honorable the Governor by Sunker Row late Tahsildar of Ramalapoor Talook I am directed by the Judges of the Court of Joujdaree Adalut to request you will transmit to this Office a translation of the record of the case which led to the dismissal of the Petitioner from his situation with such explanation and observations as you may wish to offer.

2 You will be pleased also to submit, so far as your knowledge of the case may extend, a report of the circumstances and facts connected with the letter stated to have been found on a prisoner named Aukadoo containing a demand for 100 Rupees to bribe the Servants of the Zillah Court.

3 You will be pleased also with reference to the accompanying copy of a Petition numbered 1668 presented to the Right Honorable the Governor by one "Codumdum" styling himself a Brahmin in the Talook of Ramalacotah Madoogoo to report whether Seemanasa Row the Deputy Sheristadar of the Huzzoor Cutcherry in Cuddapah was formerly dismissed as alleged by the

Tongdaree Diary 5th April 1836

the Petitioner for misconduct, and of so. of what nature and the authority under which he has been employed in contravention of the orders of Government of the 30th November 1836. (Signed) W Douglas Registr.

No

To the Provincial Court of Circuit in the Northern Division

Gentlemen,

1 With reference to your letter dated the 11th Ultimo I am directed by the Judges of the Court of Tongdaree Udalut to request you will communicate to the Magistrate of Nellore their opinion that the stealing of spontaneous salt is punishable under Section V Regulation V of 1831 as infraction of Section XVIII Regulation X of 1805.

2 The present and several other references from the subordinate Officers in the Northern Division having been recently submitted thro the Provincial Court without any opinion on the point profounded for determination; the Judges desire me Specially to direct your attention to the Circular Orders of the 17th of February and 11th December 1834 and to desire that all such references may in future be accompanied by sentiments of the Provincial Court.

3 The Judges also desire me to take this opportunity of calling your attention to the Circular Order of the 30th of September 1830 which requires that all letters addressed to the Court of Sudr and Tongdaree Udalut should have Abstracts written on the back and you will be pleased also to instruct the several Officers subordinate to you invariably to observe this practice in their correspondence with this Court. (Signed) W Douglas

5th November 1836. Registr.

No

To the Acting Joint Criminal Judge at Vizagapatam

Sir

1 With reference to my letter dated the 28th Ultimo and to the Circular Order of the 31st August 1829 published at page 105 of the printed Circular Orders of the Sudr Udalut I am directed by the Judges of the Court of Tongdaree Udalut to return to you your letter and its enclosure dated the 21st Ultimo in view to its submission through the prescribed channel of the Provincial Court at the same time I am directed to inform you that any disobedience of the orders of the Provincials Court will subject you to serious responsibility.

5th November 1836. (Signed) W Douglas Registr.

No

To the Provincial Court of Circuit in the Western Division

Gentlemen

1 With reference to your letter dated the 17th Ultimo I am directed by the Judges of the Tongdaree Udalut to inform you that under the provisions of Section III Regulation III of 1827 the Governor in Council has been pleased by an order in Council dated the 1st Instant to authorize the Principal Sudr Ameen of Sirsee to forward the prisoner "Gooligu" charged with severely wounding so as to occasion death to the Court at Honore for the purpose of being tried by the Court of Circuit

5th November 1836 (Signed) W Douglas Registr.

To

No

To the 4 Provincial Courts of
Circuit

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to desire you will call upon the several Collectors and Magistrates within your Division to prepare and submit with the least possible delay a List of all prisoners under their charge whether confined under the provisions of Regulation III of 1819 or placed under restraint under orders received from Government or other authority—

2 You will be pleased also to desire the several Collectors and Magistrates to submit with each case a copy of the instructions under which the parties were placed in restraint, explaining to them at the same time that this information is sought for only as regards State Prisoners confined under other Special authority not as regards persons placed in confinement in the ordinary course of law and transferred to their charge from a neighbouring Jail

5th November 1836 (Signed) H Douglas Register

No 2445

To the Chief Secretary to
Government

Sir,

1 I am directed by the Judges of the Court of Foujdaree Udalut to transmit to be laid before the Right Honorable the Governor in Council the accompanying copy a letter dated the 27th Ultimo with the original enclosure from Lieutenant Bruce in charge of the Convicts at Cuttack forwarding for sanction the

No

an abstract of pay due to the Jailor, Deputy Jailor, and two Duffadars on the establishment under his charge who have not received their pay for the month of September last—

2 The Judges respectfully request that the sanction of the Right Honorable the Governor in Council may be granted for the payment according to the abstract of Rupees (49) forty nine to the parties named and that sanction may be given for the payment of such parts of the monthly salary of the Jail establishment as was heretofore debited to the Breakwater Committee—(Signed) H Douglas Register—

5th November 1836—

No 2446.

No

To the Chief Secretary to
Government

Sir,

1 With reference to your letter dated the 25th Ultimo I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you for the information of the Right Honorable the Governor in Council a copy of the instructions that were issued by the Foujdaree Udalut to the several Officers in the Judicial Department in the provinces on the subject of Thuggee in consequence of the orders of Government dated 7th November 1835 and 18th of April 1836—

* Letter to the 4 Provincial Courts dated 18th April 1836—
do do do dated 22d April 1836

2 The Judges direct me to add that with reference to your letter noted in the margin, acknowledgement, the several Judicial Officers under the control of this Court, and especially the Magistrates, have been directed to give

immediate

immediate attention to any instructions they may receive from the Officers connected with the Thugg Department, and have been informed that any instance of non-compliance with those orders will incur the severe displeasure of Government.-

5th November 1836. (Signed) H. Douglas. Register

No. To the 4 Provincial Courts of Circuit

Gentlemen,

With reference to the Circular instructions on the subject of Thuggee communicated to you from this Office under dates the 16th of January and 22nd April 1836 the Judges of the Toujdaree Adalut in compliance with the orders of the Right Honorable the Governor in Council direct me to request you will desire the several Judicial Officers under your control, and especially the Magistrates, to give immediate attention to any instructions they may receive from the Officers connected with the Thugg Department, and further that you will inform them that any instance of non compliance with these orders will incur the severe displeasure of Government.-

5th November 1836. (Signed) H. Douglas. Register

No. 247

No. To the Chief Secretary to

Government.

Sir,

With reference to the order of Government of the 27th Ultimo No. 892 I am directed by the Judges of the Court of Toujdaree Adalut to submit a Draft of an Act rendering it competent to the Governor in Council

Council to vest in a Subordinate Collector of Coimbatore who may be an Officer either Civil or Military Special Jurisdiction upon the Neilgherry Hills in Civil Suits, in addition to all other powers vested in such Officer by the provisions of the general Regulations and by Acts of Parliament.-

5th November 1836. (Signed) H. Douglas. Register

Act

I. It is hereby enacted, that it shall be competent to the Governor in Council of Fort St. George to vest in a Subordinate Collector of Coimbatore who may be an Officer either Civil or Military, the Special Jurisdiction upon the Neilgherry Hills in Civil Suits, described in Section II of this Act in addition to all other powers vested in such Officer by the Provisions of the general Regulations and by Acts of Parliament.-

II. The Officer appointed under the provisions of this Act shall have authority to try and determine, in conformity with the rules prescribed for the proceedings of the Courts of Adalut generally but as regards Vakeels, agreeably to the rules prescribed by Clauses second and third Section XIV Regulation VII of 1816, or refer to arbitration under the rules prescribed by Regulation XXI of 1803, suits against any persons upon the Neilgherry Hills, those described in Article VII Section XII Regulation V of 1827 not excepted, for personal property, to an amount not exceeding four hundred Rupees, the decisions of arbitrators shall be final but an Appeal within 30 days under the rules in force regarding Appeals, shall lie from

all

all decrees of the said Officer in suits exceeding 20 Rupees, to the Auxiliary Court at Coimbatore from whose decrees a special Appeal shall be admissible by the Zillah Court of Salem under the provisions in force regarding Special Appeals.

5th November 1836. (Signed) H Douglas Registr

No. To the Officiating 2d Judge on the Circuit on the Carnatic Division.

Sir,

I am directed by the Judges of the Tonjidaree Adalut to acknowledge the receipt of your letter of the 27th Ultimo (with its enclosures) reporting that on the Coimbatore Calendar for the first and second Sessions of 1836, has declined to accept the powers offered to him by the Acting Criminal Judge of Coimbatore in pursuance of the instructions contained in my letter of the 21st September last - and in reply to request that you will proceed to issue such orders in the matter as the circumstances of the case may appear to render requisite -

7th November 1836 (Signed) J H Davidson Register to the Govt

No. 2749

To the Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Tonjidaree Adalut to acknowledge the receipt of your letter dated the 25th Ultimo directing that Mr Nelson may be called upon for any explanations he may have to offer with reference to a despatch from the Honorable Court of Directors dated 1st June 1836 in the 6 Pl

paras of which the Honorable Court after expressing their deep concern at the fatal consequences which attended the insurrection which occurred in the Jail at Calicut on the 28th of April 1834, observe that "no fewer than ten prisoners" having "lost their lives and thirty seven" having been "wounded", while none of the Peons were severely hurt" "affords presumptive evidence of much want of humanity and forbearance on the part of the Peons" and requesting "that no further inquiry into the circumstances of the case be ordered at the time" the Honorable Court observes that they "shall not feel satisfied with the conduct of Mr Nelson the Criminal Judge if he have not taken" measures to clear himself from responsibility for the insurrection, and afterwards to ascertain the cause to which such an effusion of blood was to be attributed, and, if necessary, to call for to visit the authors of it with punishment"

The records of the Court of Tonjidaree Adalut enabling the Judges to furnish the explanation required by the Honorable Court, I am directed to submit the following facts and circumstances for their information -

In the 4th para of Mr Nelson's letter of the 29th of April 1834 reporting the rising of a body of Convicts and prisoners upon the Guard and forcing their way out of the prison, a copy of which accompanied the letter addressed by this Court to the Officiating Secretary to Government in the Judicial Department under date the 13th of May 1834, the Criminal Judge attributed the insurrection "principally to the Influence of the Peons, upon whom" his

constant

"constant admonitions and the examples lately made
appeared to have had "no effect in preventing greater
"negligence and to the construction of the Jail "which
at that period rendered it impossible to prevent the inmates
"from mixing together indiscriminately."—

4 The Criminal Judge explained in the same
letter that the alterations to effect a separation among
the prisoners were then "considerably advanced" and
"for the remissness" of the Peons in the first instance
"and for wanton cruelty in using their weapons un-
"necessarily in the apprehension of the prisoners"
* Rupees 1175. Mr Nelson suggested that half of the sum "offered as
rewards for the re-apprehension of those who had escaped
"should be levied upon the Jail Establishment by
"way of fines."—

5 It is intimated in the 4th Para of this
Courts letter of the 13th of May 1834 the Court of Toujda-
ree Udalut deferred recommending for sanction this
latter proposition until receipt of the communications
on oath which Mr Nelson in his letter of the 29th of
April stated should be hereafter submitted.—

6 On the 8th of June 1834 translations of
the depositions taken by the Criminal Judge were received
in this Office from the Provincial Court in the Western
Division together with copy of letter from Mr Nelson
explaining that 8 Peons "being those of the Jail Guard
"who were not shewn to have been present at their post "on
the 28th of April had been placed on their trial for
"the Offence" and expressing the duty of the fine—

Toujdaree Diary 8th November 1836.

suggested in his communication of the 29th of April 1834,
"further enquiry into the circumstances having" in the
opinion of Mr Nelson "by no means tended to extenuate
"the conduct of the Jail Establishment."—

2 The Provincial Court in submitting these
papers to the Toujdaree Udalut observed they could not
concur in the recommendation as it appeared
to them that "there was "nothing on the face of the
"depositions "to bear out the charge so far as respects the Jail Esta-
"blishment of wanton cruelty in using their Weapons unnecessarily
"in the apprehension of the Prisoners" nor did they consider it to have
been satisfactorily established that, on the part of that Establishment
"there was shall omissness, in the first instance" "It was clear to the Pro-
vincial Court that the time of the Prisoners rising upon the Guard there
was not an adequate force of Peons at the Jail, but they were not of opinion
that blame was justly imputable to the said Establishment on this
account with the exception of that portion of it whose duty it was to have
been then and there present and as against those individuals the
Criminal Judge reported that he had commenced proceedings "they should
duly be convicted, they would of course be duly punished for their Offence—

3 The Court of Toujdaree Udalut concurred in opinion with the Provincial
Court and saw no reason whatever for levying the proposed fine which
would have fallen upon the innocent and praiseworthy as well as upon
the Guilty they accordingly directed that any orders to that effect should
not be enforced as the proceedings instituted against the parties charged
with negligence under the provisions of Section XI Regulation XIII of 1832 would enable
the Criminal Judge to award adequate punishment when it was merited—

4 In conclusion the Judges direct me to submit an extract from the Supplemental
Criminal Report for the month of May 1834 exhibiting the result of the trials
of the 8 Peons for gross and culpable negligence on the occasion
in question.— (Signed) H Douglas
8th November 1836. Register

Extract

To the Provincial Court of Circuit in the
Western Division.

Gentlemen,

With reference to your letter dated the 28th Ultimo, I am directed by the Judges of the Soujdaree Udalut to inform you that under the provisions of Section III Regulation III of 1827, the Governor in Council has been pleased by an order in Council dated the 8th Instant to authorize the Principal Sudder Ameen at Sirsee to forward the prisoner "Doomgaya" charged with Murder to the Court at Honore for the purpose of being tried by the Court of Circuit.-

9th November 1836. (Signed) W Douglas. Register.-

Sent a Copy of the foregoing letter to the 2nd Judge on Circuit in the Western Division for his information

To the Acting Civil Auditor

Sir,

With reference to your letter dated the 1st Instant I am directed by the Judges of the Court of Soujdaree Udalut to transmit to you a copy of the Circular Order issued to the several Officers in charge of Jails with reference to the order of Government of the 25th of October 1836 and also copy of a letter addressed by this Court to the Chief Secretary to Government under date the 31st Ultimo.- (Signed) W. Douglas
Register.

10th November 1836.-

No.

To the Second Judge on Circuit in the
Western Division.

Sir,

With reference to your letter dated the
29th

Tongdaree Diary 10th

29th Ultimo I am directed to state that the Court of Tongdaree Udalut see no objections to your holding an adjourned Sessions at Mangalore on your return from Honore provided it will not interfere with your return to the Sudr station by the 31st of December next ensuing.-
10th November 1836. (Signed) H. Douglas Register

No 252.

To the Chief Secretary to
Government

Sir,

With reference to the Order of Government of the 7th and 14th April 1835, directing Half yearly, Statements and Sketch plans of roads and all public works connected with roads or otherwise of public utility, and also Statements of works of public utility constructed by individuals at their own proper Cost, to be laid before the Right Honorable the Governor in Council I am directed by the Judges of the Court of Tongdaree Udalut to submit the accompanying copies of letters from the Officers noted in the margin and of the documents forwarded by them under the Circular Order No 245 for the first half of the current year.-

2 The Judges have been informed by the several other Criminal Judges excepting the Criminal Judge of Cuddapah who no return has not yet been received that no works have been carried on under their superviseon during the above period

14th November 1836 (Signed) H. Douglas

Register

Letter from the Criml Judge at Mangalore dated 4th Oct 1836 with the Sketch in No 1335.
Statement and Sketch Plan from the Criml Judge at Chingleput in No 1589.
Letter from Criml Judge at Chicacole with Sketch Plan in No 1540.

No

Tongdaree Diary 14th November 1836.-

To the Acting Criminal Judge of Cuddapah

Sir,

I am directed by the Judges of the Court of Tongdaree Udalut to acknowledge the receipt of your letter dated the 3d Instant submitting a copy of the explanation furnished by Mr Cofleston respecting the Contract which as Acting Register incharge of the Zillah Court of Cuddapah he entered into for the supply of grain for the use of the prisoners in the Jail at that station.-

2 From Mr Cofleston's explanation it would appear that the objections to the Contract urged in your letter to that Gentleman of the 31st Ultimo differ in some respects from those detailed in your letter to the Court of Tongdaree Udalut of the 27th of September 1836 he observes that in your letter of the 31st Ultimo you state that the Contract is objectionable 1st "Secondly" Because "the quantity of rice Cholum and Ragy contracted for was proportioned to the precise number of "Six hundred Prisoners tending to cause a deficiency of "grain should there be more, and a surplus should there "be fewer; which latter is now the case 4th:- whereas in your letter addressed to the Tongdaree Udalut under date the 27th of September 1836 you stated that that the Contract was objectionable, because, instead of being for the supply of such number of prisoners as might from time to time be in Jail, was for the actual number of 800, or Prisoners, so that as we have now for instance only 638 a "large surplus of grain will be left at the end of the Contract

3 The difference in the observable in the passages quoted

quoted above require explanation, because the principal objections to the contract in the opinion of the Court of Fouj:daree Udalut was the large number of Prisoners for which the supply was required, and if the Contractors for only 600 Prisoners Mr Copleston's explanation would be satisfactory inasmuch as the Contract would under such circumstances have been for the supply of a quantity of grain about the average annual consumption of the Prisoners.— (Signed) W Douglas
14th November 1836.— Register.—

No 254.

To the Chief Secretary to
Government.

Sir,

I am directed by the Judges of the Fouj:daree Udalut to request you will bring to the notice of the Governor in Council that since the transfer of the Convicts to the Presidency originally originally for the purpose of being employed under the orders of the Breakwater Executive Committee 16 Convicts have effected their escape from the Jail at Guindy, the last occasion of escape occurred at about noon of the 12th of August last when 5 Convicts made off from the Guard.—

3 It will be perceived that in the instructions issued to Lieutenant Budd by the Fouj:daree Udalut under date the 23d March last (a Copy of which was communicated to Government on the 16th of the following month) the Court took occasion to bring to the notice of that Officer that the issue of a money allowance to the Convicts was prohibited by the Circular Order

of the Fouj:daree Udalut of the 26th January 1830, and that it was the intention of the instructions issued by this Court to the Deputy Commissary General on the 27th on the 27th August 1835 that the allowance for condiments should be issued in kind, at the average of ¼ Pice daily per head.—

Notwithstanding these instructions the Court from other information than that contained in Mr D. Thomas petition referred to the Fouj:daree Udalut on the 8th Instant have reason to believe that a money allowance is still issued to the Convicts, whereby they are enabled to procure Betele and other Articles strictly forbidden except on the requisition of the Medical Officer.—

4 It is of importance to the discipline of the Jail that the Prisoners should not have it in their power to procure these irregular indulgences, and the Judges therefore direct me to solicit the interference of Government to compel a more strict observance of the Jail rules on the part of the Military Officers into may be placed in charge of these Convicts, and of the Commissariat Department through whom the supplies to the Prisoners in the Guindy Jail have been ordered to be furnished.—

5 This letter was prepared on August last and would have been earlier submitted to Government, but for the receipt of their former orders directing the Prisoners to be returned to their respective Jails which have been recently

15th November 1836 (Signed) W Douglas Register

To

To the Provincial Court of Circuit in the Southern Division

Gentlemen,

With reference to your letter dated the 28th Ultimo I am directed by the Judges of the Jongdaree Adalut to inform you that the Governor in Council was pleased under date the 8th Instant to sanction the charge of Rupees 8.169 eight Annas four Fanam and Pice nine on account of the salaries of the three Peons who escorted a party of Convicts from Combaconum to Coimbatore.-

15th November 1836. (Signed) W. Douglas. Register.

No. To Captain Otter incharge of the Convict at Gaundy

Sir,

With reference to your predecessors letter dated the 27th Ultimo I am directed by the Judges of the Jongdaree Adalut to inform you that the Governor in Council was pleased under date the 10th Instant to sanction the payment of the salaries of the Sudr Deputy Sudder and two Duffadars at Gaundy for the Month of September amounting to Rupees (Six) forty nine and further authorizing payment of such part of the monthly salary of the Sudr establishment as was heretofore debited to the Brank under Commutation.-

15th November 1836. (Signed) W. Douglas. Register.

To the Provincial Court of Circuit in the Southern Division

Gentlemen

With reference to your letter dated the 9th

9th Instant I am directed by the Judges of the Jongdaree Adalut to transmit to you a copy of the Proceedings of the Sudr Adalut under date the 17th June 1835. on the subject of the disputes between the Tongalas and Vadagalas Bramins in the District of Trichinopoly.-

16th November 1836 (Signed) W. Douglas. Register.

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

Sir,

With reference to your Return dated the 31st Ultimo to the precept of the Jongdaree Adalut of the 29th September 1836. I am directed by the Judges to inform you that the Governor in Council was pleased under date the 10th Instant, to authorize the disbursement of Rupees (30) Thirty by the Principal Sudr Ameen of Salem for raising the wall of the Jail at that Station.- (Signed) W. Douglas.

16th November 1836.- Register.-

No. To the Magistrate of Ganjam

Sir

I am directed by the Judges of the Court of Jongdaree Adalut to acknowledge the receipt of your letter, dated the 31st Ultimo, addressed to them forwarding explanation relative to the ordeal used in the Chicacole Criminal Reports as required by their proceedings of the 29th September last, and to acquaint you that, in communicating with the Court of Sudr and Jongdaree Adalut, the Register is the proper authority to address.-

16th November 1836.- (Signed) J. Le. Dieudergast

Sent. Dep. Register.

№

To the Magistrate of
Sir, Bellare

1 I am directed to acknowledge the receipt of your letter of the 7th Instant communicating further information relative to Boya Lingadoo the prisoner to whom in your letter of the 11th Ultimo, you recommended that a conditional pardon should be offered.-

2 In reply, I am desired to inform you that under the circumstances represented in the fourth and fifth paragraphs of your letter, the Judges of the Tovjdaree Adalut in exercise of the power vested in them by Section XII Regulation Regulation XIII of 1832, authorize you to offer a pardon to the said Boya Lingadoo on the terms and conditions specified in Section XX Regulation VIII of 1802, so far as it concerns the Robbery in the house of Government Calagoolana and that committed in the house of Comaty Hunmuntoo of Kyaroo.-

3 As it appears from the second paragraph of your letter that in the first case the robbery in the House of Comaty Hunmuntoo of Coonatoor the accomplices with the greatest of the stolen property have already been forwarded to the Criminal Court, I am directed to suggest to you the expediency of advising the Acting Criminal Judge of Bellare to submit direct to the Tovjdaree Adalut an application for authority to offer a conditional pardon to Boya Lingadoo, in the event of his deeming such a proceeding requisite for the attainment of the ends of Justice.-

4 It appears that the fourth and fifth Cases

cases "rest entirely upon the word of Lingadoo "that "one "the robbery" in Comaty Ramiah's house took place in "February 1834:" that a little copper Casket has been "found in one of the prisoners' Horse "which "Lingadoo "says was taken from the house of Ramiah though the "prosecutor will not identify it:" "that" no other property "was obtained in this robbery:" and that "the robbery in "Jagendoo's house at Coondoonper took place 5 years ago."

5 Under these circumstances the Judges of the Tovjdaree Adalut are of opinion that the evidence of Boya Lingadoo would be of no avail, and accordingly decline to authorize the offer of a conditional pardon to that individual so far as the two Cases in question are concerned.- (Signed) J. H. Davidson
16th November 1836. Head Assist to the Register.-

№255.

№

To the Chief Secretary to
Sir, Government.

1 I am directed to forward to you to be laid before the Right Honorable the Governor in Council, the accompanying Statement received in this Office on the 12th Instant) of Contingent charges not exceeding twenty (20) Rupees each, incurred during the first Quarter of Fusly 1246 or from the 12th July to the 30th September 1836, in the District of Coimbatore

2 The Judges of the Tovjdaree Adalut beg to recommend that sanction be granted for the charge in question amounting in the aggregate to Rupees (47 11 1) Forty seven Annas eleven and Pieces

16th November 1836.- (Signed) W Douglas
Register.-

To

№

To the Provincial Court in the
Gentlemen,
Northern Division

1 I am directed by the Judges of the Court of Foujdaree Udalut to transmit to you an extract from a report submitted to Government by the Civil Engineer in the First Division, on the subject of the value of the labour of the Convicts at present lodged in the Jail at Masulipatam; and to desire you will accordingly ascertain and report the mode in which the Convicts at that station are worked and the cause of so little work being apparently obtained from them, and at the same time to request you will submit any suggestions you may have to offer in respect to a more efficient superintendence of the Convicts while at labour.

2 You will be pleased also to ascertain and report what further number of prisoners can be provided with accommodation in the Jail at Masulipatam, as in the event of its being considered expedient to proceed with the excavation of the Pettah Canal, the Court of Foujdaree Udalut with the sanction of the Governor in Council, purpose ordering the transfer to that Station of a portion of the Prisoners now in confinement in the Jail at Chicacole.

17th November 1836.- (Signed) W. Douglas. Register.

№256.

№ To the Chief Secretary to
Government

Sir,

1 With reference to the Order of Government dated the 11th August 1835 I am directed by the Judges

of the Foujdaree Udalut to transmit to you for the Special sanction of the Governor in Council four Statements prepared for the 3d Quarter of the present year exhibiting all payments made by the Acting Criminal Judges of Nellore and Salem and the Acting Joint Criminal Judges of Gantoor and Vizagapatam for bringing up the Children of Convicts in Cases in which there were no relations nor others willing to take charge of them.-

2 The aggregate of the charges for which sanction is solicited amounts to Rupees (16-3-8) Sixteen Annas Three and Pice eight.-

18th November 1836.- (Signed) W. Douglas. Register.-

№257

№ To the Chief Secretary to
Government

Sir,

1 With reference to the Order of Government №853 dated the 18th October 1836 I am directed by the Judges of the Foujdaree Udalut to forward to you to be laid before the Right Honorable the Governor in Council the renewed copy of a letter dated the 5th Instant, with the Original amended Account Particulars "therein referred to from the Magistrate of Malabar submitting a further explanation of the circumstances under which the rewards were fixed for the apprehension of the prisoners noted in the Statement which accompanied my letter of the 7th Ultimo- №223.-

2 Under the circumstances now urged by the Magistrate of Malabar, the Judges of the Foujdaree Udalut beg to recommend that sanction be granted for

for the several sums expended the expediency of the disbursement appearing to be clear amounting in the aggregate to Rupees (755) seven hundred and fifty five

3 It has been already pointed out to the Magis-trate of Malabar that the provisions of Section XV Regulation IX of 1816 are not considered applicable to the cases of Convicts who may escape from their Guards or from Jail and that Officers will be warned that on all future similar occasions the sanction of Government may be previously obtained —

19th November 1836 (Signed) W. Douglas. Register

1st To the Criminal Judge of Malabar.

Sir,

With reference to your letter dated the 8th Instant I am directed by the Judges of the Foujdaree Udalut to transmit to you a copy of the order of Government under date the 31st January 1834 sanctioning the additions and alterations proposed to be made to the Jail at Calicut —

(Signed) W. Douglas

19th November 1836. Register

2d To the Provincial Court of Circuit in the Western Division.

Gentlemen,

1 I am directed by the Judges of the Court of Foujdaree Udalut to acknowledge the receipt of your letter dated the 5th Instant together with a copy of a letter from the Assistant Judge of the Auxiliary Court of Malabar on which the opinion of

of the Court of Foujdaree Udalut is requested as to whether an individual who may at different times have produced Witnesses to swear to circumstances in direct contradiction the one of the other, and on points material to the issue of the pleas which he may on each several occasion have advanced can be made liable to the penalties attached to subornation of Perjury, without reference to the sufficiency of means for so far discriminating between the conflicting evidence adduced by him as to fix the guilt of Perjury upon one or other party of his Witnesses —

Unless the guilt of Perjury can be fixed on the suborned the punishment for subordination of Perjury cannot be inflicted on the Suborner —

2 But as pointed out in the latter addressed by the Foujdaree Udalut to the 3d Judge of the Provincial Court of Circuit in the Western Division under date the 15th of June 1835 it is not necessary that a previous conviction for the Perjury should have taken place before a person is put on his trial for subornation of that Offence; — all that is indispensible in such Cases is that the fact of Perjury by the party stated to have been suborned, should be established on the Trial —

24th November 1836 (Signed) W. Douglas. Register.

3d To the Acting Joint Criminal Judge of Guntoor.

Sir,

1 I am directed to acknowledge the receipt of your letter of the 14th Instant, reporting the

the escape on the night of the 9th Instant from the Jail Hospital at Gunton of two Convicts named Coopsoosawamy and Gooramvochee Chinna Cotadoo.

2. Observing that you "do not suspect any negligence on the part of the Sepoy" the Judges of the Toudaree Adalut direct me to request that you will explain how if that individual and the other Sentries had been on the alert the Prisoners could have effected their escape in the mode described, namely first by passing unseen out of the door of the adjoining room and next by "getting over the Eastern wall of the Compound." It is worthy of notice that Gunta Veeranah the Gaoler, in his deposition of the 11th Instant states that when the Prisoners "jumped off the wall "the Convict named Davah a Sumbady from Bellary "heard this noise and called out five or six times to the "Invalid Sepoy who was on guard over that room, but "that he did not answer until sometime afterwards "when he said "what" Yes Yes

3. I am directed to add that in the opinion of the Judges of the Toudaree Adalut the fencing of the Prison in question in a room of which "the Eastern wall is not quite "roofed to the very top" but "there is a space of about three "feet between the said wall and the roof" and which was immediately contiguous to an apartment, the door of which "was not locked" was a proceeding inconsistent with due caution and judicious arrangement and by reason of its unfortunate though not unnatural result, affording matter for serious regret.

24th November 1836. (Signed) W. Douglas. Register.

To the Criminal Judge of
Chingleput

Returning the summonses forwarded with his letter of the 5th Instant with endorsements on them by the Nazir of this Court:-

Sent usual letter No

No. To the Criminal Judge at
Chittoor

Sir,

I am directed by the Judges of the Court of Joujdaree Udalut to acknowledge the receipt of your letter of the 15th Instant reporting the escape on that date, of two Convicts "Veeataramoodoo" and "Condado," and suggesting that in cases of escape, "the Criminal Judge" be permitted to issue orders and to forward descriptive rolls direct to the Native Police.-

2 In reply to this suggestion I am desired to state that the Judges see no objection to your sending in such cases a descriptive roll and memorandum to the Police but it is inconsistent to you to issue any orders to them.-

3 The Judges are of opinion that the Peon "Goorroovapah" should be dismissed for his Conduct on this occasion, and as it appears that the Prisoners were sent to the Jungle, the Judges request that it may be explained why the Circular Order No 60 dated the 29th January 1836 was not referred.-

25th November 1836.- (Signed) G. La Rondegast

Tem. Deputy Registr.-

To the Provincial Court in the
Western Division

Gentlemen,

With reference to your letter dated the 11th Instant I am directed to inform you that it was the intention of the Court of Joujdaree Udalut that the instructions contained in the Circular letter from this Office dated the 5th Instant should be furnished to the several Criminal and Joint Criminal Judges, as well as to the Magistrates within your Division, the Right Honorable the Governor in Council having directed the issue of instructions to the effect contained in this Courts letter of the 5th Instant to the several Judicial Officers under the Control of the Joujdaree Udalut.- (Signed) W. Douglas
Registr.-
25th November 1836.

No. To the Acting Assistant Criminal Judge incharge
of the Zillah Court at
Chicacole

Sir,

With reference to the Proceedings of the Joujdaree Udalut under date the 12th Instant I am directed by the Judges to communicate for your information that the Right Honorable the Governor in Council was pleased under date the 19th Instant to authorize the offer of a reward of one hundred Rupees for the re-apprehension of each of the Prisoners of the Chicacole Jail who escaped from the Guard on the 2nd of July last and are reported to be still at large; and to enable the Court of Joujdaree Udalut to prepare the usual notice for publication in the Official Gazette, you are required to prepare and submit to this Office without delay a descriptive roll of their persons.-

You

2 You are required also to submit a particular report on the circumstances mentioned in the 3d para: of the Proceedings of the Foujdaree Udalut of the 12th Instant in the event of its being ascertained that the Jailor was influenced by sinister motives in relieving the three desperate characters referred to therein from hard labor on the roads. it is the intention of the Governor in Council to order the removal of that individual from his Office.

25th November 1836. (Signed) W Douglas. Registrar.

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

Gentlemen

1 In consequence of your letter dated the 16th Instant the Judges of the Court of Foujdaree Udalut have resolved to modify their instructions issued to you under date the 21st Instant, requesting the Provincial Court to instruct the Moofty of the Zillah Court of Malabar to proceed on Circuit with the Judge who may preside at the first Sessions of the ensuing year, and they desire that the Mooftee now on Circuit in the Western Division may be directed to proceed also on the ensuing Circuit for that Sessions. 1837

2 The Court of Sudr and Foujdaree Udalut have also resolved to appoint the Mooftee of the Zillah Court of Malabar to act as the Mahomedan Law Officer of the Provincial Court during the absence of the Cazee on other duty. but the Judges direct me to state that his appointment is to be notified to the Mooftee of the Zillah Court of Malabar only in event of your not being able to nominate a Mooftee of a neighbouring Zillah Court better qualified for the situation.

25th November 1836.-(Signed) W Douglas, Register.

No 262

No To the Chief Secretary to Government.-

Sir

1 The Criminal Judge of Rajahmundry has brought to the notice of the Judges of the Foujdaree Udalut that the Officer commanding Samulcottah "since the discharge of the Said Mail has experienced considerable inconvenience from the want of assistance of a writer to make out the returns &c connected with the Convicts placed under his charge" and that "the Judge on Circuit likewise when lately inspecting the prisoners at that station recorded his opinion that the service of a writer were indispensable and suggested that one should be employed on a monthly salary"

I am directed to forward to you a copy of the Extract from the Proceedings of the Acting Second Judge on Circuit in the Northern Division here referred to, and to state that under the circumstances represented the Judges of the Foujdaree Udalut recommend that the Officer Commanding Samulcottah be authorized to employ a writer on a monthly salary of (8) eight Rupees for the purpose above mentioned.- (Signed) W Douglas Register.-

6th October 1836

26th November 1836.-

№ 263

No To the Chief Secretary to
Government.

Sir

With reference to the Extract from the Minutes of Consultation under date the 22nd Instant I directed by the Judges of the Court of Foujdaree Udalut to convey to you their opinion that no objection exists to the appointment of Captain Reynolds and Captain Elwall to act as Joint Magistrates in the Provinces subject to the Presidency of Fort St George being notified in the Official Gazette in the same manner as the appointment of Lieutenant Vatancy to act as Joint Magistrate in the Provinces subject to this Presidency was published in the Fort St George Gazette of the 20th of February 1836-

3. The Judges direct me to observe that the appointment of Captain Reynolds and Lieutenant Elwall to act as Joint Magistrates in the Provinces subject to this Presidency was communicated by the Foujdaree Udalut to the several Magistrates under date the 29th of April 1835-

28th November 1836.-(Signed) W. Douglas. Register.

№ 264

No To the Chief Secretary to
Government.

Sir

1 The Acting Joint Criminal Judge of Guntoor has submitted an application through the Provincial Court of Circuit for the Northern Division for authority to expend the sum of Sixty Rupees on the purchase of two Carts for the use of the Prisoners employed-

employed in erecting the new Jail.

2 The following are the observations made by that Officer in support of his application. "The Chunam "stones are brought from a distance of six Miles (the "Bricks are made upwards of a Mile and the tiles upwards "of two Miles) from the works. I need not therefore point "out more strongly the necessity of a wheeled conveyance "especially for men with chains on their legs. Bandies "have hitherto been hired at three Annas a day which I "consider an unnecessary expenditure. the Bandies will "be useful in repairing the roads &c after the Jail "is finished which will not be completed for several months "I shall make an arrangement in the mean time with the "owners of the Bandies to deduct the value of the hire "provided sanction is granted for the purchase."

3 Under the circumstances represented by the Acting Joint Criminal Judge, the Judges of the Foujdaree Adalut beg to recommend that that Officer be authorized to expend a sum not exceeding Rupees (60) Sixty for the purpose abovementioned.—

28th November 1836 (Signed) H. Douglas. Register.—

No To the Magistrate of Coimbatore.—

Sir, With reference to your letter dated the 7th Instant I am directed by the Judges of the Foujdaree Adalut to inform you that the Governor in Council was pleased under date the 22d Instant to sanction the Contingent charges of the District of Coimbatore for the 1st Quarter of Fasly 1246 amounting to Rupees (67.11.1) forty seven Annas eleven and Pice one.—

28th November 1836.— (Signed) H. Douglas— Register.—

No 265.

No To the Chief Secretary to Government.

Sir, With reference to the Order of Government dated the 11th October 1836 - No 850 I am directed by the Judges of the Foujdaree Adalut to state for the information of the Right Honorable the Governor in Council that the "Acting Criminal Judge of Cuddapah has reported that "Mr Copleston's first Contract "with Tungadoor Wobedapetty— Grain Mer- "chant— for one years supply of Paddy and "Cholum— will terminate on the 31st March "next and his Contract for Rice with Court "Sheek Gungoo Shastry will close on "the 30th April.—

2 Mr Copleston having been called upon for an explanation "of his "conduct in entering into Contracts apparently "so injudicious and objectionable— has "submitted a "Statement" of which I am di- "rected to forward to you the annexed copy, together with the letter therein referred to from Mr Assistant Surgeon Lovell.—

3 It appeared from this Statement that the objections to the Contract urged in the letter from the Acting Criminal Judge of the 31st October to Mr Copleston differed in some respects

respects from those detailed in his letter to the Court of Toungdaree Udalut of the 27th September 1836.—

4 Mr Coplestone observes that the Acting Criminal Judge in his letter of the 31st Ultimo stated that the Contract was objectionable because "the quantity of Rice, "Cholums and Paddy contracted for was proportioned to the precise number of six hundred Prisoners, tending to cause a deficiency of "Grain should there be more, and a "surplus should there be fewer, which latter "is now the case." You observed in his letter to the Toungdaree Udalut of the 27th September the Acting Criminal Judge stated that "the Contract was objectionable because "instead "of being for the supply of such number of "Prisoners as might from time to time be in "Jail, it was for the actual number of Eight "hundred Prisoners, so that as we have now "for instance only 438— a large surplus of "Grain will be left at the end of the Contract."

8 Mr Angelo was required to explain this discrepancy, because in the opinion of the Court of Toungdaree Udalut, the principal objection to the Contract was "the large number of "Prisoners for which the supply was required, and

"if the Contract was for only six hundred Prisoners, "Mr Coplestons explanation would be satisfactory "inasmuch as the Contract would, under such circumstances have been for the supply of a quantity of Grain about the average annual consumption of the Prisoners."—

5 In reply, the Acting Criminal Judge has reported that "Mr Coplestons Contracts "specify the quantity of Grain contracted for not "the number of Prisoners which it was intended to "feed:" that "on drafting" his "first letter "of the 27th September" he "desired the Shiristadar to calculate quickly the number of "Prisoners that could be fed by the given quantity of Grain and he made out in his hurry "800:" that he "asked if that new why so many were "provided for, and he made the additional answer "that such was the number in Jail at that time" and that "on subsequent reference to the Contracts "and the Jail reports of the period" he "found "that the Grain obtained would only feed "six hundred and the number in Jail "was much fewer."

Under the explanation afforded in the seventh and eighth Paragraphs of the 7 "Statement" the Judges of the Toungdaree Udalut are not of opinion that Mr Coplestone is open to

to censure for having entered into a Contract with the Court Vakeel: who is "an extensive Merchant" and in this instance, "rendered the most advan-
-tageous offer." Mr Copleston thought aware of the orders of Government which prohibit public Servants from entering into such engagements, "did not "consider those restrictions applicable to a "Court Vakeel."

8

It appears to the Judges of the Fougdaree Adalut that the chief objection to Mr Copleston's proceedings is that there was no fit place in which to store Grain contracted for by large instalments - The Assistant Surgeon observes that "the appropriation of the Godowns attached to the "Hospital for the storing of Grain proved ameno "as the Grain generated an abundance of insects "which proved a serious annoyance to the Patients "in Hospital, and requiring its removal about the "middle of September" and as remarked by the Acting Triennial Judge "the Hospital Godowns open actually "into the room where the sick are" and "the confusion "and passing to and fro occasioned by the constant "resort to them for grain ought to have shown at "once their unfitness for such a purpose."

29th November 1836. (Signed) W. Douglas

Register

No. 267

To the Chief Secretary to Government

Sir,

I am directed to forward to you to be laid before the Right Honorable the Governor in Council, the annexed copy of an Extract of Retrenchments by the Court auditor from the Indents of the Zillah Court of Chittoor from the 1st July 1834, to the 10th June 1835 on account of expences for Fusly 1244.

The charges objected to by the Court auditor are those on account of the salaries of the two Jemadars employed in the Jails at Vellore & Arcot on at Rupees 12-4- each per Mensem and on account of the Salary of the Jemadar attached to the Jail at Cannee bee of at the and at of Rupees 8-12- per Mensem.

The abovementioned public Servants were employed under the authority conveyed in the order of Government dated the 19th November 1833. No. 836.

The Judges of the Foujdaree Adalut beg to recommend that sanction to granted for the charges in question, amounting to the aggregate to Rupees (399.) three hundred and ninety nine.

2d December 1836.

(Signed) J. H. Davidson
Actg Asst to the Regr

No. To the Acting Joint Criminal Judge of Vizagapatam.

Sir.

1 I am directed to return to you the Bill for the expences incurred in building up three arches to form a ward for the Commit prisoners in Jail at Vizagapatam and to desire that in submitting a fresh Bill, you will take care that the sum total is correctly entered.

The Judges of the Foujdaree Adalut

2 observe that this is not the first occasion on which it has been necessary to return official documents to your office for Correction and amendment.

2d December 1836. (Signed) J. H. Davidson
Actg Asst Regr

(No. 268)

To the Chief Secretary to Government

Sir. I am directed by the Judges of the Court of Foujdaree Adalut to acknowledge the receipt of an extract from the Minutes of Consultation under date the 21st Ultimo observing that it does not clearly appear how the enactment of the draft but submitted with this Courts letter of the 5th Ultimo is Necessary, as it is already Competent to Government to appoint any officer Civil

or

"or Military to the Office of Sub Collector and
"Joint Magistrates in the provinces under the
"Presidency, and there is Nothing in the General
"Regulations to prohibit the Government from
"vesting in such functionary the Special Juris
"diction in Civil Suits proposed in the Draft
"Act to be Conferred upon him" requesting therefore
the Judges "deliberately to be consulted the subject,
"but should they after such Consideration continue
"to think the enactment of the Draft Act necessary
"requiring them "distinctly" to "state the grounds
"of their opinion, and "to "submit at the same
"time a Modified draft for Making the Mailgherries
"an independent, instead of a subordinate
"charge according to the original intention of
"Government."

The Comptroller with the orders of the Right Honorable the Governor in Council the Judges have deliberately reconsidered the subject, but still continuing of opinion that to Confer upon a Subordinate Collector and Joint Magistrate in a District annexed to the Zillah of Coimbatore the "Special Jurisdiction in Civil Suits "proposed in the draft but submitted with his Court's letter of the 5th Instant, by means of an order in Council is inconsistent with the Regulations in force, they direct me respectfully to submit

Modified

Modified draft for breaking the Mailgherries an independent Charge.

The grounds of the opinion of the Court that a legislative enactment is necessary in order to give effect to the arrangement proposed in the letter addressed to the Chief Secretary to Government under date the 28th of September and Sanctioned by the order of Government of the 27th October 1836. are, 1st that every rule or order of the nature described in Section II. Regulation I of 1802 is required to be promulgated in a legislative enactment, and inasmuch as the projected arrangement would manifestly effect "the rights persons and property" of the inhabitants of the Mailgherries, it appears to be properly a matter for express legislative provision. 2d that Section XIII. Regulation I of 1802 declares that the Civil Courts of Justice are to be guided in their proceedings and decisions by the Regulations which may be framed and by no other; and lastly that accordingly to the Construction given by the Court of Sudder Adalut to Regulation I of 1821 it has not given authority to the Governor in Council to Constitute a Court of Special Jurisdiction,

Unknown

Unknown to the existing laws, or to confer upon the Auxiliary Court the appellate jurisdiction, described in the Draft Act, or to modify the general jurisdiction given to the Auxiliary Court by Section V. Regulation II. of 1802 in the manner in which it would be modified by Vesting in the Officer on the Neilgherries the Special Jurisdiction as proposed.—

3d December 1836. (Signed) W. Douglas
Register

Act.

I. It is hereby enacted that it shall be competent to the Governor in Council of Fort St. George to vest in a Separate Officer, either Civil or Military the powers of Collector and Magistrate under the Regulations of that Presidency, and of a Justice of the Peace, upon the Neilgherry Hills, within such local limits as may be assigned by an order in Council, together with the Special Jurisdiction in Civil Suits described in the following Section of this Act.—

II. The Officer appointed under the provisions of this Act shall have exclusive authority

authority to try and determine, in conformity with the rules prescribed for the proceedings of the Courts of Adalut generally, but as regards Makeels, agreeably to the rules prescribed by Clauses Second and Third Section XIV Regulation VI. of 1816, or refer to arbitration under the rules prescribed by Regulation XXI of 1802, Suits against any persons upon the Neilgherry Hills, those described in Article VIII Section XII Regulation V of 1827 not excepted, for personal property, to an amount not exceeding four hundred Rupees; the decisions of arbitrators shall be final; but an appeal within 30 days, under the rules in force regarding appeals, shall be from all decrees of the said Officer, in Suits exceeding twenty Rupees, to the Auxiliary Court at Coimbatore, from whose decrees a Special Appeal shall be admissible by the Zillah Court of Salem under the provisions in force regarding Special Appeals.

(Signed) W. Douglas
Register

To

No. 269

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foydaree Adalut to return to the 4th original letters referred to in para. 1 of the Minutes of Consultation dated the 17th of June 1836. Copies having been taken and lodged among the records of this office.

5th December 1836.

(Signed) W. Douglas
Register

No. 2079 To The Judges of the Provincial Court of the Centre Division

Gentlemen,

With reference to your letter of the 26th ultimo, accompanied by a Copy of a Communication from the Criminal Judge of Chittoor in which that officer solicits instructions for his guidance in the disposal of a person named Veneatarainoodoo, who was forwarded by the Head of Police of Chittoor on the 3rd June last as insane, under the instructions of the Magistrate I am directed by the Judges of the Court of Foydaree Adalut to request that you will call upon

upon the latter officer to report under what Circumstances he found it necessary to adopt the Course of proceedings prescribed by the Circular order of the 1st June 1829; and forward his reply to this office with as little delay as possible.

5th December 1836.

(Signed) J. H. Davidson
Head Assistant to the Register

No. 270

To, the Chief Secretary to Government.

Sir,

In obedience to the Orders of Government contained in the Extract from the Minutes of Council under date the 24th June 1834, I am directed by the Court of Foydaree Adalut to transmit to you, to be laid before the Right Honorable the Governor in Council the accompanying Copies in Triplicate of a Circular Order of this date.

6th December 1836.

(Signed) W. Douglas
Register

No. 271

To The Chief Secretary to Government

Sir,

In obedience to the orders of Government contained in the Extract from the Minutes of Consultation under

under date the 24th June 1834. Sum directed by the Court of Foujdaree Adalut to transmit to you, to be laid before the Right Honorable the Governor in Council the accompanying Copies in Triplicate of a Circular Order of this date.

6th December 1836. (Signed) W. Douglas
Register

No. 272.

To The Chief Secretary to Government

Sir,

In obedience to the orders of Government contained in the Extract from the minutes of Consultation under date the 24th June 1834. I am directed by the Court of Foujdaree Adalut to transmit to you, to be laid before the Right Honorable the Governor in Council the accompanying Copies in Triplicate of a Circular Order of this date.

6th December 1836. (Signed) W. Douglas
Register

To

No. 273.

To the Chief Secretary to Government

Sir

With reference to the extract from the Minutes of Consultation under date the 19th 1 ultimo, I am directed by the Judges of the Court of Foujdaree Adalut to submit the following particulars respecting the parentage and place of residence of the prisoner Abdoollah, at present in Confinement in the Lunatic Asylum.

Abdoollah is the Son of Moor Mahomed
2 and the grand Son of Sheik Ismail his father, who is Dyer by profession, is supposed to be still living, and to reside in the Town of Surat in the Street named Goorowala sea Gullee.

Abdoollah States that he has a
3 brother named Mahomed Asslum and sister named Beebee Raheeman residing at Surat. The former is a Dyer by profession, and the latter is Married to Sheik Ismael alias Ismael Muddar also a Dyer by trade.

I file this fortune information before
4 him the Sessions Judge of the Court Adalut at Surat.

Surat may possibly be able to find the friends or relations of the said Abdollah Sahib -

(Signed) W. Douglas
Register

6th December 1836 -

To the Provincial Court of Circuit in the Centre Division

Gentlemen -

I am directed by the Judges of the Court of Foydaree Adalut to transmit to you for your information & guidance a Copy of an extract from the Minutes of Consultation under date the 25th Ultimo ordering that Yellowcohunty Koormanatha Pulcondee be Confined as a State Prisoner in the Hill Fort at Ghooty under the orders of the Magistrate of Bellaree, and desiring that the Judge on Circuit in the Centre Division may be directed to visit the prisoner and to make the Report required by Clause 2d Section IV Regulation II of 1819 -

6th December 1836 -

(Signed) W. Douglas
Register

To

Foydaree Diary 6th December 1831.

To the Provincial Court of Circuit Western

Division

Gentlemen

1 I am directed by the Judges of the Court of Foydaree Adalut to acknowledge the receipt of your letter of the 21st ultimo submitting the Suggestion of the Principal Sudder Ameen that the Criminal Courts be authorized to dismiss without trial, all Cases, sent up by the Police officer on his own authority, in which it may appear, a perusal of the proceedings held in the Talooks, that the prisoners ought to have been released by the Police and not forwarded to the Court at all -

2 The Judges concur in your opinion that Clause 1st Section 4th Regulation X 1816 precludes the exercise of any such power by a Criminal Judge or those duty it is to bring to the notice of the Magistrate, specially, each case of the description referred to by the Provincial Sudder Ameen -

6th December 1836

(Signed) W. Douglas

Register

To

Foydaree Diary 7th. December 1836

No. 226

To the Chief Secretary to Government.

Sir,

1 With reference to the Concluding para: of the Register's letter dated the 16th July last and to the Order of Government of the 21st of the Same Month No. 515 I am directed by the Judges of the Court of Foydaree Adalut to transmit to you 134, half bound Copies of the printed Circular Orders of the Foydaree Adalut -

2 The number of Copies Ordered to be printed was No. 50 - 116 Copies of which have been dusterbuted in the Manner shewn in the accompanying Statement. -

7th December 1836 - (Signed) W. Douglas

Register

Memo: shewing the manner in which the Printed Copies of the Circular Orders of the Foydaree Adalut have been distributed -

Foydaree Court			12				
Provincial Court	N. D.	4		D.	Nellore	3	
	D. & D.	3		D.	Salem	3	
D.	D. S. D.	3		D.	Chingleput	2	
D.	D. W. D.	3	13	D.	Gdyam	3	
D.	S. D. of Arcot	3		D.	Guntoor	2	
Magistrate of	S. D. of	D.	3	D.	Madura	3	
D.	Bellary		3	D.	Masalipatam	2	
D.	Coimbatore		3	D.	Rajahmundry	2	
D.	Canara		4	D.	Tinnevelly	3	
D.	Cuddapah		3	D.	Trichinopoly	2	
D.	Malabar		3	D.	Vizagapatam	3	
D.	Tanjore		3				53

Criminal Judge of Combaconum — 2
D° D° Madura — 2
D° D° Salem — 2
Joint do do Coimbatore — 1
D° D° D° Tinnivelly — 1
D° D° D° Malabar — 2 — 8
D° D° D° Canara — 3
D° D° D° Tellichery — 1
Joint Criminal Judge of Ronore — 1
D° Rajahmundry — 2 — 7
D° D° D° Nellore — 2
D° D° D° Chicacole — 2
Joint D° D° D° Masulipatam — 1
D° D° D° Guntoor — 1 — 8
D° D° D° Bellary — 2
D° D° D° Chittoor — 2
D° D° D° Cuddapah — 2
D° D° D° Chengleput — 2
D° D° D° Cuddalore — 1
D° D° D° Vizapatam — 1 — 10
Supreme Government — 5
116
Returned to Government office — 184
300

To the Provincial Court in the Centre Division

Gentlemen

1 With reference to para: 81 of the proceedings of the Toydaree Adalut under date the 15th August last and the accompanying Copy of an extract para: 16 from the Minutes of Consultation under date the 15th Instant, I am directed by the Judges to request you will call upon the Magistrate of Bellary to submit without further delay his Report on the State of the Police of his District for the year 1835, together with translations of the Reports made by the heads of District Police which on his letter of the 11th of February last the Magistrate stated were detained to be translated — An explanation of the delay will also be expected from Mr Robertson —

2 I am &c
(Signed) W. Douglas
Register

7th December 1836.

To The Provincial Court of Circuit in the

Centre Division — 1
Northern D° — 1
Southern D° — 1
Western D° — 1 — 4

Gentlemen

I am directed by the Judges of the Toydaree Adalut to forward to you the accompanying Copy of a printed Collection of Papers on Thuggee for the use of your Court —

(Signed) W. Douglas
Register

7th December 1836

To The Criminal Judge in the

Sir

I am directed by the Judges of

Zillah of Combaconum — 1
Dº Madura — 1
Dº Salem — 1
Dº Malabar — 1
Dº Canara — 1
Dº Rajahmundry — 1
Dº Nellore — 1
Dº Chicacole — 1
Dº Bellary — 1
Dº Chittoor — 1
Dº Cuddapah — 1
Dº Chingleput — 1
Joint Criminal Judge of the 12
Auxp. Court at Coimbatore 1
Dº Tinnevelly — 1
Dº Tellicherry — 1
Dº Masulipatam — 1
Dº Guntoor — 1
Dº Cuddalore — 1
Dº Vizagapatam — 1
7

Southern Division of Arcot 1
Northern Dº Dº 1
Bellary — 1
Coimbatoor — 1
Canara — 1
Cuddapah — 1
Madura — 1
Malabar — 1
Tanjore — 1
Nellore — 1
Salem — 1
Chingleput — 1
Gubyam — 1
Guntoor — 1
Masulipatam — 1
Rajahmundry — 1
Tinnevelly — 1
Trichinopoly — 1
Vizagapatam — 1
Joint Magistrate of 19
Southern Division of Arcot 1
Northern Dº Dº 1
Bellary — 1
Coimbatoor — 1
Canara — 1
Cuddapah — 1
Madura — 1
Malabar — 1
Tanjore — 1
Nellore — 1
Salem — 1
Ganjam — 1
Tinnevelly — 1
Vizagapatam — 1
Acting Additional Joint Magistrate 1 15
of Canara —
54

of the Foujdaree Adalut to forward to you the accompanying Copy of a printed Collection of Papers on Thuggee for the use of your Court.

7th December 1836. (Signed) W. Douglas
Register

To The Magistrate of

Sir.

I am directed by the Judges of the Foujdaree Udalut to forward to you the accompanying Copy of a printed Collection of Papers on Thuggee for the use of your Department.

7th Dec. 1836. (Signed) W. Douglas
Register

Foujdaree Deary 9th December 1836.

Foujdaree Deary 9th December 1836.

To the Criminal Judge of Malabar.

Sir.

With reference to your letter of the 24th Ultimo, submitting on account Particulars of the Expence attending the authorized Repairs of the Jail at Calicut, and reporting the extent to which those repairs have already been carried, I am directed by the Judge of the Foujdaree Adalut to inform you that it is not considered necessary to apply for the Sanction of Government until the enters work shall have been Completed —

at the same time, I am directed

2.

to state that the result, as Communicated in your letter under reply, is considered by the Judges to be highly satisfactory —

9th December 1836 — (Signed) J. H. Davidson
Asst. Assistant Regr.

To the Provincial Court of Circuit in the Western Division.

Gentlemen

With reference to your letter dated the 28th Ultimo I am directed by the Judges of the Court of Foujdaree Adalut to Communicate to you their opinion that in disposing of Cases in his

his Majisterial Capacity by Government law
use no other official designation than Principal
Sudder Ameen –

9th December 1836 – (Signed) W. Douglas
Register.

To the Officiating 2d Judge on Circuit in
the Centre Division

Sir,

With reference to your letter
dated the 8th instant I am directed by the Judges
of the Court of Foujdaree Adalut to inform you
that unless there is other evidence for the Crown to prove
that Veniatee died in consequence of the Wounds
inflicted on her person by the prisoner Vencatasawmy
alias Cunnapum, the evidence of Surgeon Geddes
to that fact cannot be disputed –

10th December 1836 – (Signed) W. Douglas
Register

To the Provincial Court of Circuit in the
Centre Division

Gentlemen

With reference to your letter
dated the 26th Ultimo I am directed by the
Judges of the Court of Foujdaree Adalut to
inform you that it is not intended that any
Statement of the State Prisoners confined in the
Fort at Vellore under the orders of the Officer Comman-
ding the Station should be called for by the Provin-
cial Court of Circuit in the Centre Division –

10th December 1836. (Signed) W. Douglas
Register

To

Foujdaree Diary 10th December 1836.

To The Provincial Court of Circuit in the
Northern Division

Gentlemen.

With reference to your letter
dated the 31st October 1836. I am directed by the
Judges of the Foujdaree Adalut to return to you
with the Sanction of Government endorsed thereon
the Statement of disbursements made for bringing
up the Children of Convicts in the Jail at Chittoor
during the Third Quarter of 1836.

10th December 1836. (Signed) W. Douglas
Register

To The Acting Joint Criminal Judge of the
Auxy. Court at Guntoor

Sir.

With reference to your letter dated
the 11th Ultimo I am directed by the Judges of the
Foujdaree Adalut to return to you with the Sanction
of Government enclosed thereon the Statement
of disbursements made for bringing up the Children
of Convicts in the Jail at Guntoor during the
Third Quarter of 1836

10th December 1836. (Signed) W. Douglas
Register

To

Foujdaree Diary 10th December 1836.

To The Acting Criminal Judge of Salem

Sir.

With reference to your letter dated the
11th October 1836 I am directed by the Judges of the
Foujdaree Adalut to return to you with the Sanction
of Government endorsed thereon the Statement
of disbursements made for bringing up the Children
of Convicts in the Jail at Salem during the Third
Quarter of 1836.

10th December 1836. (Signed) W. Douglas
Register

To

To the Acting Joint Criminal Judge of the
Adaulay Court at Nagapatam

Sir,

I am directed by the Judges of the
Foydaree Adalut to return to you with the sanc-
tion of Government endorsed thereon, the Statement
of disbursements made for bringing up the Children
of Convicts in the said at Nagapatam during the
Third Quarter of 1836 -

10th December 1836. (Signed) H. Douglas.
Register

To the Acting Criminal Judge of Salem

Sir,

I am directed to acknowledge the
receipt of your letter of the 29th Ultimo, -
recommending with reference to Section XXIII,
Regulation IX of 1816, that a Sum of two
hundred and fifty Rupees may be granted
to Veerabudra Chetty as a reward for his having
shot and thereby severely wounded one of a -
Gang who had broken the door of his house
in their attempt to Commit robbery -
as it appears from the Third
paragraph

paragraph of your letter that the offenders have
been Committed to take their trial before the
Court of Circuit, the Judge of the Foydaree
Adalut one of opinion that it should be
left to the Judge Presiding at the Sessions, to
make such suggestion respecting the remuneration
of Veerabudra Chetty; as on a due Consideration
of the Service rendered and the exertions made,
may appear to that office advisable

10th December 1836. (Signed) J. A. Davidson
Asst Assistant Regr

Foujdaree Diary 12th & 13th December 1836.

Foujdaree Diary 16th December 1836.

To Captain Otter of the Convicts at Guindy

Sir,

With reference to the order of Govern-
ment of the 22d November 1836, No. 1755, I am
directed by the Judges of the Court of Foujdaree
Adalut to transmit to you for your information
Copy of an order of Government dated the 6th
instant Communicating a letter addressed by
the Commissary General by to the Chief Secretary
to Government under date the 29th Ultimo
Shewing the Manner in which the Supplies
to the Convicts at Guindy will be in future
regulated, a Copy of which Communication
is also annexed for your information -

16th December 1836 (Signed) W. Douglas
Register

To the 4 Provincial Courts of Circuit

Gentlemen

With reference to the accompanying
Copy of an Extract from the Proceedings of the
Foujdaree Adalut under date the 15th of August
1836 I am directed by the Judges to transmit
to you an Extract from the Minutes of Consultation
under

Under date the 15th ultimo I am to request that a Copy thereof may be furnished to the Provincial Magistrates within your Division for their information and guidance.

16th December 1836. (Signed) W. Douglas
Register

To the Provincial Court of Circuit in the
Southern Division

Gentlemen -

With reference to the proceedings of the Foydaree Adalut of the 15th August 1836 held on perusal of the Criminal returns for the half year ending the 31st of December 1835 I am directed by the Judges to transmit to you an extract from the Minutes of Consultation under date the 15th ultimo and to request that a Copy of para 19 may be furnished to the Magistrate of Trichinopoly - para 20 to the Magistrate of Tanjore for the information and guidance of those Officers respectively.

2

You will be pleased also to communicate para 23 to the Magistrate of Tinnivelly and to require the immediate dismissal from the service of the Police Officer in the Talook of Ramnaddee referred to in para 20 of the Joint Magistrates report

Foydaree Diary 16th December 1836.

of the 21st of January 1836, reporting to this Office wherein the Orders of the Governor in Council has been conformed to -

16th December 1836. (Signed) W. Douglas.
Register.

To the Provincial Court of Circuit in the
Centre Division.

Gentlemen -

I am directed by the Judges of the Court of Foydaree Adalut to transmit to you an extract from the Minutes of Consultation under date the 15th ultimo, recorded with reference to the Criminal Statements and Reports laid before the Government for the half year ending the 31st of December 1835, and to desire that a Copy of para 7 may be furnished to the Magistrate in the Northern Division of Arcot with instructions to intimate to the Gemindars of Calastre and Cavetinagar that of the Criminal returns for the last six Months shall not exhibit as far as their Gemindaries are concerned a more favorable result than that observable in the Statements laid before the Government for the half year ending the 31st of December 1835

Officers

from the Minutes of Consultation of the same
date to the Magistrate of Masulipatam & to
para: 13 to the Magistrate of Ganjam, for the
information and guidance of those Officers
respectively -

16th December 1836. (Signed) W. Douglas
Register

To the Provincial Court of Circuit in the
Western Division

Gentlemen

With reference to the Proceedings of
the Foujdaree Adalut of the 5th of August 1836
held on the Criminal returns for the half year
ending 31st December 1835, I am directed to
transmit to you an extract from the Minutes
of Consultation under date the 15th Instant
and to request that paras 10- 22- 24 and 25
may be Communicated to the Magistrate
of Malabar for his information and guidance
with reference to paras 106- 110 and 111 of the
proceedings of the Foujdaree Adalut
above referred to -

16th December 1836. (Signed) W. Douglas
Register

To

Officers of Government will be located in these
Districts for the better preservation of the peace and
the more efficient security of persons and property -

You will be pleased also to Commu-
nicate para: 17 to the Magistrate of Chingleput
para: 18 to the Magistrate in the Southern Divis-
of Arcot, and paras 6- 7- and 15 to the Magis-
trate of Cuddapah for the information and
guidance of these Officers respectively -

16th December 1836 (Signed) W. Douglas
Register

To the Provincial Court of Circuit in the
Northern Division

Gentlemen -

1

With reference to paras 3rd to 4th of the
proceedings of the Foujdaree Adalut on the Criminal
returns for the half year ending 31st December 1835,
I am directed by the Judges to transmit to you for
the purpose of being Communicated to the Magistrate
para: 7. 8. 1836 of Bellary Copy of an extract from the Minutes of
Consultation under date the 15th November 1836.

2

You will be pleased also to Com-
municate para: 12 of the accompanying extract
from

To the Provincial Court of Circuit
Western Division

Gentlemen -

I am directed by the Judges of the Court of Foydaree Adalut to acknowledge receipt of your letter dated the 23d ultimo submitting for the determination of the Foydaree Adalut the question whether the Circular order of the 10th April 1828 requiring a description Memorandum to be made by Criminal Judges in Cases of wounding &c. was intended to apply only to Cases Committed for Trial before the Circuit Court, or as supposed by the Provincial Court to every Case which may come before the Criminal Court in which wounds and bruises may have been sustained -

The Circular order above referred to is considered by the Court of Foydaree Adalut to have had reference only to Cases which would come before the Court of Circuit - but in order to remove all doubt on the subject I am directed to transmit a Copy of the Proceedings of the Court on the 13th instant, from which you will perceive that the Court have determined that in all Cases which are to be disposed of by the Criminal Judge himself a Memorandum of the Evidence should be recorded by the Judge, and that in all Cases where Commitment for trial is possible should make the Memorandum -

In Cases which are to be disposed of by the Criminal Judge himself a Memorandum can be necessary -

16th December 1836 - (Signed) W. Douglas
Register

To the Chief Secretary to Government

Sir

With reference to para: 52 of the Minutes of Consultation under date the 6th of September 1836 and para: 8 of the proceedings of the Foydaree Adalut of the 27th of October last I am directed by the Judges to transmit to you for the purpose of being forwarded to the Honorable the Court of Directors the Accompanying Copy of a return from the Magistrate of Trichinopoly shewing the state in which the dispute between the Wadagala and Tengala Brahmins is at present -

16th December 1836 - (Signed) W. Douglas
Register

To the Provincial Court of Circuit
in the Western Division

Gentlemen -

With reference to para: 32 of the proceedings of the Foydaree Adalut 33. and 34.

Foujdaree Dewy 16th December 1836

Udalut of the 15th of August 1836 recorded on review of the Criminal Statements for the half year ending 31st December 1835. I am directed to transmit to you an extract from the Minutes of Consultation under date the 15th Instant and to request Magistrate of Malabar may be required to submit his sentiments as to the feasibility and probable effects of framing rules of the tenor suggested in the Concluding para: of the 3d Judges letter of the 16th of June last in view to effect an alteration in the present Shape of the Parsan Cutchery and the Judges are also desirous of the sentiments of the Collective Court of Circuit on the subject.—

para: 9:

With reference to the remarks of the Right Honorable the Governor in Council contained in the Concluding part of the extract from the Minutes of Consultation herewith transmitted, the Judges of the Foujdaree Adalut are not of opinion that any New enactment is required for visiting with a Severe penalty the use of the Pershaw only in the Cases of Cutting and Maiming which come before the Tribunals, but they are desirous to impress on the Provincial Court of Circuit the remarks of the Governor in Council that the great

Foujdaree Dewy 16th & 19th December 1836

"great frequency of Cases of Cutting and Maiming Consequent on the Universal to earing of the knife in Malabar fully to warrants as well as imperatively requires that the offence should be visited with for greater Severity than in Countines in which a Similar State of things does not prevail and to extent the Judges the may proceed on Circuit in the Western Division to a due consideration of the views in the exercise of the powers of discretionary punishment Vested in the Courts of Circuit by Clause Seventh Section 11 Regulation XV of 1808.—

16th December 1836.— (Signed) W. Douglas
Register

Joydaree Diary 19th December 1836

Joydaree Diary 19th December 1836

To the Provincial Court of Circuit in the
Northern Division

Gentlemen.

With reference to your letter dated the 16th ultimo I am directed by the Judges of the Foydaree Adalut to inform you that the Governor in Council was pleased under date the 1st Instant to authorize the acting Joint Criminal Judge at Guntoor to purchase two Carts for the use of the Convicts Employed in constructing a new Sail at an expence not exceeding Rupees (60) Sixty —

19th December 1836 — (Signed) M. Douglas
Register

To the Chief Secretary to Government.

Sir.

With reference to para: 29 of the extract from the Minutes of Consultation under date the 15th ultimo I am directed by the Judges of the Court of Foydaree Adalut to transmit to you to be laid before Right Honorable the Governor in Council a

Letter from the Register of the Foydaree Adalut to the Provl Court of Circuit in the Centre Division dated the 8th Septr 1836 — Minute of the 2nd J. of the J. W. dated 1st December 1834 on Art 1 of the 2nd addl Calr of Malabar Sepoys 1834 —
Minute of the 3rd J. of the J. W. dated 30th December 1836 on Art 4 Coombatoor Calr 2 Sepoys of 1836 —
Minute of the acting J of J. W. dated 16th September 1836 —
Minute of the 2nd J of J. W. dated 30th September 1836.

a Copy of the papers noted in the Margin which Contain the Opinions that have been recorded by the Judges of the Foydaree Adalut — Collectively and individually on the question whether it would be advisable to recommend the Enactment of legislative provisions provisions for the punishment of persons practicing sorcery or witch craft —

19th December 1836 — (Signed) M. Douglas
Register

No 277

To the Chief Secretary to Government

Sir.

I am directed by the Judges of the Court of Foydaree Adalut to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 6th instant referring for their Consideration and report a letter and its enclosures from the Officer Commanding the Center Division of the Army relative to the appointment and Controul of the Peons

Peons in charge of the Convicts employed under the
Orders of the Officer Commanding Bellary, and request
-ing that the Court of Foujdaree Adalut will
be pleased to explain the Nature of the authority
alluded to by the Criminal Judge of Chittoor and
when and from whom it emanated or whether
Mr. Waters delegation of power to fine, dismiss and
appoint Peons was in itself Contrary to Law.

2. On a Similar Misunderstanding having
occurred between the Acting Criminal Judge of Chittoor
and the Officer Commanding Arnee at whose
disposal also a party of Convicts has been placed
by Order of the Governor in Council, the Court
of Foujdaree Adalut in their proceedings recorded
under date the 1st of March 1834 (a Copy of which
is annexed) pointed out that as the Peons in
charge of the Convicts, temporarily transferred
to the Officer Commanding, were still borne
on the establishment of the Criminal Court and
paid by the Criminal Judge, they were still
subject to appointment and removal of the
Criminal Judge alone; and in the same proce-
-dings it was pointed out that the predecessors of
the

Foujdaree Diary 20th December 1836

the then Acting Criminal Judge in delegating
their Control over the Jail Guard to the Officer
in charge of the Convicts acted on their own
responsibility, and that their intentions had been
Virtually Cancelled by the Subsequent Orders of
Superior authority.

But as it is obviously Necessary
3
that the Officer responsible for the Custody and
due employment of the prisoners should have
the appointment and Control over the Jail
Guard, the Judges respectfully recommend that all
peons transferred with Convicts to a Military Station
be placed under the exclusive Control of the
Officers under whom the Convicts are employed,
funds being furnished for the Maintenance of
the Convicts and for the pay of the Peons from
the Criminal Court as heretofore.

In the Accompanying Correspon-
4
-dence received from the Criminal Judge of
Chittoor Mr. Lascellas has explained his reasons
for declining after prohibiting Captain Awdry from
furnishing the Peons over the Convicts placed under
his charge, to furnish that Officer with instructions

other

other than those contained in the Concluding para
of his letter to Captain Cundy of the 5th of August 1835.

5. The enclosures I am directed to return
the original letter from the Officer Commanding the
Cendy Division of the Army and its enclosures
which accompanied the extract from the Minutes
of Consultation under date the 6th instant.

20th December 1836.

(Signed) W. Douglas
Register

No. 278

To The Chief Secretary to Government.

Sir,

1 I am directed by the Judge of the Zillah of
Toyidaree Adalut to forward to you to be laid before
the Right Honorable the Governor in Council the
Correspondence (as noted in the Margin)
which has resulted
from the order of Govern-
ment dated the
4th January 1836
No. 19 (SR) in which

Letter from the Native Criminal Judge of
Honore to Provincial Court in Western Division
9th March 1836 (No. 62) with its accompaniments
including the two Olaus Copy of a letter to the
Native Judge of Honore from the Superintending
Engineers of Malabar and Canara and of
the Contract 14th October 1836.

the (then) acting Native Judge of Honore was re-
quired to ascertain and report on what terms
Vyencontah Shanabhogue would be willing to
undertake

undertake the execution of the purposed alterations
to the Jail at that Station, in the event of its
being found impracticable to place the services of
any Convicts at his disposal.

2 In his letter to the Provincial Court
of the 9th March last the then Native Judge
Mr. Sharkey after observing that "the original
amount of the Estimates submitted by Mr. Mullitt
when acting as Assistant Judge of the auxiliary
Court for the new building was Rupees 2799-13½"
which by deductions on account of the Prisoners'
Salam and other deductions suggested by Captain
Lane of the Engineers, was subsequently reduced
to Rupees 1801 reported that "without assistance
from the prisoners" the Contractor demanded Rupees
2500 being less than the original estimates
by Rupees 299-13½."

3 at the same time Mr. Sharkey
submitted his opinion that "this big expenditure
does not appear to be called for with reference
to the limited number of prisoners at this
place." and proposed "a New Plan according
to which it will be sufficient to erect one

large

" large room int those by two partition walls to add
" one large room to the present jail and make four
" Verandah rooms for the purpose specified in the
" plan, with a new roof covered with tiles." Mr
" Sharkey then observes that the Estimate formed
" by the Maistry will shew that the total expence
" for the exertions of the work proposed by "him"
" is Rupees 1001-12-3/4 without the assistance of
" Prisoners, falling short of the sum (e500) demand
" ed by the Contractor for the original Plan in
" Rupees 1498-9-8/4". Mr Sharkey further remark
that this Plan "consists of the same number of
" rooms as the former Plan, only not so spacious
but" in his opinion "quite sufficient for any
" purpose of a Jail at this Station."

4 The Provincial Court in
their letter of the 11th "June last" adverting
" to the average number of prisoners stated in
" the native Criminal Judge letter of the 6th"
of the same Month, recomd their opinion
" that the addition proposed by him would
" be sufficient." but at the same time sugges
ted "that previously to a decision being passed
the

" the Superintending Engineer should be required
" personally to inspect the Walls and report as to
" their strength; for the weight of tiles (especially
" new ones) during the heavy rains on the Court
" may great "

The Provincial Court were
5 accordingly instructed to request the executive Engineer
to make the required report and also to prepare
and transmit an Estimate of the expence which
the plan proposed by the Native Criminal Judge
would involve.

With their letter of the 30th
6 ultimo the Provincial Court of Circuit forward
a Copy of a further Communication dated the
26th of that Month from the Principal Sudr
Ameen of Honore, accompanied by a Copy of the
Report of Captain Lowe the Superintending
Engineer in Malabar and Canara, and of the
Estimate furnished by the latter officer "of the
" Expence of building one new Room and to Rep
" walls to the Jail at Honore" agreeably to the
suggestions of the native Judge.

It will be observed that Captain
7 Lowe records his decided opinion that the walls of
the

To the Acting Criminal Judge in the Zillah
of Rajahmundry

Sir,

With reference to your letter dated the 14th ultimo and to the accompanying Order of Government dated the 6th instant, No. 1029, I am directed by the Judges of the Court of Foujdaree Adalut to request you will ascertain and report what progress has been made in the Works at Samulcottah for the execution of which a party of Convicts have been detached from the Jail at Rajahmundry and of the probable period within which they may be completed.

20th December 1836. (Signed) W. Douglas
Register

No. 279

To The Chief Secretary to Government

Sir,

The Provincial Court of Circuit in the Northern Division have transmitted to the office a copy of a Communication from the acting Joint Criminal Judge of Masulipatam in which that Officer requests "sanction from the proper authorities to enable" him from time to time to send to the arsenal at

present Jail an incapable of keeping a tiled roof: accordingly the Estimate provided for that along the roof."

8 The Principal Sudr Ameen also still maintains that the walls of the Jail are sufficiently substantial to support a tiled Roof but on this point the Judge of the Foujdaree Adalut Concur with the Provincial Court in considering that the opinion given by the Executive Engineer must be held to be conclusive.

9 The Judge of the Foujdaree Adalut beg accordingly to recommend that an Estimate now granted for carrying the proposed additions and improvements into effect at the estimated expense of Rupees (300-7-11) Three hundred, seven and four eleven.

10 In Conclusion I am directed to state that the letter from the Provincial Court of the 30th ultimo. sending up the Report and Estimate of the Superintending Engineer, reached the Office of the Foujdaree Adalut only on the 6th instant.

20th December 1836. (Signed) J. H. Dandeson
Asst. Sec. to the Govt.

No.

"at that Station" for repair, the following Materials
"and tools required for the use of the prisoners and
"also to enable "him" to indent upon the Commis
"sary of ordnance for the supply of such new
"articles of this description as may be required:-

2. The Acting Joint Criminal Judge
reports that "the Iron work is at present
"performed in the Jail by an Extra Iron and two
"prisoners." that "although this may appear to be a
"very cheap mode of doing the business, the work
"is so extremely ill done, that he does not consider
"it all Economical," and that "the tools now in the
"hands of the prisoners are of the most entire description
"tion," and he adds, I am given to understand
"that there is an abundant supply of Mamoties
"Crowbars &c&c in the arsenal, and as the prisoners
"are about to be employed in the repair of the
"Causeway and in clearing out the Fort ditch, it
"appears to me extremely desirable that they should
"be Furnished with proper tools in order to render
"their work efficient."

3. The Judges of the Foxydaree
Adalut beg to recommend that the acting
Joint

Joint Criminal Judge be authorized to send to the
arsenal at Masulipatam for repair the fetters &c&c the
required for the use of the prisoners: and assuming
that that officers information respecting the abundant
supply of Mamoties, Crowbars &c&c is correct, that
he be further permitted to indent upon the Commis.
sary of ordnance at that station for the supply
of such new articles of the above description as
may from time to time be required -

(Signed) J. W. Davidson
21st December 1836- Actg Jt to the Register

To the 3d Judge of the Provincial Court of Circuit
in the Centre Division

Sir, With reference to para: 1 of the
letter from this Office dated the 12th instant I
am directed by the Judges of the Court of
Foxydaree Adalut to transmit to you for your
information Copy of an extract from the Minutes
of Consultation under date the 13th instant
and of the letter from the Secretary to the
Military Board which accompanied it reporting
that the wall surrounding the Town of Avantapoor
was

was Completed in July last and that the Superintending Engineer aided Districts had been instituted to take over the Convicts who were employed under his Orders to the proper Judicial Officer -

21st December 1836. (Signed) W. Douglas
Register.

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

Gentlemen -

With reference to your letter of the 30th Ultimo I am directed by the Judges of the Court of Foydaree Adalut to inform you that without the opinion of an Engineer officer, they are precluded from recommending for the sanction of Government, the alterations in the Treadmill of the Chittoor Jail proposed by the Criminal Judge of that Station in his letter to your address of the 25th Ultimo -

You will be pleased to instruct the Criminal Judge of Chittoor to defer his application for "Tool" until the receipt

of instructions which await the point of being circulated to the subordinate Judicial Officers in the four Divisions relative to the supply of Tools and of European convictions for the use of the Convicts in the several Jails under this Presidency -

21st December 1836. (Signed) J. H. Davidson
Pr. Asst. to the Register

To The Magistrate of Calicut -

Sir,

With reference to your letter dated the 4th Ultimo I am directed by the Judges of the Foydaree Adalut to inform you that the Governor in Council was pleased under date the 6 Instant to sanction the rewards paid by you on July 1245 for the apprehension of certain prisoners amounting to Rupees (755) Seven hundred and fifty five -

I am also directed to request you will report for the information of Government the precise nature of the Services rendered by the Talook Servants (hereunder mentioned) to have entitled them to rewards -

In the apprehension Avayer Kandoony
Govinden Menon Acting Talook
Moonshee ---------- Rs. 6
Abram Khan, Ameen ---- 4

I am

Foujdaree Diary 22nd December 1836.

In the apprehension of Sepahee Instant 30 others.

Koonde Menon, Talook Pulicat W. 41
Koonde Menon, Talook Gummidee — 32
Kuntua Menon, Talook Munsha — 16

22nd December 1836. (Signed) W. Douglas
Register.

To The Provincial Court of Circuit in the
Centie Division.

Gentlemen,

With reference to your letter dated the the 2nd Ultimo I am directed by the Judges of the Foujdaree Adalut to inform you that the Governor in Council was pleased under date the 13th Instant to sanction the charges incurred by the Zillah Judge of Chittoor on Fusly 1244 on account of the Salaries of the Peonadars attached to the Jails of Arcot, Vellore and Arnee amounting to Rupees (399) Three hundred and ninety nine.

22nd December 1836. (Signed) W. Douglas
Register

To.

Foujdaree Diary 22nd December 1836.

To The First Judge of the Provincial Court
of Circuit in the Western Division

Sir,

With reference to your letter dated the 31st October 1836 and the proceedings of this Court of the 24th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit to you the accompanying Copy of an Order of Government dated the 6th Instant Communicating the observations of the Governor in Council on your Circuit Report for the 2nd & 3rd Quarter Sessions of 1836.

22nd December 1836. (Signed) W. Douglas
Register

To The Acting Criminal Judge of
Cuddapah

Sir.

With reference to your letter dated the 18th Ultimo I am directed by the Judges to inform you that the Governor in Council has signified to the Court of Foujdaree Adalut that he Considers the explanation offered by Mr Copleston in regard to the Contracts entered into by him for the supply of grain for the prisoners in the Jail at
Cuddapah

Fort St. George Diary 22nd December 1836.

Cuddapah to be satisfactory and you will be pleased to Communicate the same to Mr. Copleston for his information.

22nd December 1836.

(Signed) W. Douglas

Register

No. 280

To the Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to forward to you to be laid before the Right Honorable the Governor in Council the annexed Copy of a letter dated the 8th October 1836 from the acting Joint Criminal Judge of Rajamundry soliciting sanction for the charges incurred in the purchase of a Table and the alteration of the Jail together with the two original Bills which accompanied that Communication.

2. Before submitting this application to Government, it was deemed proper to call upon the acting Joint Criminal Judge to explain more fully the circumstances which rendered necessary the alteration of the Jail and to state when and why the Jail Guard was temporarily reduced, and why he omitted to apply for the sanction of Government before incurring the Expenditure.

3. In reply this Office has stated that "formerly the prisoners who remained in Jail

used to be kept in two different sides of the old Building
" used at a Court; that it was Consequently necessary to
" have Shane Sentenes, one on each Entrance to the gaol
" to the North and one over the door to the South; the re-
" Guard furnished was then twelve; but on the late
" Movement of the Corps leaving that there would
" then only be six Men at present, to be spared for
" the duty on the Fort Guards being reduced." he
" fronded gainst the Chance of escape of the number
" of prisoners not liable to labour Kept in Jail,
" by locking up Three arches and thereby forming
" a very Secure ward from a part of the Chambly
" of the Court formerly useless opening into a
" Common Court yard to which only one place
" of egress then remained, a single Sentry was
" suffecient by day."

4 The acting Joint Criminal Judge
adds that "when" he "commenced the works" he
" did not respect the expence would amount to
" what it did: and being averse to submitting
" an Estimate formed without any Grounds"
" he proposed risking the probability of obtaining
" subsequent sanction to leaving the means of
" escape to the prisoners in the interim."

Under

Under this explanation, the Judges
5 of the Foujdaree Adalut beg to recommend
that sanction be granted for the charges above
refered to, amounting in the aggregate to Rupees
(26.10.6) Twenty six, and ten and Pice six —
22nd December 1836. (Signed) J. H. Davidson
Wn. Asst. to the Register

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 your letter dated the 30th Ultimo for-
warding Copy of a letter from the Joint Criminal
Judge of Malabar who adverting to the opinion
recorded by the Foujdaree Adalut in the 2nd para:
of their letter dated the 24th Ultimo, that
" unless the guilt of perjury can be fixed on the
" Suborner the punishment for Subornation of
" perjury cannot be inflicted on the Suborner,"
requests to be informed whether such opinion
" extends to the length that unless the guilt of Perjury
" can attach to one or other party of Witnesses adduced
" by the Same individual So as to make it clear
that

as the case appears to be of an "Emergent nature;"
they authorize the immediate "temporary repair at
a trifling expence of two or three of the apartments."

Immediately upon the Completion
of the repairs now authorized, you will be pleased
to forward to this office an accounts articulars
of the expence actually incurred, in order that
the same may be laid before the Government
for their special sanction -

23d December 1836. (Signed) J. H. Davidson
Actg to the Register

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

Gentlemen,

I am directed by the Judges of the
Court of Foxydaree Adalut to request that you
will submit without further delay, the Report
called for in the letter from this Office of the
14th October last, relative to the proposed repairs
of the Jail of the Zillah of Chittoor -

24th December 1836 - (Signed) W. Douglas
Regr

To

"that such party has been Subornd, the punish-
ment for Subornation of Perjury Cannot be in-
"flicted On the Subornor."

2.

The Judges desire me to request
you will intimate to the Joint Criminal
Judge of Madras that to such length the
opinion of the Court does extend and that in
no other manner can the end held in contemplation
circulated by the Circular Order No 46, dated 15th
June 1835 be applied, in the opinion of the
Foxydaree Adalut to the case which forms the
subject of this appeal, and of your reference dated
the 4th on the Subject -

23d December 1836 (Signed) W. Douglas
Register

To The Criminal Judge of Chittoor

Sir

I am directed to acknowledge the
receipt of your letter of the 17th instant, reporting
that from the effects of the late severe rains several of
the Wards of the Chittoor Jail are not habitable,
and in reply to state, with reference to the order of
Government of the 4th December 1833 (para 6)

No. 282

To The Chief Secretary to Government

Sir,

1. I am directed to forward to you to be laid before the Right Honorable the Governor in Council, the accompanying Copy of a Bill (received from the Officiating Second Judge on Circuit on the Canty Division) on account of expences incurred by Mr. Surgeon Geddes in attending the Criminal and Circuit Court at Chinglepet, with Copies of the Communications addressed by the Criminal and Acting Criminal Judges to the Officer Commanding the Thomas Mount, requiring Mr. Geddes attendance before the on Courts.

2. The Judges of the Foydaree Adalut by to recommend that Sanction be Granted for the Bill in question amounting to Rupees (45) Forty four =

27th December 1836. (Signed) J. H. Davidson

Ass. Asst. to the Regr.

To

No. 283

To The Chief Secretary to Government

Sir,

1. I am directed to forward to you to be laid before the Right Honorable the Governor in Council, the annexed copy of a letter dated the 20th Instant from the Captain Alter in charge of the Convict at Gundy -

2. Under the Circumstances represented by Captain Alter, the Judge of the Foydaree Adalut beg to recommend that the Officer in charge of the convicts be permitted to entertain a Writer on a Monthly Salary of Rupees (4) Fourteen - The rate originally fixed for a Goomastah when the Convicts were first located at Gundy - and that his employment may be considered to have Commenced from the 1st November 1836 - and further that the Commissariat Department be authorized to comply with Captain Alters Wants for materials to whitewast the Jail, and for the Stationary required for the use of the Writer above mentioned -

27th December 1836.

(Signed) J. H. Davidson

Ass. Asst. to the Register

To

all decrees of the said Officer in suits exceeding 20 Rupees, to the Auxiliary Court at Coimbatore from whose decrees a special Appeal shall be admissible by the Zillah Court of Salem under the provisions in force regarding Special Appeals.

5th November 1836. (Signed) H Douglas Registr

No. To the Officiating 2d Judge on the Circuit on the Carnatic Division.

Sir,

I am directed by the Judges of the Tonjidaree Adalut to acknowledge the receipt of your letter of the 27th Ultimo (with its enclosures) reporting that on the Coimbatore Calendar for the first and second Sessions of 1836, has declined to accept the powers offered to him by the Acting Criminal Judge of Coimbatore in pursuance of the instructions contained in my letter of the 21st September last - and in reply to request that you will proceed to issue such orders in the matter as the circumstances of the case may appear to render requisite -

7th November 1836 (Signed) J H Davidson Register to the Govt

No. 2749

To the Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Tonjidaree Adalut to acknowledge the receipt of your letter dated the 25th Ultimo directing that Mr Nelson may be called upon for any explanations he may have to offer with reference to a despatch from the Honorable Court of Directors dated 1st June 1836 in the 6 Pl

paras of which the Honorable Court after expressing their deep concern at the fatal consequences which attended the insurrection which occurred in the Jail at Calicut on the 28th of April 1834, observe that "no fewer than ten prisoners" having "lost their lives and thirty seven" having been "wounded", while none of the Peons were severely hurt" "affords presumptive evidence of much want of humanity and forbearance on the part of the Peons" and requesting "that no further inquiry into the circumstances of the case be ordered at the time" the Honorable Court observes that they "shall not feel satisfied with the conduct of Mr Nelson the Criminal Judge if he have not taken" measures to clear himself from responsibility for the insurrection, and afterwards to ascertain the cause to which such an effusion of blood was to be attributed, and, if necessary, to call for to visit the authors of it with punishment"

The records of the Court of Tonjidaree Adalut enabling the Judges to furnish the explanation required by the Honorable Court, I am directed to submit the following facts and circumstances for their information -

In the 4th para of Mr Nelson's letter of the 29th of April 1834 reporting the rising of a body of Convicts and prisoners upon the Guard and forcing their way out of the prison, a copy of which accompanied the letter addressed by this Court to the Officiating Secretary to Government in the Judicial Department under date the 13th of May 1834, the Criminal Judge attributed the insurrection "principally to the Influence of the Peons, upon whom" his

constant

Foujdaree Diary 28th & 29th December 1836.

To The Criminal Judge of Combaconum

Sir,

The Judge of the Foujdaree Adalut obser-
=ving that the twelfth, thirteenth fourteenth and
seventeenth prisoners in Case No. 40 on the Comba.
=conum Calendar for the Second Sessions of 1836 have
been sentenced by the Court of Circuit to Punishment,
direct in to request that you will transmit to them
without further delay, Copies of the warrants of
the Court of Circuit, for their orders as to the disposal
of the said prisoners, as required by the
Order of the 6th January 1823.

28th December 1836. (Signed) J. H. Davidson

Actg Asst. to the Regr

To The Acting Criminal Judge at
Rajahmundry

Sir,

With reference to your letter dated
the 24th Instant I am directed by the Judges of
the Foujdaree Adalut to inform you that the
Governor in Council was pleased under date the
20th Instant to sanction the charges incurred

Foujdaree Diary 29th & 30th December 1836

in Zillah Court of Rajahmundry
in Sicca 1749, on account of the salaries of the Extra Duffadars
and the Head Sailor at Samulcottah, objected to by
the Court auditor and amounting to Rupees 251/
Two hundred and Fifty one.

29th December 1836. (Signed) W. Douglas
Register