306

1792

194

1859

19

Toydaree Diary 2nd and 3rd January 1839.

No. 1.

To The Chief Secretary to Government

Sir,

1. With reference to the letter from this Court dated the 23rd of November last, and to the order of Government thereon dated the 18th Ultimo, No. 1142, I am directed by the Judges of the Toydaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council for his information the accompanying copy of a letter dated the 26th Ultimo addressed to this Court by the Magistrate of Chingleput reporting that no accomodation is at present required at Poonamalee for the purposes of a Jail Hospital.—

Signed J. H. Dorin Esqr
2nd January 1839.— Register

To The Criminal Judge of Chittoor

Sir,

1. I am directed by the Judges of the Toydaree Adalut to inform you that in reply to para 3 of your communication dated the 20th ultimo the Government were pleased to decide by their letter dated the 18th Ultimo that the arrangement suggested by you for the adoption of the Judges in so much as concerns the repairs of the road from the Magelly pass through Chittoor to join the great Western line.—

2. Under the authority conveyed to them the Judges desire that the convicts rendered available

for the work in question shall be those only who may not be sentenced to more than, or whose period of imprisonment remaining to be undergone may not exceed six months: and as the repairs in question will be executed under your orders and direction, it remains with you to take the necessary steps for the safe custody of the convicts and for the proper execution of the work.—

3. In the event of the arrangements to be made for these purposes involving any additional expense, you will be pleased to submit a report of the same for the information and orders of the Board of Revenue in the Department of Public Works before proceeding to any actual disbursement.—

4. You are further requested to transmit regularly the report required in this Court's Circular order No. 45 dated the 18th May 1835.—

5. In respect of the arrangement contemplated by you for keeping the road in question in repair I am instructed to forward for your information the annexed transcript of paras 2 and 3 of a letter addressed to the Government by the Board of Revenue in the department of Public Works from which you will perceive that

that no return can be expected from the excavation of wells.—

Signed W. D. Phillips
A. S. D. Regr.

January 1839.

No. 2

To The Chief Secretary to Government

Sir,

I am desired by the Judges of the Tuydaree Adalut to request you will submit for the consideration of the Right Honorable the Governor in Council the accompanying correspondence on the subject of a suggestion made by the Acting Magistrate of Tinnevelly for the transfer of the Talooks of Sunkerannar Coil and Sautoor from the Criminal jurisdiction of the Zillah Court of Madura to that of the Auxiliary Court at Tinnevelly.

2. The arrangement in question has been proposed by the Acting Magistrate of Tinnevelly in consequence of the recent division of the Talook of Nadoomandalum into two, offering a favorable opportunity for carrying it into effect. The Acting Magistrate strongly advocates its adoption under the impression that the objections will be removed, which are now entertained by the inhabitants of the two Talooks to becoming either Prosecutors or witnesses in Criminal cases, and in order that justice may be brought nearer to the people than it was before.

3.

3. Santheranainar Covil is situated 30 miles from Madura, but not 30 from Tinnevelly; and it is stated by Mr. Thompson that although the difference in the distance between Sautoor and those places is not so great, that nevertheless the convenience to the inhabitants will be hardly less.-

4. The Judges of the Provincial Courts in the Southern Division are of opinion that the arrangement will be productive of the advantages anticipated and the officers by whom the Courts of Madura and Tinnevelly were recently superintended both concur in deeming the measure advisable.-

5. The Judges of the Toydaree Udalut consider Mr. Thompson to have shown unanswerable grounds for the adoption of his proposition and as it is within their knowledge that the additional duty caused by the change to the Joint Criminal Judge of Tinnevelly, will not be more than that officer can perform, they beg to recommend that the arrangement suggested be authorized by the Government

6. The suggestion submitted by Mr. Silver late Officiating Joint Criminal Judge of Tinnevelly that the civil jurisdiction of the two Talocks should also be transferred to the Tinnevelly Court, cannot under the circumstances of the recent removal of the District Moonsiff

of Dendigul be carried into effect without incurring the expense of an additional Moonsiffship, a measure which in the opinion of the Sudr Udalut is not at present called for.-

5th January, 1839.- (Signed) W. D. Phillipps.-
A. S. Dep. Regr.

To The Provincial Court of Circuit in the Centre Division

Communicating for their information and guidance with reference to their letter dated 5th December 1838 copy of a letter addressed to Government dated the 15th and the order of Government thereon dated the 31st Ultimo, sanctioning the charge of 112 - 0 - 4 retrenched by the Civil Auditor from the incidents of the Provincial Court on account of expences for fasly 1247.-

5th January 1839. (Signed) W. Douglas Regr.

To The Principal Collector of Cuddapah

Communicating for his information and guidance copy of an order from the Secretary to the Board of Revenue in the Department of Public Work dated the 24th Ultimo with a request that he will apply to Captain Sawford for the plan of the proposed Cuddapah Jail, the same having been forwarded from this office to that officer on the 29th December 1838. The Estimate is herewith sent.-

1839.- (Signed) W. Douglas Regr.

To

Toujdaree Diary 5th January, 1839.

No. To The Joint Criminal Judge at Cuddalore

Sir,

1. I am directed by the Judges of the Court of Toujdaree Udalut to desire you will adopt immediate measures for transferring from your Jail to the charge of Captain Hall the Superintendent of Government Roads at the Presidency (44) forty four able bodied Convicts the unexpired period of whose sentences may exceed 6 Months.

2. In the transfer of these Convicts you will be pleased to observe all the rules laid down in the order of the 9th of June 1837 printed at page 432 of the Official Gazette of that year, but Rule III in particular; and you will be careful not to transfer desperate characters or prisoners specially banished to Cuddalore.

3. The Convicts to be transfered under these orders will be accompanied by the prescribed complement of Peons; and you will call upon the Magistrate of the District to furnish you with such number of extra Guards as may appear necessary for the safe custody of the Convicts on the March.

4. You will be careful to provide the

Toujdaree Diary 5th and 7th January 1839.

the Convicts transfered to Captain Hall with proper letters.

(Signed) W. Douglas Regr.

To The Joint Criminal Judge at Vizagapatam

Sir,

1. I am directed by the Judges of the Court of Toujdaree Udalut to acknowledge the receipt of Your letter of the 22d Ultimo reporting the destitute condition of the female infant of the prisoner in Case No. 3 on the Vizagapatam Calendar for the 2d Sessions of 1838 and requesting that the authority of Government may be obtained for allowing "the child to stay with "her father and grant her batta from the 8th Ultimo."

2. Before submitting your application for the consideration of Government the Judges of the Toujdaree Udalut are desirous of being informed of the amount of monthly batta for which sanction is required and adverting to para: 3 of the circular letter from this Court of the 20th of June 1838 communicated to you thro the Provincial Court of Circuit in the Northern Division the Court of Toujdaree Udalut desire you will explain why permission to maintain this child at the public expense was not applied for immediately upon your determination that such expenditure was necessary.

Batta

3 Batta appears to have been allowed to the child since the 8th of November last.

7th January 1839. Signed W. Douglas
Register

No.

To
The Chief Secretary to Government

Sir,

1. I am desired by the Judges of the Toydaree Adalut to request you will submit for the consideration of the Right Honorable the Governor in Council the accompanying copy of a communication from the Acting Joint Criminal Judge of Guntoor dated the 27th December 1838 soliciting the authority of Government for bringing to trial at the ensuing Sessions at that station, a Prisoner named Gandumdetty Audenaroydoo.

2. The individual adverted to, is charged with having uttered a letter and a hoondy, the amount of which was fraudulently obtained in Guntoor, which place the witnesses in the case are residents, with the exception of four, three of whom have been considered to be necessary by the Judge on Circuit before whom the case was originally committed for trial by the Acting Joint Criminal Judge of Guntoor.

3. Under these circumstances the Judges

of the Toydaree Adalut are of opinion that the ends of justice will be furthered by the trial of the Prisoner in question taking place at Guntoor and accordingly they request that under Section III Regulation III of 1827 the Governor in Council will be pleased to authorize the measure accordingly.

8th January 1839. Signed W. Douglas
Regr.

No.

To
The Chief Secretary to Government

Sir,

In obedience to the order of Government contained in the extract from the Minutes of Council under date the 24th June 1834, I am directed by the Court of Toydaree 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.

8th January 1839. Signed W. Douglas
Register

No. 4

To
The Chief Secretary to Government

Sir,

I am directed by the Court of Toydaree

1.

Adalut to acknowledge the receipt of the order of Government of the 26th Ultimo, No. 1190, requesting the Judges will ascertain and report whether the additional

party of Convicts ordered on the 27th of September last to be transferred from the Jail at Bellary to the Great Western Road can be retained at Bellary, for the purpose of being employed in the repair of the Fort at that Station.

2 In reply I am directed to state for the information of the Right Honorable the Governor in Council that the Convicts referred to were despatched from Bellary on the 29th of November last, and are the present time must have reached their destination, but the last returns received from the Criminal Judge shew that there are 164 prisoners in the Jail under his charge sentenced to hard labor and the Criminal Judge has this day been instructed to place a large portion of these Convicts at the disposal of Brigadier General Wilson.

10th January 1839. /Signed/ W. Douglas.
Register

To The Criminal Judge at Bellary.

Sir,

1 The Government being desirous that the Fort at Bellary should be repaired with the aid of Convicts, I am directed by the Court of Tonjdaree Adalut to desire that you will place at the disposal of Brigadier General Wilson a portion of the Convicts under your charge

charge liable to hard labor on public works.

2. The returns for the Month of November last shew that at the close of that Month there were 164 Convicts in confinement in the Jail under your charge and adverting to the specification of the manner in which the Prisoners were employed, the Court of Tonjdaree Adalut are of opinion that the services of a considerable number of Convicts might be advantageously employed in repairing the Fort.

10th January, 1839. /Signed/ W. Douglas
Register

To The Criminal Judge of Chingleput

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to desire that you will immediately forward to the Superintendent of Police at Madras all the Convicts in your Jail under sentence of transportation.

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

11th January 1839. /Signed/ W. Douglas
Register

To

No.

To The Joint Criminal Judge of
Masulipatam

Forwarding copy of an order of Government dated the 8th Instant, intimating that four unserviceable iron guns have been ordered to be supplied to the Acting Joint Criminal Judge at Masulipatam, but that iron sledge hammers are not available.—

12th January 1839.

/Signed/ H. Douglas
Register

No. 5

No.

To The Chief Secretary to Government

Sir,

1. With reference to the extract from the Minutes of Consultation under date the 11th Instant No. 18 I am directed by the Judges of the Toujdaree Udalut to report that 18 Convicts under sentence of transportation were dispatched from Chingleput on the 12th Instant for embarkation at Madras.—

2. The usual Calendar accompanies this communication.—

14th January 1839.— /Signed/ H. Douglas
Register

No.

To The Criminal Judge of Canara

Sir

1 In reply to your letter of the 29th Ultimo I am instructed by the Court of Toujdaree Udalut

Udalut to inform you that the sentence of imprisonment passed upon the 43 Convicts who effected their escape from the Jail at Buntwall being in addition to the unexpired term of their original sentence, will of course be carried into effect at whatever place or in whatever Jail the said Convicts may be then in confinement.—

2. The corporal punishment however under the standing order of the Toujdaree Udalut need not be delayed longer than to enable the Higher Court to consider the grounds upon which the sentence is awarded, and the Judges seeing no objection to its infliction in the present instance, you are authorized to carry this part of the sentence into execution without delay.—

14th January 1839.— /Signed/ H. Douglas
Register

No. 6.

No.

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Toujdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying statement of the charge incurred by the Criminal Judge of Chittoor in raising the wall which enclose the female wards attached to the Jail at that station.—

2. In a letter dated the 13th November the Criminal

Criminal Judge of Chittoor reported that a female Convict had effected her escape by scaling the retenwall of the female ward and recommended that in consequence of the insufficiency of its height the wall should be raised from 7½ feet to 10 feet and that the top should be covered with broken bottles embedded in Chunam the expense of which could not exceed 10 Rupees.

3. The Court of Tonjdaree Adalut authorize the alterations suggested by the Criminal Judge and they now beg to recommend that the charge thereby incurred amounts in the aggregate to Rupees (3-4) three annas for receive the sanction of Government.-

15th January 1839.- /Signed/ W. Douglas
Register

No. 7.

To
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to transmit to you the accompanying copy of a letter received from the Criminal Judge of Combaconum in which that officer solicits authority to disburse the sum of Rupees 35 thirty five in the purchase of 50 Tolams of Iron "which is considered to be indispensably necessary for the use of the Convicts.-

2. The Court of Tonjdaree Adalut accordingly recommend that the Criminal Judge of Combaconum be authorized to disburse the sum specified.-

/Signed/ W. Douglas
Register

16th January 1839.

No. 8.

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter received thro' the Zillah Court from the Zillah Surgeon of Canara reporting that a retrenchment has been made against him for the amount disbursed by him in the employment of two coolies required to attend on the sick and wounded prisoners in the Jail at that station and requesting that the sanction of Government may be procured for the charge.-

2. The Zillah Surgeon states that these Coolies were entertained by his predecessor in consequence of the crowded state of the Jail and were continued by him under the impression that their employment had been sanctioned by the proper authority. And he adds the indents for these coolies were regularly forwarded to the Commissariat Officer but owing he imagines to some mistake in that office they were never transmitted to the Superintendent Surgeon for

for the space of nine or ten Months when that officer refused to pass them.—

3. Under the circumstances of the case and in consideration of the positive necessity represented to have existed for additional aid in the Hospital. The Judges of the Tovjdaree Udalut beg to recommend that the charge above mentioned amounting in the aggregate to Rupees /88/ eighty eight a receive the sanction of Government.—

16th. January, 1839.

/Signed/ W. Douglas
Register

No. To
The Collector of Cuddapah

Sir,

With reference to your letter dated the 8th. Instant, I am directed by the Judges of the Tovjdaree Udalut to transmit to you the accompanying Estimate for the construction of a Jail at Cuddapah which was omitted to be sent in the communication from this office of the 5th. Instant.—

16th. January, 1839.

/Signed/ W. Douglas Regr.

No. To
No. 10.
The Chief Secretary to Government

Sir

With reference to the order of Government of the 4th. instant No. 29. I am directed by the Court

of Tovjdaree Udalut to state for the information of the Right Honorable the Governor in Council that there are at present only 51 Convicts in the Jail at Vizagapatam all of whom will be required to aid in the construction of the Judicial buildings about to be erected at that station; but the Number of Convicts /50/ required for the purpose of being employed on the High Northern Road in the District of Vizagapatam can be supplied from the Jail at Guntoor, and if the distance of this Jail from the site of the proposed work is not considered by Government an objection to the transfer of the required number of Convicts, the Court of Tovjdaree Udalut will issue instructions to the Joint Criminal Judge at Guntoor to place 50 Convicts at the disposal of the Magistrate of Vizagapatam.—

17th. January 1839.

/Signed/ W. Douglas
Register

No. To
Case No. 13 of 1838
2 Cuppiandy
3 Lovvanny
4 Thungum
5 Mandandoman
6 Cullayany
7 Bommen
8 Poorlanaidoo
12 Cuncoppum
The Criminal Judge of Chingleput

Sir With reference to your letter of the 31st. Ultimo submitting a list of 36 Convicts directed to be placed under the charge of Captain Hall the Superintendent of Government roads, I am desired by the Judges of the Tovjdaree Udalut to request you will state with reference to the provisions of Section III Regulation I of 1833 under what authority the Prisoners whose names are noted in the margin were brought to trial before the Court

at

at Chingleput for the offence of escaping from Custody, and to intimate to
Case No 18 of 1838. you, at the same time, that it would have been a preferable
Plangandy
2 Reddy Reddy arrangement had the Convicts sentenced to an additional term
of imprisonment on that account been at once despatched to undergo
that and the unexpired portion of their original sentence under the
Superintendence of the Officer from whose custody their escape
was effected.

No 17th January 1839. /Signed/ W. D. Phillips
To Asst Sr Dy Regr

The Assistant Magistrate in charge of
the Auxiliary Court at
Tellicherry

Sir,

I am directed to acknowledge the receipt
of your letter of the 2nd Instant, and in reply to inform
you that the Judges of the Toydaree Udalut have re-
solved that the sentence of banishment passed
under the provisions of Clause third Section VIII Re-
gulation XX of 1803, against the prisoners Nelleiny
Cherin Chinden and Thoonan, alias Poothalathu
Awoolla, therein referred to, shall be carried into
effect in the District of Combaconum and you
will accordingly be pleased to take measures for
causing the removal of those prisoners to the
Jail at that station.

17th January 1839. /Signed/ W. Douglas
Register

To
The Criminal Judge at
Combaconum

No.

To
The Criminal Judge of Cuddapa

Sir,

In reply to your letter of the 4th instant
transmitting a copy of a communication to your address
from the Magistrate of Cuddapa on the subject of the
attempt made to apprehend the murderers referred to in
this Courts letter of the 8th Ultimo, I am desired by the
Judges of the Toydaree Udalut to request you will with-
out delay forward to this office copy of the Arzee from the
Head of Police of the Doopaud Talook to which adverted
in made in the Magistrates communication under remark.

/Signed/ W. D. Phillips
Asst Sr Dy Regr

18th January 1839.

No. 11

To
The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of
Toydaree Udalut to transmit to you to be laid before the
Right Honorable the Governor in Council the accompanying
copy of a letter dated the 9th instant from the Joint Magistrate
at Vizagapatam and under the circumstances of the case
detailed therein to suggest that under the provisions of
Section III Regulation III of 1827 the Right Honorable the
Governor in Council will be pleased to authorize the
Committal of the prisoners charged with Murder
and Thuggee for trial before the Court of Circuit at
the

the ensuing Sessions at Vizagapatam.—

22nd January 1839.

/Signed/ W. Douglas
Register

No. To The Acting Joint Criminal Judge at Guntoor

Communicating for his information and guidance with reference to his letter dated the 27th December 1838 copy of a letter addressed to Government dated the 8th and the order of Government thereon dated the 19th instant, under the power vested in the Governor in Council by Section III Regulation III of 1827 authorizing the Joint Criminal Judge at Guntoor to bring to trial at the ensuing sessions at that station the prisoner Gandamsetty &c Andyanaragadoo adverted to in Tuydaree Udalut letter No. 3 dated 8th January 1839.—

23d January 1839.

/Signed/ W. Douglas
Register

No. Memo.

2 Copies of the printed forms of the Half yearly Statement of Convicts forwarded to the Magistrate of the Southern Division at Arcot with reference to his letter dated the 15th January 1839.—

23d January, 1839.—

/Signed/ W. D. Phillips
Asst Sur Dy Regr

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

Sir,

With reference to your letter dated the 14th inst to

I am directed by the Court of Tuydaree Udalut to convey to you their authority to hold the Jail Delivery for the whole Zillah of Malabar at Calicut, the station of the Criminal Court of the Zillah.—

23d January 1839.—

/Signed/ W. Douglas
Register

No. Copy sent to the Acting Joint Criminal Judge at Cochin

No. To The Acting Joint Criminal Judge of Cuddalore

Sir,

I am desired by the Judges of the Tuydaree Udalut to transmit to you for the purpose of its being returned to the party from whom it proceeds, a Petition received by Tapaul addressed to the Court by Mahomed Thariff, late Deputy Jailor at Cuddalore, to whom the Judges request you will intimate that their order directing his removal from that situation is no bar to his future employment in any other for which he may be deemed qualified.—

25th January 1839.—

/Signed/ W. D. Phillips
Asst Sur Dy Regr

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

Communicating for their information and guidance copy of an Extract from the Minutes of Consultation under date the 15th January 1839 with instructions to satisfy themselves when the Thread Mill

may

may have been repaired that the employment of Convicts thereon is properly regulated. The duty can best be performed by the Judge presiding at the quarterly Sessions and a visit to the Jail for that purpose should be made at least once in each month the subject of the working of the mill being noticed in his report on the quarterly Sessions as occasion may require.—

/Signed/ W. Douglas
Register

25th January 1839

No. To Captain Vallancy Joint Magistrate of Vizagapatam

Communicating for his information with reference to his letter dated the 16th November 1838 copy of an Extract from the Minutes of Consultation under date the 8th January 1839 intimating that the Commander in Chief will be requested to call upon Captain Vallancy to explain the cause of his refusal to grant the usual diet money to a released Prisoner; declining to sanction an increase of the number of the convicts placed under that Officer's charge and requiring a report to be submitted of the progress made in the work on which they have been specially employed.—

25th January 1839

/Signed/ W. Douglas Regr.

To

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

Communicating for their information with reference to their letter dated the 2nd November 1838 copy of an Extract from the Minutes of Consultation under date 8th January 1839 intimating that the Commander in Chief will be requested to call upon Captain Vallancy to explain the cause of his refusal to grant the usual diet money to a released Prisoner; declining to sanction an increase of the number of Convicts placed under that officer's charge and requiring a report to be submitted of the progress made in the work on which they have been specially employed.—

25th January 1839

/Signed/ W. Douglas Regr.

No. 12

No. To The Chief Secretary to Government

Sir,

I am desired by the Judges of the Toydaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a communication from the Provincial Court of Circuit in the Southern Division dated the 16th instant forwarding a transcript letter from the Acting Joint Criminal Judge at Coimbatore soliciting authority to disburse Rupees 50 to be paid as reward for the Meritorious conduct displayed by

by a Talliary named Timmon in effecting the reapprehension of Rungon an Escaped convict of desperate and notorious character and under the circumstances brought to notice in the communication in question to recommend that sanction be granted for the disbursement of the sum specified.—

25th January 1839.— /Signed/ W. D. Phillips
A. S. D. Register

No. To The Criminal Judge of Chittoor

Communicating for his information with a reference to his letter dated 5 January 1839 copy of a letter addressed to Government dated the 15th and the order of Government thereon dated the 22nd instant sanctioning the charge of Pr. 3—4: incurred by the Criminal Judge at Chittoor in raising the wall surrounding the female wards in the Jail at that station. The Bill with the sanction of Government endorsed thereon is herewith returned.—

28th January 1839.— /Signed/ C. P. Brown
Acting Register

Memo.—

No. 4 Copies of the printed forms of the Half Yearly Statement of Convicts—
12— Do. ——— Do. ——— Do. Statement of the Labor of Convicts

Forwarded for the use of the Assistant Criminal Judge in charge of the Auxiliary Court at Cochin with reference to his letter dated the 17th January 1839.—

28th January 1839 /Signed/ C. P. Brown
Act. Regr.

No. To The Criminal Judge in the Zillah of Rajahmundry.

Sir,

1. I am directed by the Judges of the Court of Toujdaree Adalut to return to you the statement which accompanied your letter of the 19th Instant in view to its correction should other prisoners than "convicts" have been included in Column 2.—

2. It would appear to the Court of Toujdaree Adalut that 17 prisoners in confinement in default of finding security have been included in the statement.—

29th January 1839.— /Signed/ W. Douglas
Register

No. 13.

No. To The Chief Secretary to Government

Sir,

With reference to the resolutions of Government dated respectively 6th of January 1838 No. 21, and the 22nd of February last No. 314, I am directed by the Court of Toujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council, the opinions (in original) of the local authorities regarding the measures proposed for facilitating the reapprehension of Convicts who may effect their escape.—

2. In respect to the suggestions contained in the first mentioned Resolution of Government namely

namely "that all persons sentenced to a certain term of
"imprisonment with labour on public works might be required
"to wear some peculiar description of clothing which when
"known in the Country to be that of Convicts only would
"enable the people to apprehend them immediately
"on their appearance amongst them." The Judges would
observe that in as much as in this country the lower
classes use hardly any clothing, and an escaped con-
-vict would divest himself without the least difficulty,
and without rendering himself liable to any suspicion,
of any part of his dress by which he might be identified,
the object in view would not be in the least assisted by
the adoption of the manner proposed.-

5. In the resolution of Government
dated the 22d. of February last above referred to, it is
observed "that in addition to the measure suggested
"in the Resolution of Government of the 6th Ultimo
"N°. 21 it occurs to His Lordship in Council that it
"would be useful to imprint, and to renew as often
"as may be necessary on some conspicuous part of
"the person of each prisoner, a mark in some ma-
-terial which shall not be easily obliterated but which
"at the same time shall not be absolutely indelible"
the

the object in view being the recognition and consequent
reapprehension of escaped Prisners.-

4. From the returns of the local officers
it does not appear that it would be practicable to procure
any material which would effect the object suggested
by the Right Honorable the Governor in Council; and in
the opinion of the Judges there can be no question
that convicts who are sentenced only to temporary imprison-
-ment should not be for ever stigmatized by means of an
indelible mark.-

5. To have recourse to any thing so obnoxi-
-ous to the Natives as the temporary defiguirement of the
person, by shaving the eye brows &c. &c. which has been
suggested by some of the local officers, appears to the
Judges likely to lower the Government in the eyes of the
community and it would have little effect because an es-
-caped convict would be able, without difficulty, to dis-
-guise the loss, until time had replaced the hair.-

6. The only suggestions which appear to the
Court worthy of adoption are those of a ring round the
neck, and that of rewards. The former would be in-
efficient only until the convict found the means of
removing it, which he would not be long in accomplishing,
and therefore it would not be effectual. The latter would
most probably answer the purpose.-

W.

7 Mr. Horsley's observations respecting escaped convicts the Judges conceive are just, he states "even if the convict was known to have escaped, the chances are that no one would take the trouble to apprehend him, unless a very high reward was offered for his reapprehension, or some one in the Village had a personal enmity against the man himself," "instances have occurred of men who have been known to have escaped from Jail, living two or three years in their own Villages without being in any way molested." Such cases shew that mark upon the delinquent would be of little avail. Indeed Mr. Lewin notices an instance of a man with "Godna" on his fore-head, who had been at large for 10 years. and it is not means to recognize the convict which are so much required, as greater inducement, when he is recognized to ensure his reapprehension.-

8. For this latter purpose the establish-ment of fixed rewards for the reapprehension of convicts would the Judges conceive have greater effect than any other measure that could be adopted, and they would propose that the following scale of rewards should be sanctioned. Viz. For the reapprehension of a convict escaped from transportation, or whose sentence is "imprisonment for life" Rupees 50. For the reapprehension of a convict sentenced to imprisonment exceeding

exceeding 7 Years 25 Rupees, and for the reapprehension of all other escaped Prisoners 10 Rupees.-

31st January 1839.-

/Signed/ C. P. Brown
Acting Regr.

No.

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

Gentlemen,

In reply to your letter of the 21st. September last, and with reference to a communication from your Court of the previous 27th July recommending for adoption a suggestion made by the Acting Magistrate of Tinnevelly for the transfer of the Talocks of Sankaranainar Covil and Sautoor from the Criminal jurisdiction of the Zilla Court at Madura to that of the Auxiliary Court at Tinnevelly, I am desired by the Judges of the Toydaree Adalut to intimate to you, that under date the 21st. instant, the Government were pleased to approve and sanction the arrangement proposed by the Acting Magistrate of Tinnevelly.-

2 The Judges accordingly instruct me to request you will issue to the Magistrate and Acting Magistrate of Madura and Tinnevelly the orders necessary for carrying into immediate effect the arrangement in question.-

3. In respect of the suggestion made by the late officiating Joint Criminal Judge of Tinnevelly that the Civil Jurisdiction of the two Talocks now under remark should be likewise transfered to the Auxiliary Court at that station I am desired to inform you that in the opinion of the Judges

Tonjdaree Diary 31st. January 1839.-

Judges of the Sudr Udalut it was not considered advisable to recommend it being acted upon in consequence of the recent reduction in the number of District Moonsiffs attached to the Zillah Court at Madura.-

31st. January 1839.- /Signed/ W. D. Phillips
A. S. D. C. Regr.

To
The Joint Criminal Judge at
Vizagapatam

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 16th instant submitting the explanation called for in the letter from this Court of 7th January on the subject of maintaining at the public expense a female child of the prisoner in case No. 3 on the Vizagapatam Calendar for the 2d. Sessions of 1838 and with reference to the information contained in the concluding para. to request you will explain what the charge of 1 dub per diem or 30 dubs per mensem would amount to in annas and pice.-

31st. January 1839.- /Signed/ T. Clarke
A. Assist. to the Regr.

Tongdaree Diary 1st and 2d February 1839

To

The Acting First Judge of the Court
of Circuit in the
Centre Division

Sir,

1. I am directed by the Judges of the Court of Tongdaree Adalut to acknowledge your letter of the 26th Ultimo requesting to know whether the Court consider it competent to a Judge on Circuit or in Sessions to call up, on petitions, cases decided by the Circuit Courts and entered, or to be entered, in the Monthly Criminal Reports. And if so to what extent he has authority to pass orders on them.-

2. The Judges desire me to observe that the Circular Order to which you refer, No. 40. of 18th April 1835 was not intended to interfere with the powers conferred by Section XXIII Regulation X of 1816 as explained in the Circular orders of the 27th of August 1832*, and the Circular Order No. 23 of the 2d of December 1834 to which they refer you.-

*pge 222

1st February, 1839.-

/Signed/ C. D. Brown
Acting Register

No.

To

The Criminal Judge of Canara

Communicating for his information and guidance with reference to his letter dated 21st December

December 1838 copy of a letter addressed to Government dated the 16th and the order of Government thereon dated the 29th Ultimo sanctioning the charge incurred by the Zillah Surgeon of Canara in the employment of two Coolies required to attend on the sick and wounded prisoners in the Jail at that station.-

2nd February 1839.- /Signed/ C. D. Brown
Acting Register

No. To
The Criminal Judge of Combaconum

Communicating for his information and guidance with reference to his letter dated 8th January 1839 copy of a letter addressed to Government dated the 16th and the order of Government thereon dated the 29th Ultimo authorizing the Criminal Judge of Combaconum to disburse the sum of 35 Rupees in the purchase of iron required for the use of the Convicts.-

2d February 1839 /Signed/ C. D. Brown
Acting Register

No. To
The Officiating Joint Criminal Judge of Tinnevelly

Sir,

1. I am directed by the Judges of the Court of Tanjdaree Adalut to acknowledge the receipt of your

your letter of the 15th Ultimo soliciting permission to indent for a large supply of fire arms required for the use of the Jail Guard than that authorized in the Proceedings of this Court under date the 22nd May 1837.-

2. It is observed that at the time those proceedings were framed the prisoners in the Tinnevelly Jail liable to be worked outside only amounted 59 persons.-

3. In consequence of the great increase that has taken place in that class of Convicts at present under your charge the Court of Tanjdaree Adalut are pleased to authorize you to indent in conformity with the orders of Government of the 26th November 1834, for 6 Carbines and 3 pistals in addition to the number already applied for by you making the whole number to be furnished for the use of your Jail 9 Carbines and 4 pistals.-

2d February 1839.- /Signed/ T. Clarke
Asst to the Regr

No. To
The Joint Criminal Judge at Guntoor,

Sir, With reference to your letter dated the 25th

Tonjdaree Diary 2d. and 4th. February 1839.-

23d. Ultimo I am directed by the Judges of the Tonjdaree Adalut to inform you that an answer to your application of the 27th. December 1838 was forwarded from this office on the 23d. Ultimo.-

2d. February 1839.- /Signed/ C. P. Brown
Acting Regr.

No. To The Provincial Court in the Southern Division

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council has been pleased to direct that Fuzl oollakhan, Cazee in the Southern Provincial Court be restored to his situation from which he is at present suspended, and that his allowances may be paid to him in arrear from the date of his suspension from office.

2. The Judges of the Tonjdaree Adalut further direct that the Cazee be instructed to proceed without delay to relieve the Mooftty of the Zillah Court of Salem who is at present on Circuit duty with the First Judge.-

3. The said Mooftty is directed to

Tonjdaree Diary 4th. February 1839.-

proceed without any delay to rejoin his station where his presence is urgently required.-

4. The Judges of the Provincial Court will be pleased to inform Mr. Bannerman the Zillah Judge of Salem of this arrangement.-

4th. February 1839.- /Signed/ C. P. Brown
Actg. Regr.

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

Gentlemen,

With reference to the 1st. para. of your letter dated the 15th. July 1838 I am directed by the Judges of the Tonjdaree Adalut to request you will call upon the Magistrate of Nellore to submit his report respecting the Wandering Tribes and forward the same to this Court without further delay.-

/Signed/ C. P. Brown
4th. February 1839.- Acting Regr.

No. To The Criminal Judge of Rajahmundry

Sir,

I am desired to intimate to you that under date the 31st. December last instructions from Government were communicated to this Court, to direct that the number of Convicts employed under the orders of the Officer Commanding Samulcottah should be raised to the

the complement originally ordered to be worked at that station; and as the Judges have observed from the last criminal reports received from your office that 60 Convicts are available for labor in the Jail under your Superintendence they request you will in communication with the Officer commanding detach to Sammulcottah under the usual guard such number of able bodied Prisoners as will suffice for carrying into effect the orders in question.

4th February 1839.

/Signed/ H. D. Phillips
A. Sr. D. Reg.

To

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

Gentlemen,

It having been determined by the Government under date the 25th Ultimo, that Mahomed Sheerad, alias Hajee Ibrahim, who was recently apprehended by the Magistrate of North arrest under circumstances of a suspicious nature and who has since been transferred to the charge of the Magistrate of Chingleput, be confined for the present at Ponamalee, under the orders of the latter officer, as a state prisoner under the provisions of Regulation 20 of 1819, I am desired by the Judges of the Tonjdaree Udalut to request, that during the period of the Sessions at Chingleput you will visit the individual in question and submit to the Government in conformity with Clause 2d Section 4 of the Regulation adverted to, a

report regarding the health and treatment of the Prisoner.

4th February, 1839.

/Signed/ H. D. Phillips
A. Sr. D. Reg.

To

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

Gentlemen,

It having been determined by the Government under date the 25th Ultimo, that a Seikh named Doondas, who has been apprehended by the Magistrate of Nellore under suspicious circumstances, be kept in confinement by that officer, for a time at least at Nellore, where he is at present in custody, as a state Prisoner under the provisions of Regulation 2 of 1819, I am desired by the Judges of the Tonjdaree Udalut to request you will visit the individual in question during the period of the Sessions at Nellore and submit to the Government a report regarding the health and treatment of the Prisoner as required by Clause 2d Section 4 of the regulation quoted above.

/Signed/ H. D. Phillips
A. Sr. Dep. Reg.

4th February 1839.

To

No. 14

No. To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Toyjdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 21st Ultimo from the Cuminal Judge of Bellary, and, under the circumstances stated to suggest that under the provisions of Section III Regulation III of 1827 the Right Honorable the Governor in Council be pleased to authorize the committal of the prisoners Akbar Khan and Puttapah charged with forgery for trial before the Judge presiding at the Court of Circuit at the Sessions to be held at Bellary.

I Signed I C. P. Brown

5th. February 1859.

Acting Regr.

No.

To

The 5th. Judge on Circuit in the Centre Division late presiding at the Chittoor 4th. Quarterly Sessions of 1858.

Sir,

I am directed by the Judges of the Court of Toyjdaree Udalut to acknowledge the receipt of your letter of the 21st. January 1859 submitting a statement of the batta paid to the Prosecutors and Witnesses in attendance before the Court of Circuit at the Chittoor 4th. Quarterly Sessions for 1858 and to request you will submit an explanation of the extraordinary delay which has occurred in the numbers noted in the margin which prima facie would induce a belief of very defective arrangement on your part.

Nos. 1, 2 & 3 of the Calendar — 3 persons for 47 days; 2 persons for 30 days.

Nos. 1, 2, 3, 4, 5, 6, 7, 8 & 9 of the 4th. Sept. Calr. — 2 persons for 43 days; 3 persons for 28 days; 6 persons for 22 days; 1 person for 26 days.

I Signed I T. Clarke

Asst. to the Regr.

5th. February 1859.

No.

To The Acting Cuminal Judge of Madura

Sir,

I am directed by the Judges of the Court of Toyjdaree Udalut to return to you for correction the printed statement which accompanied your letter of the 17th. Instant, in order that the prisoners on requisition of security, who it is observed have been

been inserted therein may be omitted.—

/Signed/ T. Clarke

5th February 1839.— Asst to the Regr

No. To

The Joint Criminal Judge at Guntoor

Sir,

1. I am directed by the Judges of the Court of Tongdaree Adalut under instructions received from Government to desire that immediate measures may be adopted for the transfer of 50 Convicts with the usual complement of Peons &c to the Magistrate of Vizagapatam for employment on the High Northern road in that District.—

2. In the transfer of these Convicts you will be pleased to observe all the rules laid down in the order of the 9th June 1837 printed at page 452 of the Official Gazette and in the last Column of the detailed list to be furnished by you to the Magistrate of Vizagapatam under Rule 1. you will be pleased to note those Convicts who may have been hitherto employed at the Forge in Carpentry or in making Bricks.—

3. You will be careful to provide the Convicts transfered to the Magistrate of Vizagapatam under

under these orders with proper letters.—

/Signed/ C. D. Brown

5th February 1839.— No. 15 Asst Regr

To

The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tongdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the annexed copy of a letter dated the 26th Ultimo received through the Provincial Court of Circuit in the Centre Division from the Criminal Judge of Chingleput requesting sanction for the disbursement of Rupees 12 to purchase 6 rolls of Brass wire for the purpose of making brushes for the use of Lamas in his Jail.—

2. The Judges of the Tongdaree Adalut beg to recommend that the sanction of Government be granted to the Criminal Judge to disburse the sum of Rupees (12) twelve for the purposes indicated.—

/Signed/ C. D. Brown

6th February 1839.— Asst Regr

To

The 2nd Judge on Circuit in the Northern Division

Sir,

In reply to your letter of the 29th Ultimo on the subject of the request of the Cazee of the Northern Provincial

Tonjdaree Diary 6th February 1839.

Provincial Court to be permitted to be absent from his duty for three months from the date of the conclusion of the ensuing Sessions at Guntoor, I am desired by the Judges of the Tonjdaree Adalut to intimate to you, that any application of the nature of that submitted by Syed Abdul Khader Boosamy must, in conformity with the existing Rules be accompanied by a Medical certificate showing the necessity of the indulgence solicited by him.

(Signed) H. D. Phillips
A. Sr. Dpy. Regr.

6th February, 1839.

No.

To The Criminal Judge of Bellary

Sir,

In reply to your letter of the 21st Ultimo detailing the mode in which the Prisoners in the Jail at Bellary were employed up to the 21st of the last Month, I am desired by the Judges of the Tonjdaree Adalut to communicate to you their authority for discontinuing the practice of working any portion of the convicts under your Superintendence in the Garden of the compound of the Court house and to desire you will adopt measures for placing at the disposal of the Officer Commanding the Division, the number which will be thus available, together with half of the number of those who are reported to be occupied in weaving cloths and cumblies and in cleaning and spinning wool and cotton and also the thirty hitherto under the orders of the Engineer.

2. The Judges further desire that additions may be made to the Gang thus formed in proportion as the number of Convicts in confinement in the Zillah Jail may be increased.

(Signed) H. D. Phillips
A. Sr. Dpy. Regr.

6th February, 1839.

No.

To The Criminal Judge of Nellore.

Sir,

In reply to your communication of the 30th Ultimo soliciting the instructions of the Court of Tonjdaree Adalut regarding the disposal of the Prisoners sentenced by the 2nd Judge on Circuit for the 1st Sessions of the current year in No. 9 of the Nellore Primary Calendar for the same Sessions to be imprisoned with hard labor in irons for a period of 8 years, on banishment from the Zillah of Nellore, I am directed to inform you, that the Judges have resolved, that the Prisoner in question be banished to the Zillah of Chingleput, and accordingly to request that you will adopt means for transferring them, under the usual guard, to the charge

charge of the Criminal Judge of Chingleput for the purpose of their being imprisoned in the Jail at that Station.-

7th February.- /Signed/ H. D. Phillips
A.g Sr. Dep.y Regr.

No. Copy sent to the Criminal Judge of Chingleput.

No. To The Acting Joint Criminal Judge at Tellicherry

Sir,

In conformity with instructions from the Government communicated to this Court under date the 2nd instant, I am desired by the Judges of the Fouzdaree Adalut to request you will place yourself in communication with the Officer Commanding the detachment of the 36th Regiment N.I. now on duty at Tellicherry, with a view to place at his disposal such number of the Convicts in the Jail under your Superintendence as may be required for the purpose of preparing huts for the Sepoys under his orders, and can be spared from the ordinary labors on which they are at present employed.-

7th February, 1839.- /Signed/ H. D. Phillips
A.g Sr. Dep.y Regr.

To

No. 16.

To The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 11th August 1835 No. 602, I am directed by the Judges of the Fouzdaree Adalut to transmit to you for the special sanction of the Right Honorable the Governor in Council a Statement prepared for the 4th Quarter of 1838 exhibiting all payments made by the Joint Criminal Judge at Vizagapatam for bringing up the children of Convicts in cases in which there were no relations nor others willing to take charge of them amounting to Rupees 3- 11- 6/ three Annas eleven and Pice six.-

8th February, 1839.- /Signed/ C. P. Brown
A.g Regr.

Quarterly Statement of payments for bringing up the children of Convicts in cases where there were no relations nor others willing to take charge of them.-

Name and sentence of the Convicts.	Childs name and Sex.	Age	Date of first disbursement.	Charge per Mensem.	Total to this date.	Date of the order authorizing the disbursement.
				Gs. Fs.	Rs. As. Ps.	Rs. As. Ps.	
			4th Quarter 1838			
1 Total. Transported for life. 3. His wife Sentenced to 7 years imprisonment	Cajanacherry	Female	10- 3	21st May 1835	" — 9 — 11	1 — 13 — 9	14th January 1838.-
	Sungee	D.o	6- 3 —	D.o — —	" — 9 — 11	1 — 13 — 9	
				Total Rupees three Annas eleven Pice six		3 — 11 — 6	

/Signed/ C. P. Brown
A.g Regr.

To

No. 17.

No. To The Chief Secretary to Government

Sir,

In obedience to the instructions contained in the Extract from the Minutes of Consultation under date the 29th Ultimo No. 6 I am directed to transmit herewith copy of all the Circular Orders of the Tuydaree Adalut up to the present time, which have not been printed.

8th February 1839. Signed C. P. Brown
Acting Register

No. 18.

No. To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Tuydaree Adalut to request that the sanction of the Right Honorable the Governor in Council under the provisions of Section III Regulation I of 1835 for the trial before the Criminal Court of Canara of a Convict named Cornambut Cantha Amedy charged with having on the night of the 19th Ultimo in company with two other convicts broken out

out of the Jail at Bottoor by overpowering the Guard, as solicited in the enclosed letter from the Magistrate of Canara to this Court dated the 28th Ultimo.

9th February 1839. Signed C. P. Brown
Acting Register

No. To The Officiating Joint Criminal Judge at Tinnevelly

Sir,

1. I am desired by the Judges of the Tuydaree Adalut to acknowledge the receipt of your letter dated the 26th Ultimo, submitting a plan and estimate of the alterations and additions proposed to be made on the building now occupied by the Convicts in the Fort at Palamcottah, for the purpose of rendering it a permanent Jail.

2. In reply, the Judges direct me to observe, that they consider the situations selected for the buildings marked C, D, E and F to be liable to serious objection, in consequence of the great facility for escape which will be afforded to the Prisoners confined therein by their being constructed against the boundary wall of the Jail Yard. They also entertain similar

similar objections to the position of the solitary cells

3. They further instruct me to state, that they cannot recognize the necessity for a sentry box being placed within the stone chaultry between the wards A and B.

4. The plan and estimate are accordingly returned herewith in order that the necessary alterations may be effected with reference to the above observation if practicable without any considerable increase of expense.

/Signed/ C. P. Brown
Acting Regr.

9th February 1839.

No. 19

To

The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Toujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter received from the Acting Joint Criminal Judge of Tinnevelly submitting an explanation for certain tools required for the use of the Convicts under

under his charge.

2. Under the circumstances represented by the Acting Joint Criminal Judge of the difficulty experienced in procuring in Tinnevelly district iron of a good quality. The Judges of the Court of Toujdaree Adalut would beg to recommend that that officer be authorized to indent on the Arsenal at Palamcottah for the tools required by him so far as they can conveniently be supplied and that he be at the same time furnished with a list specifying the cost to Government of each tool in order that he may be enabled to ascertain by experiment the most economical mode of providing the Convicts in future with the working tools in common use.

/Signed/ C. P. Brown
Acting Regr.

11th February 1839.

To S. Horsley Esqre. Criminal Judge of Chingleput

Sir,

I am directed by the Judges of

of the Toungdaree Udalut to call your attention to paras 34 and 35 of the Honorable Court's dispatch of the 5th January 1838 communicated to you under date the 6th November last and to desire you will submit the necessary information without further delay.—

/Signed/ H. P. Brown
Acting Register

11th February 1839.—

No.
C. O. No. 101.

To
The 4 Provincial Courts of Circuit.

Gentlemen,

I am directed by the Court of Toungdaree Udalut to transmit to you the accompanying copy of a proclamation in the English language and to desire you will cause the same to be read and published in the vernacular language of the District at all the public cutcherries of the Magistrates within your jurisdiction, as well as at the several police Thanahs.—

You

You are further desired to direct the several Magistrates within your jurisdiction to take every proper occasion, especially when the case of a child being murdered to obtain its jewels, or ornaments, may come officially before them, to impress upon the minds of the inhabitants of the District, the danger to which children are exposed by the practice of allowing them to go abroad with jewels and ornaments, unless attended by persons able to protect them and the consequent imprudence and impropriety of their perseverance in a practice so often attended with effects as lamentable to themselves, as fatal to the lives of their children.—

The Court desire, that you will cause the proclamation in the Country languages to be read and published at your own Court and at the several Courts subordinate to your jurisdiction, and that you will consider the instructions to the Magistrates contained in para 2 equally applicable to the Judges of your own and of the subordinate Courts, whenever a proper occasion may occur, or a Criminal trial or otherwise for promoting

the

the Syed intended.

12th February 1839. /Signed/ C. D. Brown
A. Regr.

Proclamation

It having come to the knowledge of Government, through various channels of information, that frequent instances still occur in many parts of the territory subject to this presidency of the murder of children, for the purpose of obtaining the gold and silver ornaments on their persons; and the Government being desirous of preventing, as far as possible this atrocious and lamentable crime; without having recourse to measures of a prohibitory or penal nature, which might interfere with established usages, and occasion personal inconvenience. It is hereby notified by the Court of Tonjdaree Adalut with the sanction of Government to all parents, Guardians, and others having the charge of young children, whether of the Hindoo or Mooselman religion, that experience has shewn the great danger of robbery and murder to which children are exposed by

being

being allowed to go abroad from the houses of their parents, or other persons having charge of them, with gold or silver ornaments, especially when not attended by trust worthy persons capable of protecting them; and that it is therefore the obvious duty of all parents and others entrusted with the charge of children, to guard against such danger and remove the cause of temptation, by not permitting any child under their charge to go from home with any gold or silver ornament on its person except in company with themselves, or with other persons on whom they can depend so as to guard against the possibility of any calamitous consequence which they must be well aware has too often ensued from a neglect of such precaution.

It is hoped, that the respectable inhabitants of the Country, as well from feelings of natural affection, as from a sense of moral duty, will be induced to shew a strict and ready attention to the admonition contained in this notification. All parents and others

having

having charge of children, are accordingly hereby enjoined to maintain by their example and influence, a careful observance of the precaution recommended to them in this proclamation, which it is confidently expected will effectually check the prevalent crime adverted to, and thereby preclude the necessity of adopting any other remedy.-

/Signed/ C: D: Brown
A.d Regr.

12th February 1839

No. Copy Sent to the Secretary to the Indian Law Commission

No. 21.

No. 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 21st June 1834 I am directed by the Court of Toyjaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying

accompanying copies in Triplicate of a Circular Order of this date.-

/Signed/ C: D: Brown
A.d Regr.

12th February 1839.-

No. 22.

No.
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 29th January 1839 I am directed by the Court of Toyjaree Udalut to submit for transmission to the Supreme Government the accompanying Copy of a Circular order of this date.-

12th February 1839.-

/Signed/ C: D: Brown
A.d Regr.

No. 23.

No.
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 Toyjaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copies in Triplicate of a

a Circular Order of this date.-

14th February 1839- /Signed/ C: D: Brown-
Acting Regr.

No. 24

No. 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 29th January 1839, I am directed by the Court of Tonjdaree Adalut to submit for transmission to the Supreme Government, the accompanying copy of a Circular Order of this date.-

No. 14th February 1839.- /Signed/ C: D: Brown
Acg Regr.

No. 25.

No. To The Chief Secretary to Government

Sir

1. The Judges of the Court of Tonjdaree Adalut direct me to request you will lay before the Government the accompanying copy of a communication dated the 21st Ultimo, from Mr. Blane Magistrate of Cuddapah, in which that officer has brought to notice the great inconveniences and extreme hardship to

to which individuals are subjected whose attendance is required for the purpose of giving evidence in the trials of Thugs conducted at the distant station of an Assistant General Superintendent of the Thuggee Department, by whom the original investigations may have been made, instead of their being permitted to appear before an Officer of that Department located in the near vicinity of their own villages and through whom the necessary enquiry as far as the Magistrate is informed might have been held, without any objection, to such a proceeding being taken.-

2. The particular case which has given rise to the Magistrate's representation originated, it will be observed in the circumstance of a Thug approver on the Establishment of Assistant Superintendent Captain Elwall at Bangalore having pointed out a place in the Cumool Country where a party of 5 or 6 treasure carriers had been murdered and buried about six years previously and whose remains were discovered as described by the approver.-

The

6. The Magistrate imagined the consequent investigation would be conducted by Captain Elwall at Bangalore, as the parties to whom the treasure belonged were at Cuddapah and the witnesses required in the case are all resident in that part of the Country. He has explained, however, that it has been transferred to Captain Vallancey of the Thuggee Department whose station is 500 miles distant, at Vizagapatam and that he has now been called upon by the latter Officer to direct the attendance there of certain persons whose testimony is required by the Judge on Circuit in the Northern Division whereas if the case had been brought to trial in the Centre Division it might have been disposed of comparatively very doors.

4. The Judges of this Court concur most fully in the observations of the Magistrate of Cuddapah regarding the objectionable tendency of the arrangements and system of which Captain Vallancey's application appears to be a part, and in order to obviate the necessity for future compliance

Tonjdaree Diary 14th February 1839

compliance with the requisitions of that nature they would suggest that persons accused of murder by a Thuggee may, under ordinary circumstances, be brought to trial at the stations nearest to which the crime may have been perpetrated and the witnesses are to be found and that, if necessary, the interference of the Supreme Government be solicited to effect this arrangement.

5. They would further suggest with reference to the 7th para: of Mr. Blane's address, that the officers of the Thuggee department who may be charged with the preparation of cases for trial before the Court of Circuit, should be ordered to move to the station the most convenient by its proximity to the place where the party to be tried has been apprehended, or where the attendance of the prosecutors or witnesses can be most easily procured.

6. In conclusion the Judges beg to request the attention of the Government to the apparently imperfectly regulated system of operations which obtains in the Thuggee Department as exhibited

exhibited in para 5 of the letter from the Magistrate of Cuddapah now under remark with a view, if necessary to a representation being addressed to the Supreme Government on the subject, in order that means may be adopted to relieve individuals from the evils necessarily entailed on them; where as appears from Mr Blane's statement no fixed rule is either laid down or followed.—

/Signed/ C: P: Brown
A.d Regr

14th February 1839.—

No

To

The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Tonjdaree Adalut to transmit to you the accompanying copy of an order of Government dated the 13th December 1838 forwarding a certain communication relative to the apprehension of an escaped Convict, originally transported from this Presidency, and to direct that search be made to ascertain whether the records of your office or of the officers under you can furnish the required information.—

/Signed/ C: P: Brown A.d Regr

14th February 1839.—

To

No

To

The Joint Criminal Judge of Guntoor

Sir,

I am directed to acknowledge the receipt of Your letter of the 8th Instant, and to inform You that the Judges of the Court of Tonjdaree Adalut desire that the convicts in question may not be transmitted to the Magistrate of Vizagapatam until you receive further orders from this Court.—

/Signed/ C: P: Brown
A.d Regr

14th February 1839.—

No

To

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

Gentlemen,

I am instructed to acknowledge the receipt of your communication dated the 4th Instant and its enclosures repeating your recommendation for the erection of a separate Jail Hospital with cells for the reception of Lunatics at Masulipatam, and requesting, as the construction of the building in question has been repeatedly urged, that the plan and estimate transmitted with your letter of the 22d October last may be laid before the Government with

March 39
Ellore

with the favorable recommendation of your Court.

2. Observing from the Acting Joint Criminal Judge's return to the Precept of the Provincial Court of the 30th November last, that the average number of sick and insane Prisoners admitted into the Hospital of his Jail monthly during the last 5 years is stated to be 11 sick and one and some time 2 insane Prisoners, the Judges of the Tonjdaree Adalut direct me to point out to you that so small an average as that specified by the Acting Joint Criminal Judge cannot be considered sufficient grounds for suggesting to the Government to incur so serious an outlay as that contemplated in the estimate prepared by the Civil Engineer which indeed would under ordinary circumstances and at most of the Zilla stations suffice for the construction of a Jail calculated to hold two hundred Prisoners ~~& & & &~~ The Judges observe however that no deductions have been made on account of work to be performed by Convicts.

Rs. 4615-6-7

3. As regards the Plan of the proposed Hospital the Judges further desire me to direct your attention to the obviously unnecessary extent of the

boundary wall produced by the useless great space between it and the main body of the building; to the reduction of the estimate feasible by building the three cells contiguous to each other with the cook room at one and the dead room at the other extremity of the line; to the absence of any necessity for so large a store room as that laid down and also to the unusual size of the hospital ward which it is difficult to suppose can be required for a few sick convicts as those who have been in hospital during the past five years.

4. The increase of Prisoners consequent on the scarcity now felt in the Northern Division as anticipated by the Acting Joint Criminal Judge would not justify the Judges of the Tonjdaree Adalut in recommending the proposed outlay for sanction on the grounds which that officer has noticed.

5. In conclusion I am desired to transmit to you the Plan and estimate which accompanied your letter of the 22d October last in order that they may be modified and reduced with Reference to the foregoing observations and without which I

Toujdaree Diary 15th and 16th February 1839.

I am directed to intimate to you, the Court of Toujdaree Udalut will feel themselves precluded from bringing your proposition to the notice of higher authority.-

15th February 1839.- /Signed/ H. D. Phillips
Asst Sr Dy Regr.

No. 27.

To
The Chief Secretary to Government.

Sir,

I am directed to transmit to you to be laid before the Right Honorable the Governor in Council, the accompanying statement of contingent charges, not exceeding twenty Rupees each, incurred in the 2nd Quarter of Fusly 1248 or from 1st October to 31st December 1838 in the District of Coimbatore, and to state that the Judges of the Toujdaree Udalut recommend that sanction be granted for the same, amounting to Rupees (31-12-4) Thirty one Annas twelve and pice four.-

16th February 1839.- /Signed/ C. P. Brown
Asst Regr.-

To

Toujdaree Diary 16th February 1839.-

To
The Criminal Judge of Chittoor

Sir,

In reply to your letter of the 9th instant reporting that there are at present in the Jail under your charge, 30 able bodied Convicts available for labor on the roads, I am desired by the Judges of the Toujdaree Udalut to intimate to you that they are not aware of any necessity for services of additional Gangs in the construction of roads in the vicinity of the Presidency or elsewhere, and under such circumstances to suggest to you the possibility of the 30 Prisoners in question being advantageously employed in assisting the convicts whom you were authorized to work in forming a road from the Inogelly pass through Chittoor; regarding which I am further instructed to request you will state for the information of the Judges what may have been done up to the present date.-

16th February 1839.- /Signed/ H. D. Phillips
Asst Sr Dy Regr.

To

No.

To

The Provincial Court of Circuit in the

Centre Division

Communicating for their information and

for communication to the Criminal Judge of Chingle-

put with reference to their letter dated 28th January 1839

copy of a letter addressed to Government dated the 6th

and the order of Government thereon dated the 12th

instant authorizing the Criminal Judge of Chingleput

to disburse 12 Rupees in the purchase of 6 rolls of brass

wire for the purpose of making brushes for the use

of the Looms in the Jail.—

19th February 1839.— (Signed) C. P. Brown

Act. Regr.

No. 29

No.

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the ex

Tonydaree Adalut to transmit herewith to be laid before the

Right Honorable the Governor in Council the annexed transcript

of a communication dated the 8th instant from the Joint

Criminal Judge at Guntoor pointing out the inconvenience

likely to result from the despatch, at the present time, of

the 50 Convicts who were ordered to be forwarded to the

Magistrate of Vizagapatam for employment on the high Northern

road through that District in the order of Government of the 29th

Ultimo, No. 76 and under the circumstances stated by the Joint Criminal

Judge to suggest that the transmission of the Gang in question

may be deferred until the subject of the proposed new

Court House at Guntoor has been finally disposed of.—

20th February 1839.— (Signed) C. P. Brown

Acting Register

No.

To

The Provincial Court of Circuit in the

Northern Division

Gentlemen,

With reference to the letter of the Acting

Register of your Court dated the 25th Ultimo, I am

directed by the Judges of the Court of Tonydaree

Adalut to inform you that the Right Honorable

the Governor in Council, on the 5th instant was pleased to sanction

the disbursement of a sum of Rupees 3-11-6 paid

for the support of the Children of Convicts in the

Zillah Jail at Vizagapatam during the last quarter

of the year 1838.—

22nd February 1839.— (Signed) H. D. Phillips

Actg. Jr. Dep. Regr.

No.

Memo:

10 Copies of the printed forms of Criminal Report

No. V forwarded to the Officiating Joint Criminal

Judge.

No.

Judge at Tinnevelly with reference to his letter dated the 10th February 1839.—

22d February 1839.— /Signed/ W. D. Phillips
A.t Sen.r D.y Reg.r

No.

To The Magistrate of Cuddapah

Sir,

I am desired by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your communication dated the 21st Ultimo and in Reply to transmit for your information the annexed copy of a letter which has been addressed to the Govern-ment by this Court, from which you will observe that suggestions have been offered calculated in the opinion of the Judges, to remove the evils and inconveniences to individuals which you have brought to notice.—

No.

22d February 1839.— /Signed/ W. D. Phillips
A.t Sen.r D.y Reg.r

No. 31.

No.

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 Tonjdaree 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.—

/Signed/ C. P. Brown
A.t Reg.r

25th February 1839.—

No. 32.

No.

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 29th January 1839 I am directed by the Court of Tonjdaree Adalut to submit for transmission to the Supreme Government the accompanying copy of a Circular Order of this date.—

/Signed/ C. P. Brown
A.t Reg.r

25th February 1839.—

No.

To The Acting Joint Criminal Judge at Tinnevelly

Communicating for his information and guidance with Reference to his letters dated the 28th November 1838 and 2d February 1839 copy of a letter addressed to Government dated the 11th and the order

f

of Government thereon dated the 19th. instant authorizing the Joint Criminal Judge of Tinnevelly to indent on the Arsenal at Palamcottah for the tools required by him for the use of the Convicts under his charge.—

23d. February, 1839.— /Signed/ C. P. Brown
A.g Regr.

No. 33.

To
The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tovjdaree Adalut to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 19th. Instant from the Magistrate of the Northern Division of Arcot soliciting sanction for the charges incurred in Batta to Prisoners in the Thug Department which have been retrenched by the Civil Auditor amounting to Rupees /48-9-4/ forty three Annas nine and Pice four for which they request the sanction of Government may be obtained.—

/Signed/ C. P. Brown
A.g Regr.

26th. February 1839.—

No. 34.

To
The Chief Secretary to Government

Sir,

I am directed by the Judges of the

the Tovjdaree Adalut to transmit to you, for the purpose of being laid before the Right Honorable the Governor in Council, the accompanying copy of a letter, dated the 4th. Instant, received through the Provincial Court of Circuit in the Northern Division from the Acting Joint Criminal Judge of Masulipatam, with their recommendation that the sanction of Government may be obtained for the entertaining of a Smith as proposed by the Acting Joint Criminal Judge on the establishment of the auxiliary Court at that station upon a salary of Eight Rupees per Mensem.—

26th. February 1839.— /Signed/ C. P. Brown
A.g Regr.

No.

To
The Acting Joint Criminal Judge
at Tellicherry

Sir,

I am desired to acknowledge the receipt of your communication dated the 14th instant transmitting with reference to Clause fourth, Section VIII Regulation XV of 1803, a list exhibiting the name &c. of a Prisoner sentenced to banishment by

by the Court of 1st Quarterly Sessions of 1839, and to a intimate to you that the Judges of the Toujdaree Adalut have resolved that the individual Kakoo-nata Coonhy Awoola, therein adverted to shall undergo the sentence passed on him in the Jail at Trichinopoly.-

2. They accordingly request you will adopt the usual means for transferring the Prisoner in question, under the necessary guard to the custody of the Officer in charge of the Jail at that station.-

26th February 1839.- /Signed/ H. D. Phillips
A. S. D. Regr.

No. Copy sent to the Joint Criminal Judge of the Auxiliary Court at Trichinopoly-

26th February 1839.- /Signed/ H. D. Phillips
A. S. D. Regr.

No. To
The Acting Joint Criminal Judge at
Tellicherry

Sir,

In reply to your communication of the 14th instant submitting an Estimate, herewith returned, for the Repair of the two Rooms referred to in Your address of the 25th Ultimo, I am desired to intimate to

to you, that before acceding to your request that sanction may be given for putting the work in hand with as little delay as possible the Judges of the Toujdaree Adalut would wish you to ascertain by personal inspection and satisfy yourself that the part of the building is not weather proof which has been represented to you, as incapable of keeping out the rain.-

/Signed/ H. D. Phillips
A. S. Sen. Dep. Regr.

26th February, 1839-

No. 35

To
The Chief Secretary to Government

Sir,

In reply to the order contained in an extract from the Minutes of Consultation dated the 29th Ultimo directing the preparation and submission of a statement to be forwarded to the Honorable the Court of Directors, exhibiting the total number of persons apprehended during the late insurrection in Canara, the number released by the Magistrate on his own authority, or under the authority of Government with a simple admonition or without trial, the number brought

brought to trial and convicted as well as the sentences passed by the Court of Tanjadore Adalut on each person, and the sentences as finally approved and confirmed by Government I am instructed by the Judges of the Tanjadore Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the enclosed statements which the Judges trust will afford the required information.—

27th. February 1839.— (Signed) H. D. Phillips
Actg. Sent. D. Regr.

No. 36

No. To
The Chief Secretary to Government

Sir,

With reference to the Extract from the Minutes of Consultation under date the 19th. Instant I am directed to state for the information of the Right Honorable the Governor in Council that the Judges of the Tanjadore Adalut are of opinion that it is desirable altho' not absolutely necessary that the power of commitment vested in the Principal Sudr Ameens at Bonne Sircy and Cumbum, and all similar proceedings, should be

be notified in the Official Gazette for general information.

27th February 1839.— (Signed) C. P. Brown
Actg. Regr.

No. To
The Acting Joint Criminal Judge at
Cuddalore.

Sir,

As you are required to specify only the No. of Convicts under your charge in the printed form which accompanied this Courts letter of the 25th. July last I am directed by the Judges of the Tanjadore Adalut to return you the statement which was forwarded from your Office under date the 16th. February in order that the No. of prisoners under requisition of security which has been therein inserted may be omitted.—

27th February 1839 (Signed) T. Clarke
Head Asst. to the Regr.

No. To
The Acting 1st. Judge of the Court of Circuit
in the Centre Division

Sir,

1. In reply to your communication of the 20th. instant, suggesting that in order to shorten the time between the committal and trial of persons at the Quarter Sessions cases should be sent up without

without waiting for the preparation of the abstract of the evidence in the English and Persian Ca=lendars, or for the Persian Record of the trial, I am desired by the Judges of the Foujdaree Adalut to intimate to you that in the opinion of the Court, it would not be proper to alter the existing rule in respect of the preparation of the English and Persian Calendars the the transmission of the Persian record for the Law Officer's use, during the progress of the trials may certainly be dispensed with & whenever the Law Officer does not require it.

2. The Judges direct me however, to state that they are at a loss to understand why the framing abstracts of the evidence in the English and Persian languages should be productive of delay in bringing cases to trial, and they request when such may have occurred unnecessarily, that the Criminal Judge may be ordered to adopt measures to prevent and check it.

27th February 1839.

(Signed) W. D. Phillips
A. Sen. Dept. Regr.

To

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

Gentlemen,

In reply to your letter of the 10th Ultimo soliciting authority to direct a disbursement of Rupees 50—— to be made by the Acting Joint Criminal Judge at Coimbatore, as a reward for the meritorious conduct displayed by a Tallian named Timmon in effecting the re-apprehension of an escaped convict, Ramjen, I am desired by the Judges of the Foujdaree Adalut to intimate to you, that under date the 12th instant, the Government were pleased to sanction the disbursement in question as a reward to the individual adverted to.

2. The Right Honorable the Governor in Council, I am further instructed to state, was of opinion that the reward recommended was inadequate to the service performed by Tallian Timmon, and he has therefore been pleased to direct that, in addition to the sum of Rupees 50, the Acting Joint Criminal Judge shall present to him a bangle of similar value, in the name

of

of Government and express to him its approbation of his praiseworthy conduct on the occasion, in the most public manner, in open Court, and to this effect the Judges request you will forward instructions to the Officer now in charge of the Auxiliary Court at Coimbatore.—

3. The Judges have also resolved, that the Convict Rungon shall be transferred from the Jail at Coimbatore to that at Chingleput. The Acting Joint Criminal Judge should accordingly be ordered to place himself in communication with the Criminal Judge at the latter station to whom the Prisoner in question should be transmitted under the usual guard, & without delay; but adverting to his desperate character the Judges consider it essentially requisite that more than ordinary precautions should be taken for his safe custody on the road to Chingleput.—

/Signed/ H. D. Phillips
A. S. D. Regr.

27th Febmary 1839.—

No. To
The Criminal Judge of Chingleput

Sir,

1. I am desired by the Judges of the Tuydaree Udalut to inform you that instructions have

have been this day issued to the Provincial Court of Circuit in the Southern Division to direct the transfer to the Jail under your superintendence, of a convict named Rungon at present in confinement in the Jail of the Auxiliary Court at Coimbatore, and in order that you may be made acquainted with the desperate character of the Prisoner in question, I am further desired to annex for your information copy of a letter from the Acting Joint Criminal Judge at Coimbatore to the address of the Provincial Court of Circuit in the Southern Division dated the 7th Ultimo regarding his recent escape and subsequent reapprehension.—

2. On the arrival of the Convict Rungon at Chingleput, the Judges desire he may be put to work upon the treadmill attached to the Zillah Jail from which they request he may not be removed except at the regular period without special instructions to that effect from this Court or the Judge on Circuit, unless his health be thereby injured and a temporary discontinuance of that species of labor be deemed advisable and requisite by the Surgeon of the Zillah

/Signed/ H. D. Phillips
A. S. D. Regr.

27th February 1839.

To

No. 1

To

The Magistrate of Canara

Sir,

In reply to your communication of the 28th. Ultimo, I am directed by the Judges of the Toujdaree Adalut to intimate to you, that on the 19th. instant, the Government were pleased under the provisions of Section III Regulation I of 1833. to authorize you to bring the Convict Parsumbatha Conha Amadi to trial before the Criminal Court at Canara, on the charge of having broken out of the Jail at Pootoor by overpowering the Guard.—

/Signed/ W. D. Phillips
A. S. D. Regr.

28th. February 1839.—

No. 2

To

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

Gentlemen,

In reply to your communication of the 16th. instant submitting copy of a letter from the Criminal Judge of Salem soliciting permission to remove Convict named Cauder Meeran from his Jail, to that of the Auxiliary Court at Coimbatore, I am desired to intimate to you, that under the circumstances stated in the certificate from Mr. Assistant Surgeon Graham, the Judges of the Toujdaree Adalut are pleased to authorize the transfer recommended and accordingly request the Criminal Judge may be intimated to adopt the necessary precautions to ensure Cauder Meeran's safe transmission to Coimbatore.—

/Signed/ W. D. Phillips
A. S. D. Regr.

28th. February 1839.—

No. 57.

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Toujdaree Adalut to transmit to you for the purpose of being laid before the Right Honorable the Governor in Council the accompanying copy of a letter dated the 22d. December 1838 from the Joint Criminal Judge at Vizagapatam and to request that that Officer may be authorized to disburse 1 Dub per diem or on an average of

of ten Annas per Mensem for the maintenance of a female child of the prisoner in case No. 3. of the Vizagapatam Calendar for the 2d Sessions of 1838.—

/Signed/ C. D. Brown
Actg Regr

28th February 1839.—

No. 38.

No. To The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 19th instant, No. 142, authorizing under the provisions of Section III Regulation III of 1827 the Joint Magistrate of Vizagapatam to bring certain prisoners charged with Murder and Thuggee to trial before the Court of Circuit at the ensuing Sessions at Vizagapatam, I am directed by the Judges of the Fouzdaree Udalut to submit for the information of the Right Honorable the Governor in Council that as several of the Individuals specified in the letter from the Joint Magistrate of Vizagapatam of the 9th Ultimo, are reported to have been

concerned

concerned in a murder committed in the territory of the Rajam, it is necessary that the authority for bringing those persons to trial at Vizagapatam, should be granted under the provisions of Regulation II of 1829 which enactment the Judges regret to observe was, through inadvertence, not specified in their communication to Government of the 22d Ultimo; and accordingly to request that it may be now issued in conformity with Section IV of that law provided the prisoners come within the definition of Regulation XII of 1832.—

/Signed/ C. D. Brown
Acting Regr

28th February 1839.—

No. To Captain Vallancey Joint Magistrate of Vizagapatam

Sir,

In reply to Your communication of the 9th Ultimo requesting sanction for bringing to trial at the ensuing Sessions at Vizagapatam, certain persons charged with Murder and Thuggee in the Cuddapah and Ganjam

Districts

Districts, I am directed by the Judges of the Toujdaree Adalut to inform you, that on the 19th instant, the Government were pleased to authorize the adoption of that mode of proceeding against the individuals here under specified as having been concerned in a Murder at Gurremul in the Cuddapa District; viz: Tuckera, Cajeim Hoojain Shaw Eman Salib Chabria; and also against those concerned in a murder at Luckmeepoor, Ganjam District, viz: Shaik Hoojain alias Hoojanee, Hoojain Khan, Muedoom Bureck row Hoojain Khan, Hoojain Khan, and Bonka Hoojain.

2. It has been found necessary to make a separate application to Government for the trial of the persons charged with having been concerned in a Murder in the Nizam's Dominions.

3. It is concluded that the prisoners to be tried come within the definition of Regulation XII 1832, but you will have to prove this to give the Courts jurisdiction in the

the case.

/Signed/ H. D. Phillips
A. 1st J. Regr.

28th February 1839.

No. 39

To The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 31st December last No. 1194, requiring this Court to issue the necessary orders for passing the Convicts employed under the Officer commanding Samulcottah to the original complement of 100 Prisoners, I am directed by the Judges of the Toujdaree Adalut to report for the information of the Right Honorable the Governor in Council, that on the 4th instant the Criminal Judge of Rajahmundry was instructed to forward to Samulcottah such number of Convicts as would suffice for carrying into effect the orders in question.

2. In reply the Criminal Judge has addressed this Court reporting his having conformed as far as possible to the orders transmitted to him, but pointing out that in answer to the information called for in the letter from the Toujdaree Adalut of the 28th December 1836, the officer commanding Samulcottah had stated that he was of opinion "all that required to be done" there "would be completed by December 1838; and as under the further circumstances stated in the Criminal Judge's address and its enclosures it appears to the Judges to be doubtful whether the Government would still wish the full complement of 100 Convicts to be kept up at Samulcottah they beg to forward copies thereof and request they may be favored with instructions on the subject.

/Signed/ C. P. Brown
A. Regr.

To.

28th February 1839

No. 40

No. To

The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 11th August 1835 No. 602 I am directed by the Judges of the Tonjdaree Adalut to transmit to you for the Special sanction of the Right Honorable the Governor in Council the accompanying copy of a letter dated the 4th Instant from the Joint Criminal Judge at Guntoor forwarding a statement prepared for the 4th Quarter 1838 exhibiting all payments made by him for bringing up the children of Convicts in cases in which there were no relations nor others willing to take charge of them amounting to Rupees (16—5—10) Sixteen Annas five and Pice ten.—

28th February 1839.

(Signed) C. P. Brown
Acting Regr.
Quarterly

Return of payments by the Children of Convicts in cases in which there were no relations nor others willing to take charge of them.

Name and Surname of Children	Age	Sex	Date of Conviction	Charge & Sentence	Date of payment	Amount of payment	Cause of delay in making payment	Date to which allowance was paid
Kandagadu	14 Years	Male	8th Jan. 1836	Theft Cattle	20th January 1836	R. a. p. 2 - 5 - 4½		
				Ditto		2 - 5 - 4½		
				Ditto		2 - 5 - 4½		
				Ditto		2 - 5 - 4½		
Chegadu						2 - 5 - 4½		
Nagaya	4 Years	Male	8th Jan. 1836	Theft Cattle	20th January 1836	2 - 5 - 5		
				Ditto		2 - 5 - 5		
				Ditto		2 - 5 - 5		
				Ditto		2 - 5 - 5		
Nagaya	2 Years	Male	8th Jan. 1836	Theft Cattle	20th January 1836	2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
Chechaya	4 Years	Male	8th Jan. 1836	Theft Cattle	20th January 1836	2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
Chechaya	4 Years	Male	8th Jan. 1836	Theft Cattle	20th January 1836	2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
				Ditto		2 - 5 - 4¾		
Kandagadu	14

Tonjdaree Diary 3d December 1839

No. 227

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of the Extract from the Minutes of Consultation in the Revenue Department under date the 18th October 1839 No. 1516 and to state that the Criminal Judge of Canara has reported that of the sixty two Convicts who were with-drawn from the Mercara Road on account of the setting in of the Monsoon fifty six were made over to the charge of the Acting Magistrate of Canara of the 21st Ultimo: one having in the mean time died and five been released.—

Signed J. W. Davidson
Acting Regr.

3d December 1839.—

To

The Provincial Court of Circuit
in the
Southern Division

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to return the statements hereinundermentioned

Foujdaree Diary 1st March 1839

To

The Criminal Judge of Chittoor

Sir,

1. Adverting to your communication of the 15th December last and its enclosures, on the subject of the confinement in the Jail under your Superintendence of two Prisoners named Mahomed Murad and Sahib Ameer, received from the Magistrate of the Northern Division of Arcot to intimate to you, that under date the 8th January last, the Government were pleased to issue instructions for the removal of the former of those individuals to Ponamalee, to be there placed in restraint under the orders of the Magistrate of Chingleput, and accordingly to request, you will immediately adopt measures for transferring Mahomed Murad to the charge of that Officer.—

2. The Judges further request every necessary precaution may be taken for ensuring the safe transmission of the Prisoner to Ponamalee and—

and desire to be informed of the date of his departure from Chittoor which you will be pleased to report.

1st March 1839. /Signed/ H. D. Phillips
A. S. D. Regr.

No. Copy sent to the Magistrate of Chingleput

1st March 1839 /Signed/ H. D. Phillips
A. S. D. Regr.

No. 41

No. To The Chief Secretary to Government

Sir

I am directed by the Judges of the Tonjdaree Adalut to transmit to you to be laid before the Government the annexed transcript of a communication dated the 22d Ultimo from the Joint Criminal Judge at Guntoor, soliciting authority to return into the Arsenal at Masulipatam in exchange for new ones, sixteen (16) unserviceable muskets now in use in the Jail under his charge; also further to be permitted to indent for blank and ball cartridge, as occasion may require, either on the Arsenal at Masulipatam,

on

or the Officer Commanding Guntoor or on the Magistrate of that District; and under the circumstances stated in the address from the Joint Criminal Judge to recommend that the arrangement he has suggested should receive the sanction of Government.

2d March 1839. /Signed/ C. P. Brown
A. Regr.

No. To The Criminal Judge of Bellary

Sir,

With reference to your letter dated the 21st January last I am directed by the Judges of the Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased under date the 19th Ultimo to authorize you under the provisions of Section III Regulation III of 1827 to bring to trial at the ensuing Sessions to be held at Bellary Abkar Khan and Raghoo Puttospah charged with Forgery.

2d March, 1839. /Signed/ C. P. Brown
A. Regr.

To

No. To No. 42

The Chief Secretary to Government

Sir,

Adverting to Article 79 of the proposed new Articles of War, draft of which was published in the Official Gazette of the 7th December last, I am desired to request you will bring to the notice of Government the inapplicability of the term "Zigamut" to the Court of Tonjdaree Adalut at this Presidency and accordingly to suggest for the consideration of the Right Honorable the Governor in Council the propriety of recommending to the Supreme Government the insertion of the words "and Tonjdaree" after "Zigamut;" without which it appears to the Judges that it will be incompetent to them to give effect to the sentences of transportation referred to in the Article now under observation.—

4th March, 1839.— Signed/ C. P. Brown

Sr. Regr.

No. To The Joint Criminal Judge at Vizagapatam

Sir,

The Judges of the Tonjdaree Adalut

direct

direct me to acknowledge the receipt of your communication, dated the 19th Ultimo, soliciting the authority of Government may be obtained, for your bringing to trial at the ensuing Sessions at Vizagapatam all Thugs and Thug approvers who have been, or may be sent up to you, by the Assistant General Superintendent for the Suppression of Thuggee at that station.

2. In reply I am desired to intimate to you, that in its present shape, the Judges are unable to bring your address to the notice of the Government and accordingly they Request you will lay before them a special application regarding each case proposed to be brought to trial before the Judge presiding at the ensuing Sessions, specifying therein the names of the Prisoners, their number, the District in which the crime charged was committed and all other particulars of importance. If the crime was committed out of the Madras territories, you must shew to what class of persons specified in Regulation XII 1832, the prisoners respectively belong.—

The

3 The Judges have not failed to observe the note appended to your letter, which however does not lead them to believe, that you have returned to the Assistant General Superintendent for the Suppression of Thuggee those cases of Murder by Thuggee which were adverted to in the proceedings of this Court dated the 11th Ultimo and to which the instructions now communicated to you are consequently applicable.—

4th March 1839.— /Signed/ H. D. Phillips
Actg Sr D. Regr

No. 44.

No. To The Chief Secretary to Government

Sir,

In reply to the Order of Government dated the 26th Ultimo No. 184, desiring the Court of Foujdaree Adalut to issue instructions for the removal to Masulipatam, of 200 Convicts from the Jails at Guntoor and Rajahmundry, if available at those stations, I am directed by the Judges to report for the information of the Right Honorable the Governor in Council that under the

the circumstances stated in the communications from the Officers in charge of the Courts at Rajahmundry and Guntoor, copies of which were laid before the Government on the 20th and 28th Ultimo, it does not appear that the orders of Government now under observation can at present be carried into effect in the manner indicated.—

6th March 1839.— /Signed/ C. D. Brown
Actg Regr

No. To The Acting Magistrate of Coimbatore

Sir

With reference to your letter dated the 7th Ultimo I am directed by the Judges of the Foujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased under date the 25th Ultimo to sanction the accompanying statement of contingent charges not exceeding 20 Rupees incurred in the District of Coimbatore during the 2d Quarter of Fusly 1248 Amounting to Rupees 31-12-4 (thirty one

one Annas twelve and Piee four.—

6th March, 1839.— /Signed/ C. P. Brown
A.g Regr.

No To

The Provincial Court of Circuit in the
Southern Division

Gentlemen,

I am desired by the Judges of the Tovjdaree Adalut to intimate to you that under date the 26th Ultimo, the Right Honorable the Governor in Council was pleased to permit Anzee Fuzlee Ally Khan, Mooftee of the Zillah Court of Salem to draw batta at the rate of Rupees (2) two per diem for the period during which he may have been on Circuit when officiating as Mooftee to the Court of Circuit for the Southern Division, and accordingly to request that the Amount of Batta due, under these circumstances to A. Fuzlee Ally Khan may be drawn by interest through your Court with a view to its being transmitted to that individual in the usual course.—

6th. March, 1839. /Signed/ H. D. Phillips
A.t Sr. Dy. Regr.

Copy.

No Copy sent to the Zillah Judge of Salem
for Communication to the Mooftey Sudr Ameen.—

6th March, 1839. /Signed/ H. D. Phillips
A.t Sr. Dy. Regr.

No To

The Acting Joint Criminal Judge at
Trichinopoly

Sir,

Adverting to an application from the Acting Criminal Judge of Madura, addressed to this Court, requesting the number of Prisoners under his charge may be increased, for the furtherance of certain works now in progress at that station, I am desired by the Judges of the Tovjdaree Adalut to request you will report whether any and if so, what number of the Prisoners confined in the Jail at Trichinopoly are now available for transmission to Madura.—

6th. March, 1839. /Signed/ H. D. Phillips
A.t Sr. Dy. Regr.

No Copy sent to the Acting Joint Criminal Judge
at Coimbatore

6th. March, 1839. /Signed/ H. D. Phillips

No To The Officiating Joint Criminal Judge at
Tinnevelly

Sir,

In reply to your letter of the 6th Ultimo, soliciting

soliciting sanction to restore the fixed Jail Guard to its former strength in consequence of the increase in the number of the prisoners at present confined in the Jail I am directed by the Judges of the Tovjdaree Adalut to intimate to you that from the explanation submitted by you they are unable to recognize the necessity of the augmentation recommended by you.

The Court have viewed with some surprise your remark regarding the insecurity of the Palamcottah Jail as a place of confinement since they had been led by the general tenor of the communications which had been submitted to them on the subject of the building in question, to infer that from its construction it afforded more than usual facilities of being guarded by a small number of Peons. should you however still be opinion that it will prove incompatible with the safety of the prisoners to entrust them to the charge of the fixed establishment of the Peons as it stood on the 1st November last. the Judges of the Tovjdaree Adalut will be prepared on a further communication from you to that effect to transfer a

a part of the prisoners at present in the Palamcottah Jail to the charge of the Criminal Judge of Madura who has recently applied to this Court for an increase to the number of Convicts at that station; and with reference to the Acting Criminal Judges communication the Judges accordingly request you will now state whether any, and if so what number Convicts are available for transmission to Madura.—

6th March 1839.— Signed J. T. Clarke
Asst to the Regr

To
The Criminal Judge of Rajahmundry

Sir

With reference to case No. 101 in your Report No V of persons delivered to the Criminal on December 1838, I am directed by the Judges of the Court of Tovjdaree Adalut to transmit to you copy and translation of a letter received from the Head of Police who forwarded the case to the Criminal Court: in which it is shewn that there was evidence which appears to have been sufficient to render it imperative on him to send up all the prisoners for Trial. I am therefore

therefore directed to call upon you to explain upon what grounds it is stated in the abstract of the evidence in the Report in question, that there was "no evidence whatever against the prisoners from Nos 3 to No 18 inclusive."

/Signed/ C. P. Brown
Acting Regr

8th March 1839.

No 45.

No 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 Tonjdaree Udalut 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.

/Signed/ C. P. Brown
Actg Regr

8th March 1839.

No 46.

No To The Chief Secretary to Government

Sir,

In obedience to the orders of Government contained

contained in the extract from the Minutes of Council under date the 29th January 1839 I am directed by the Court of Tonjdaree Udalut to submit for transmission to the Supreme Government the accompanying copy of a Circular order of this date.

/Signed/ C. P. Brown
Actg Regr

8th March 1839.

No To Captain Vallancey Joint Magistrate of Vizagapatam

Sir,

In further reply to your communication dated the 9th January last, I am desired by the Judges of the Tonjdaree Udalut to intimate to you, that on the 5th instant, the Right Honorable the Governor in Council was pleased under the provisions of Regulation II of 1829, to grant authority for bringing to trial at the ensuing Sessions at Vizagapatam the individuals noted in the Margin who are accused of Murder by Thuggee beyond the Madras territories provided they

Ulla Bux
Bhader Khan
Khutmunchee
Mohadeen Sahib
Emamee
Boojanee
Ebram.

they fall within the description of persons specified in Regulation XII of 1832 to which point I am directed to inform you, the necessary evidence should be adduced.—

9th March, 1839.

/Signed/ H. D. Phillips
Asst. Supdt. Revr.

No. 47.

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tanjdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter received thro the Provincial Court in the Centre Division from the Criminal Judge of Chingleput in which that officer has requested that authority may be obtained from him to repair the treadmill attached to the Jail under his charge.

Under the circumstances represented by the Criminal Judge the Court of Tanjdaree Udalut beg to recommend he be allowed discretionary power for carrying into

into effect the repairs required in the treadmill in question. His letter explains the cause why no estimate can be prepared of the probable expense at present.—

11th March 1839.—

/Signed/ C. P. Brown
Asst. Regr.

To The Joint Criminal Judge of Guntoor

Sir,

With reference to your letter dated the 8th Ultimo I am directed by the Judges of the Tanjdaree Udalut to inform you that the Right Honorable the Governor in Council under date the 25th Ultimo authorized you to defer the transmission of Convicts from Guntoor to Vizagapatam until the subject of the proposed new Court house at the former station shall be finally disposed of.

11th March 1839.—

/Signed/ C. P. Brown
Asst. Regr.

To

No.

To
The Acting Joint Criminal Judge
at Tellicherry

Sir,

In acknowledging the receipt of your communications dated the 31st January last and the 26th Ultimo, reporting the reapprehension and suicide of the Prisoner Nelliery Cheria Chundan, I am desired by the Judges of the Foujdaree Udalut to request you will obtain and submit for their information, a detailed explanation of the circumstances under which an opportunity was afforded to the convict in question of destroying himself.-

/Signed/ H. D. Phillips
Actg Jr. Dy. Regr.

11th March 1839.

No. 48.

No.

To
The Chief Secretary to Government

Sir,

With reference to the proceedings of this Court dated the 1st Instant transmitted to Government on the 2d Instant and to the extract from their proceedings of this date separately forwarded to Government, I am directed by Judges of the Foujdaree Udalut to submit an original letter dated the 9th Instant and its

its enclosure, addressed to this Court by the Circuit Judge of Chittoor which appears to have been forwarded by the Criminal Judge as an Appeal from proceedings of the Acting 1st Judge of Circuit, holding the present Quarterly Sessions at that station.-

2. The Judges are of opinion that any appeal to this Court was wholly unnecessary. The Acting 1st Judge of Circuit with the view of expediting the business of the Sessions after communicating with the Criminal Judge made a suggestion to this Court of which the enclosure No. 1 is a copy, and this Court not entirely approving of it forwarded to him the reply marked No. 2.-

3. This seems to have given offence to the Criminal Judge, in the manner shewn in his present communication; and in the same spirit of Cavil, as is apparent in his late proceedings, he has again commented upon the acts and motives of his Superior.-

4. The Judges of the Foujdaree Udalut earnestly beg that an effectual stop may

may be put to such unnecessary and discreditable proceedings.-

12th March 1839-

/Signed/ C. P. Brown
A.G. Regr.

No. To The Judges of the Provincial Court of Circuit
in the Western and Centre Divisions

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to intimate to you, that under date the 19th Ultimo, the Right Honorable the Governor in Council under the powers vested in him by Act No. XXIII of 1857, was pleased to invest the Principal Sudr Ameens at Honore, Sirsy and Cumbum with the powers of Commitment exercised by Criminal Judges under Section III Regulation VIII of 1829-

To C. D: Ameen Cumbum

2. The Judges accordingly request you will cause the necessary communication to be made to those Officers respectively and to the several Judicial and Magisterial authorities within Your

To C. D: to the Officers

Your Jurisdiction, whom it may concern.-

/Signed/ W. D. Phillips
A.G.G. Dy Regr.

12th March 1839.-

No. 50.

No. To The Chief Secretary to Government

Sir,

I am desired by the Judges of the Foujdaree Udalut to transmit to You to be laid before the Government the accompanying copies of the communications noted in the margin on the subject of two blind Convicts, named Ramasammy Rajah and Kolapandy Poosen, now in confinement in the Jail at Cuddalore.-

From the A.G.P.J. late on Circ. in the C.D. 29th Jany 1839-
To Pro: 6th Feby
From the A.G.P.J. late on Circ. in the C.D. 4th instant.-

2. As it appears from the correspondence in question, that the Prisoners adverted to have lost their sight since their condemnation to labor on the roads; and on reference to the Calendars on record in this Court, that they were neither leaders nor principals in the Commission of the Offences of which they have been convicted, the Judges of the Foujdaree Udalut would respectfully recommend

recommend them to the indulgent consideration of the Government and would suggest that a free pardon be granted to them, under the peculiar circumstances of their cases, with a view to their being delivered over to the relatives, who it will be observed, are reported to have expressed their willingness to receive charge of them respectively

Signed/ W. D. Phillips
A. S. Dep. Res.

15th March, 1839

No. 51

To
The Chief Secretary to Government

Sir,

I am directed by the Judges of the Court of Tovjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Indent in duplicate which was received thro' the Provincial Court of Circuit in the Southern Division from the Officer commanding Cotacamund for the supply of Iron required for the use of the Jail under his charge

and

and which the Judges recommend may receive the sanction of Government

Signed/ C. P. Brown
A. Res.

15th March 1839

No. 52

To
The Chief Secretary to Government

Sir,

With reference to this Court's communication of the 20th Ultimo recommending that the transmission to Vizagapatam of 50 Convicts from the Jail at Guntoor should be deferred, and to the order of Government thereon dated the 25th Ultimo, No. 176, I am desired by the Judges of the Tovjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council, the annexed copy of a further communication on the subject from the Joint Criminal Judge at that station, dated the 27th Ultimo from which it will be observed that owing to the extreme scarcity of water in the wells at Guntoor, it appears desirable that the number of Convicts there, should not be decreased, even if it

eventually

eventually be determined, not to build the proposed new Court House.—

/Signed/ C. P. Brown
Actg Regr

13th March, 1859.

No. To W. R. Taylor Esqre 2nd Judge of the Provincial Court of Circuit in the Southern Division

Sir,

In consequence of the appointment of Mr. Dickinson to act as third Judge of this Court, I am instructed to desire that you will finish the present Circuit of Jail delivery, proceeding to Coconada to open the Sessions at that Station on the 20th Instant, or as soon after as practicable.—

/Signed/ C. P. Brown
Acting Regr

14th March 1859.

No. To The Criminal Judge of Nellore

Sir,

I am directed by the Court of Tongdaree Adalut to desire that you will transmit with the least practicable delay an English translation of the record of the Criminal trial No. 77 of the Criminal file of Your Court for 1858 which was entered in Your Criminal

Criminal Report for September last.—

/Signed/ C. P. Brown
Actg Register

14th March 1859.—

No. 53

To The Chief Secretary to Government

Sir,

I am desired by the Judges of the Tongdaree Adalut to transmit to you to be laid before the Government the enclosed estimate of the Repairs of the two sick wards of the Jail at Tellicherry, and as it appears from several communications which have passed between this Court and the Officer at present in charge of the Auxiliary Court at that station, that the Repairs in question are actually necessary to render the Rooms adverted to secure and weather proof, the Judges beg to recommend that the sum proposed to be disbursed on that account Viz. Rupees 87-4-9 should receive the sanction of Government.—

/Signed/ C. P. Brown
Actg Regr

15th March 1859.—

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

Sir,

In reply to your letter of the 12th Ultimo I

I am directed by the Judges of the Court of Tonjdaree Adalut to intimate to you that they are not disposed to authorize you to delegate to the Acting Joint Criminal Judge of Guntoor the performance of a duty which in their opinion can only legally be performed by a Judge of Circuit and altho' the Court greatly regret the omission brought to their notice in the communication under Reply yet on a consideration of the peculiar circumstances therein urged by you they do not consider it now necessary to insist on the performance of the duty from which you have solicited to be relieved.—

15th March 1839.— /Signed/ T. Clarke
Asst to the Regr

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

Sir,

In returning you the statement of referible cases submitted by you under date the 8th March, I am directed by the Judges of the Tonjdaree Adalut to request you will separate the three cases which it is observed belong to the half year commencing from the 1st January 1839.—

The returns are made for each half year and not for each Circuit.—

15th March 1839.— /Signed/ T. Clarke
Asst to the Regr

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

Sir,

In reply to your communication of the 25th Ultimo submitting for this Court's opinion copy of proceedings held by yourself and by the Collective Court of Circuit respecting a case of wounding in the Petty Calendar laid before You by the Criminal Judge of Malabar at the 1st Sessions of 1839. I am desired by the Judges of the Tonjdaree Adalut to intimate to you, that on consideration of the several papers which accompanied your address, they entirely concur in the opinion recorded by the Collective Court of Circuit regarding the disposal of the case in question, as expressed in Para 4 of their proceedings of the 20th Ultimo which renders it unnecessary that the sentence passed therein by the Assistant Criminal Judge of Malabar should now be disturbed.—

15th March 1839.— /Signed/ H.D. Phillips
Actg Sen. Dep. Regr

To

No

To The Provincial Court of Circuit in the
Western Division

Gentlemen,

1. I am desired by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your communication dated the 25th Ultimo, on the subject of the transfer by the Principal Sudr Ameen at Honore, of three Prisoners from the Jail under his charge, to that at Sirsy.

2. The Judges desire me to observe, that they concur in the opinions you have expressed regarding the removal of the Convict Dewly Kellur, without the permission of this Court for such an arrangement having previously been obtained, and they request the Principal Sudr Ameen may be instructed to refrain in future occasions from acting on his own responsibility in such matters; as the transfer, however, has actually been effected, the Judges will not withhold their sanction to the measure adopted by Mr. Sharkey which they accordingly authorize.

15th March 1839.

Signed W. D. Phillips
A. Jr. to D. Regr.

To

No

To The Criminal Judge of Canara.

Sir,

In reply to your letter of the 6th Instant I am directed by the Judges of the Tonjdaree Udalut to communicate to you their authority for carrying into effect without delay that part of the additional sentence passed on the prisoner Punambuth Coonhabhmud under the provisions of Section III Regulation I of 1833, which awards corporal punishment.

Signed J. T. Clarke
Asst. to the Regr.

15th March 1839.

No

To The Magistrate of Tanjore

Sir,

1. I am directed by the Judges of the Court of Tonjdaree Udalut to acknowledge the receipt of the statement together with the accounts particulars of actual charges incurred in Fusly 1247 on account of the Convicts transferred from the Jail of Combaconum to your charge submitted by you under date the 11th Ultimo.

2. It is observed that of the rewards for

for apprehending Robbers a reward of Rupees 50 was paid for apprehending 4 thieves who committed robbery in the house of Rangiengar another of 280 Rupees to 15 individuals for apprehending the Sirdar of a gang and 9 others who committed robbery in the house of Adekalam Pillay another of Rupees 120 to 4 individuals for apprehending a Sirdar of a gang and another thief who committed robbery in the house of Sanamahs another of Rupees 230 to 16 persons for apprehending 14 thieves who committed robbery in the house of Thorasamy Moodeely another of Rupees 160 to a person for apprehending the Sirdar of a gang and three thieves who committed robbery in the house of Rungiengar another of Rupees 40 to Shaik Hussen and a Police Duffadar for having apprehended Nanayyanyady and Alagapawoodian while another of Rupees 120 was paid to a Duffadar and a Peon for having apprehended a Sirdar of a gang and a thief namely Maradamootoo and Paulyen

3. As Magistrates are only authorized to grant rewards exceeding the sum of 10 Rupees for an accomplice when an offer shall have been previously proclaimed for the discovery and apprehension of the offender I am directed by the Court of Tanjadarce Udalut to desire you will explain whether the course prescribed by Section XXI Regulation IX of 1816 was observed on the occasion of the rewards which have been paid for the apprehension of the parties above specified.

4. And with respect to the charges incurred on account of the rewards paid for 2 individuals for having apprehended a thief who escaped from the Jail at Coimbatore 20 Rupees to a person for apprehending a thief who broke Jail in the Zillah of Chingleput Rupees 15 and to 36 persons for apprehending the the Sirdar of a gang who committed robbery in the house of Mootoosamy Davan Rupees 290 it is necessary that you should specify the dates and authority under which in each case they were paid.

5. You will likewise be pleased to explain for

for the information of the Court of Tonjdaree Udalut what is the weight in Rupees of 1¼ Seers of Rice allowed to each convict as the cost of maintaining the Convicts under your charge as exhibited in statement No. 2 appears to the Court of Tonjdaree Udalut high when compared with the charges incurred on the same account in other Jails containing a similar number of Convicts.—

/Signed/ T. Clarke
Actg Asst to the Regt.

15th March 1839.—

No. 55.

To The Chief Secretary to Government

Sir,

1. I am desired by the Judges of the Tonjdaree Udalut to transmit to you to be laid before the Government, the enclosed copy of a communication dated the 8th instant, from the Acting Joint Criminal Judge at Cochin in which that officer has reported his having, in his capacity of Justice of the Peace sentenced six Europeans to 30 days imprisonment, with hard labor for refusal on their part to join their ship.—

2. Although the acts of a Justice of the Peace do not fall within the recognizance of the Court of Tonjdaree Udalut, the Judges are desirous that the limits of the law shall not be exceeded by the Judicial authorities subordinate to them, and entertaining great doubt as to the legality of the act brought to their notice, they respectfully recommend that a reference be made to the Advocate General with a view to ascertaining the extent of the powers with which Justices of the Peace are vested in cases of the nature of that reported by the Acting Joint Criminal Judge.—

/Signed/ C. P. Brown
Actg Regt.

18th March 1839.—

To

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

Gentlemen,

The Judges of the Toydaree Udalut direct me to transmit to you, for the purpose of its being delivered to the Acting 1st Judge of your Court, presiding at the present quarterly Sessions at Chittoor, the enclosed packet of original papers which accompanied the extract from the proceedings of your Court, dated the 9th instant.

18th March, 1839. Signed A. D. Phillips
A.s Jr. Dr. Regr.

No. To The Criminal Judge of Chittoor

Sir,

1. I am directed by the Judges of the Toydaree Udalut, under instruction received from Government, and with reference to your letter of the 9th Ultimo to desire that you will transfer from the Jail under your charge to that under Captain Hall the Superintendent of Government Roads at the Presidency such number of able bodied convicts not exceeding 50, the unexpired period of whose sentences may exceed 4 Months, as you may be able to supply.

2. In the transfer of these convicts you

you will be pleased to observe all the rules laid down in the order of the 9th of June 1837 printed at page 432 of the Official Gazette of that year, but Rule III in particular, and you will be careful not to transfer desperate characters, or prisoners specially banished to Cuddalore.

3. The convicts to be transferred under these orders will be accompanied by the prescribed complement of Peons, and you will call upon the Magistrate of the District to furnish you with such number of extra Guards as may appear necessary for the safe custody of the convicts on the march.

4. You will be careful to provide the convicts transferred to Captain Hall with proper fetters.

19th March, 1839. Signed C. P. Brown
A.s Register

No. To The Joint Criminal Judge of Chingleput
Cuddalore

Sir,

1. I am directed by the Judges of the Toydaree Udalut, under instructions received from Government, to desire that you will transfer from the Jail under your charge to that under Captain Hall the Superintendent of Government Roads at the Presidency such

such further number of able bodied convicts not exceeding 50, the unexpired period of whose sentences, may exceed 4 Months, as you may be able to supply.

2. In the transfer of these convicts you will be pleased to observe all the rules laid down in the order of the 9th. of June 1837 printed at page 432 of the Official Gazette of that year, but Rule III in particular; and you will be careful not to transfer desperate characters or prisoners specially banished to Cuddalore.

3. The convicts to be transferred under these orders will be accompanied by the prescribed complement of Peons; and you will call upon the Magistrate of the District to furnish you with such number of extra Guards as may appear necessary for the safe custody of the Convicts on the march.

4. You will be careful to provide the Convicts transferred to Captain Ball with proper fetters.

19th. March 1839. — /Signed/ C. P. Brown
A. Register

No. 56

No. To
The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 9th. instant No. 204, I am directed by the

Judges of the Foujdaree Adalut to forward to you, to be laid before the Right Honorable the Governor in Council the annexed transcript of a communication on the subject of requiring all persons to give notice to the Police when Jewels are brought to them to be melted; which if approved by the Government the Judges propose to issue in the form of a circular letter to the four Provincial Courts of Circuit for the information and guidance of the Magistrates under this Presidency.

20th March 1839. — /Signed/ C. P. Brown
Acting Register

No. To
The Magistrate of the Northern Division
of Arcot

Sir,

With reference to your letter dated the 19th. Ultimo I am directed by the Judges of the Foujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased under date the 12th. Instant, to sanction the accompanying Account particular of Batta paid to Prisoners in the Thug Department amounting to Rupees /43-9-4/ forty three Annas nine and Pice four.

29th. March 1839. — /Signed/ C. P. Brown
Act. Regr.

To

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

Gentlemen,

1. In reply to your communication of the 4th Instant recommending the transfer of the convict named Callicut Koyasen from the Jail at Aska-carnam to that of the Auxiliary Court at Coimbatore I am desired by the Judges of the Tonjdaree Adalut to intimate to you that under the circumstances represented in Colonel King's letter of the 27th Ultimo they are pleased to authorize the transfer recommended and to request that the necessary precautions may be adopted for the safe transmission of the convict in question to Coimbatore.—

2. With reference to the suggestion contained in the concluding paragraph of your letter under reply I am desired to acquaint you that the Judges have been pleased to authorize you in all similar cases to transfer Convicts from one Jail to another without a previous reference to the Tonjdaree Adalut but they desire that in all cases in which it may appear advisable to the Court of Circuit to avail themselves of the power now conferred they

they will report the circumstance for their information.

Signed J. T. Clarke
Asst to the Regr

20th March 1839.

No. To The Joint Criminal Judge at Vizagapatam

Sir,

With reference to your letter dated the 22d December 1838 I am directed by the Judges of the Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased under date the 12th Instant to authorize you to disburse ten Annas per mensem in the maintenance of the female child of the prisoner in case No. 3 Vizagapatam Calendar for the 2d Sessions 1838.—

Signed C. P. Brown
Actg Regr

20th March, 1839.

No. To The Officer Commanding at Samulcottah

Sir,

The Government under date the 12th Instant having directed the Court of Tonjdaree Adalut to draw your attention to the opinion expressed by your predecessor, that "all that was required to be done "at Samulcottah would be completed by December 1838" and to call upon you to report what further progress has

has been made in the public works at that station, what remains still to be performed, and the period within which it may be completed and at the expiration of that period to require you to return all the convicts under your charge into the Jail at Rajahmundry I am desired by the Judges to request you will furnish them with the information necessary to admit of their replying to the order of Government in question.—

20th March 1839 — Signed/ H. D. Phillips
A.s Sr. D.y Reg.r

No. Copy Sent to the Criminal Judge of Rajahmundry with reference to his Communication of the 16th Ultimo.—

20th March 1839 — Signed/ H. D. Phillips
A.s Sr. D.y Reg.r

No. 58.

No. To The Chief Secretary to Government

Sir,

I am directed to acquaint you that in accordance with the instructions contained in your letter of the 18th Instant No. 338 the Criminal Judge of Chittoor has been directed to transfer 50 Convicts, and the Acting Joint Criminal Judge

at Cuddalore the same number, to the charge of Captain Hall Superintendent of Government Roads at the Presidency.—

20th March, 1839.— Signed/ C. P. Brown
A.t Reg.r

No. To Captain Hall Superintendant of Government Roads at the Presidency.—

Sir,

I am directed to inform you, that under instructions from Government, the Criminal Judge of Chittoor and the Acting Joint Criminal Judge at Cuddalore have been desired to transfer each 50 Convicts, to your charge.—

20th March, 1839.— Signed/ C. P. Brown
A.t Reg.r

No. To The Acting Joint Criminal Judge at Tinnevelly.—

Sir,

In reply to your communication of the 12th instant, submitting an explanation of the grounds on which you were recently induced to propose an increase to the fixed guard of the Jail

Jail at Palamcottah and forwarding for the consideration of the Toujdaree Udalut an application from the Acting Magistrate of Tinnevelly for the Assistance of 100 or 150 Convicts, I am desired by the Judges of this Court to intimate to you, that they are aware of no arrangement which can at present be made, to increase the number of Prisoners under your charge for the purpose of cooperating with the Acting Magistrate in the manner refered to in your address.

/Signed/ H. D. Phillips
Asst Sr Dy Regr

20th March 1839.

No.

To
The Acting Joint Criminal Judge at
Coimbatore

Sir,

In reply to your communication of the 11th instant, I am desired by the Judges of the Toujdaree Udalut to request you will make arrangements for transferring without delay, the 21 Convicts therein adverted to, to the charge of the Acting Criminal Judge of Madura, to whom you will be pleased to intimate the date of their departure from Coimbatore.

In carrying into effect the transfer of

of these convicts, the Judges trust your attention will be directed to the adoption of every precautionary measure requisite for preventing their escape on the Road to Madura.

/Signed/ H. D. Phillips
Asst Sr Dy Regr

20th March 1839.

Copy sent to the Acting Criminal Judge of Madura with reference to his letter of the 25th Ultimo.

/Signed/ H. D. Phillips
Asst Sr Dy Regr

20th March 1839.

No.

To
The Joint Criminal Judge at Guntoor

Sir,

In reply to your communication dated the 22nd Ultimo regarding a further supply of arms and ammunition required for the use of the Peons in the Jail at Guntoor, I am desired by the Judges of the Toujdaree Udalut, under instructions from the Government, to draw your attention to the course prescribed in the Regulations of the 25th November 1834 published at page 835 of the Gazette of that year, in respect of the procural

of

of arms, ammunition or military stores for the use of judicial functionaries, which they accordingly request may now be adopted by you.—

20th March, 1839-

/Signed/ H. D. Phillips
A. J. & D. J. Regr.

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

Gentlemen

1. An intimation having been received from the Government, under date the 15th instant, to the effect that the Right Honorable the Governor in Council has been pleased to determine that the individuals whose names are inserted in the margin, shall be placed in restraint in the fortress of Gooty, under the provisions of Regulation II of 1819, I am desired by the Judges of the Tonjdaree Adalut to request the Judges on Circuit in the Centre Division will proceed to visit the Prisoner in question during the progress of their circuit and submit for the information of the Government the

1 Pundah Padmanabah Achary
2 Pundah Krishnamah Achary
3 Pundah Ramachendra Achary

the report required by Clause second Section IV of the enactment quoted above.—

2. The Judges desire that a copy of this letter be furnished to the 3d Judge now on Circuit for his information and guidance.—

/Signed/ H. D. Phillips
A. J. & D. J. Regr.

21st March 1839-

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

Sir,

With reference to your letter of the 11th Instant forwarding the original death warrant & together with copy of a communication from the Assistant Criminal Judge in charge of the Court of Malabar certifying execution of the sentence of death passed on the prisoner Pathiankomatha & Kakoo Panikker in No. 4 of the Primary Calendar I am directed to intimate to you that the Judges of the Tonjdaree Adalut have observed the omission on the part of the Assistant Criminal Judge to specify in his letter the effect produced on the convict by the communication of the sentence passed upon him and his conduct thence forward till his execution also whether he denied or confessed his guilt whether

whether he expressed contrition for the offence for which he suffered and his behaviour and conversation on the scaffold.— Information on these points the Court consider highly important and it will be seen that Criminal and Assistant Criminal Judges are required in a particular manner to Report on them by the Circular Order of the 5th. of May 1830 to which the attention of the Assistant Criminal Judge should be called with directions to conform thereto in all future occasions.—

(Signed) T. Clarke
21st March 1839. Asst. to the Regr.

No. 59

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of the order of Government dated the 12th instant No. 236 desiring they will suggest the means which exist for the employment of the convicts ordered to be Removed from under the Superintendence of Captain Vallance at Vizagapatam, and at the same time state what

what alteration should be made in the regulations for the management of Convicts with a view to provision being made therein for advances on account of diet money to those who may be released while removed from the control of the Civil authorities.—

2. In respect of the future disposal of the Convicts in question, the Judges instruct me to suggest that 50 (fifty) be transferred to the charge of the Magistrate of Vizagapatam for the purpose of carrying into effect the wishes of Government as intimated in their order to this Court of the 4th January last No. 29 regarding the Repairs of the Great Northern road in the District of Vizagapatam and that the Remainder of the gang be allowed either to remain at Vizagapatam under the orders of the Joint Criminal Judge or be transferred to Masulipatam as an addition to the body of convicts now employed there in excavating the Pettah Canal.

3. As regards the alteration of the rules advocated by the Judges desire me to state that they consider it will be sufficient to explain to all officers in charge of Convicts, that this Courts Circular Order

of the 19th. September 1837 No. 92 is applicable to convicts placed under their Superintendence, in modification of Clause x of the rules dated the 8th. June 1837.

22d. March 1839. (Signed) C. P. Brown
A.t. Regr.

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

Gentlemen,

1. I am desired to inform you that under date the 4th. instant, the Government were pleased to resolve that the prosecution of the works by the Convicts at Vizagapatam, under the Superintendence of Captain Vallancey, Joint Magistrate of that District, shall be discontinued and accordingly request you will without delay issue instructions to that Officer, immediately to transfer the Convicts in question to the charge of the Joint Criminal Judge at Vizagapatam, with a view to their being confined in the Jail of the Auxiliary Court until the receipt of further orders regarding their disposal.

2. The Government have further directed that the pay of the Jailor and extra Peons

Peons entertained by Captain Vallancey to have been entertained should be sanctioned, only "up to the date of receipt at Vizagapatam of this order", when they be discontinued; and also, that the house hired in the Pettah for the accomodation of the Convicts shall be vacated on the transfer now ordered being carried into effect.

3. Adverting to the communication from the 1st. Judge of Your Court late on Circuit, dated the 2d. November last, I am likewise desired to inform you that the Right Honorable the Governor in Council has observed, that "although the Rules laid down by Government in orders dated the 9th. June 1837 for the employment of Convicts under Military Officers do not specify that they are to furnish convicts on Release with the usual diet money, Captain Vallancey being an Assistant Magistrate must be acquainted with the practice and should have considered the request of the Circuit Judge a sufficient authority for making that advance on the occasion reported.

(Signed) W. D. Phillips
A.t. Sr. Dep.t. Regr.

22d. March 1839.

To

No.

To

The Provincial Court of Circuit

in the Northern Division

Gentlemen,

With reference to your letter dated the 8th Ultimo, I am directed by the Judges of the Toujdaree Adalut to inform you, that the Right Honorable the Governor in Council was pleased, under date the 12th Instant to grant authority for the entertainment of a smith on the establishment of the Auxiliary Court at Masulipatam on a Salary of 8 Rupees pr Mensem and has further directed that sanction for the same may be renewed half yearly, as the number of Convicts in the Jail at that station continues at its present complement."

22nd March 1839.

/Signed/ H. D. Phillips
A. Sr. D. Reg.

No.

To

The Joint Criminal Judge at

Guntoor

Sir,

With reference to your letter dated the 4th Ultimo, I am directed by the Judges of the Toujdaree Adalut to inform you, that the Right Honorable the Governor in Council was pleased under

under date the 12th Instant, to sanction the accompanying statement of disbursements made on account of the destitute children of Convicts in the Jail under Your charge during the 4th Quarter of 1838 amounting to Rupees 16-5-10 Sixteen Annas five and Pice ten.

22nd March 1839.

/Signed/ H. D. Phillips
A. Sr. D. Register

No. 60.

No.

To

The Chief Secretary to Government

Sir,

In conformity with the instructions contained in the order of Government, dated the 12th Instant, No. 234, I am desired by the Judges of the Toujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council for his approval and for publication in the official Gazette, the annexed draft of a notification regarding the powers of commitment in cases of perjury which were recently conferred by the Government on the Principal Sudr Ameens at Honore, Sirsy and Cumbum.

25th March, 1839.

/Signed/ C. P. Brown
Acting Register

Notification

Notification

It is hereby notified for general information that on the 19th Ultimo, the Right Honorable the Governor in Council under the authority vested in him by Act No. XXIII of 1837, was pleased to invest the Principal Sudr Ameens at Honore, Sirsy and Cumsumm with the powers of commitment exercised by Criminal Judges under Section III Regulation VIII of 1829.

/Signed/ C. P. Brown
Actg Regr

25th March 1839.

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

Gentlemen,

With reference to your letter dated the 27th Ultimo I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased under date the 19th Instant to grant the Criminal Judge of Chingleput discretionary power to carry into effect the repairs required to the Tread Mill in the Jail under his charge and further desires that the actual charge which may be incurred under this authority may be reported for the Special Sanction of Government.

/Signed/ C. P. Brown
Actg Regr

25th March 1839

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

Gentlemen,

With reference to your letter dated the 4th Instant I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased under date the 19th Instant to order the Military Board to cause the Indent submitted by the Officer Commanding the Sculgheries for the supply of iron required for the use of the Convicts under his charge to be complied with.

/Signed/ C. P. Brown
Actg Register

25th March 1839

No. To The Acting joint Criminal Judge at Tellicherry

Sir,

With reference to your letter dated the 4th Instant I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor

Governor in Council was pleased under date the 19th Instant to sanction the accompanying Estimate for repairing the two sick wards of the Tellicherry Jail amounting to Rupees 87-4-9 eighty seven Annas four and Pice nine.-

/Signed/ C. P. Brown
Acting Register

25th March 1839.-

No. To The Acting Joint Criminal Judge at Cuddalore

Sir,

Adverting to your return dated the 19th instant to this Court's Precept of the 12th instant, I am desired by the Judges of the Tonjdaree Udalut to draw your attention to the instructions contained in para: 3 of the Circular Order dated the 4th September 1820 and to request that the substance of the order contained in the extract of the Court's proceedings accompanying a precept may on all future occasions be recited as required in the Circular in question.-

/Signed/ H. D. Phillips
Actg Sr Dy Regr

26th March 1839.-

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

Gentlemen,

Adverting to your communication dated the

the 11th instant, reporting that the Convict Rungon is at present under charge of Lieutenant Worster, employed upon the Great Western Road, I am desired by the Judges of the Tonjdaree Udalut to intimate to you that such being the case, they do not consider it advisable now to direct his removal to the Jail at Chingleput, to which however, they request you will adopt measures for having been transferred on the cessation of the works in progress under Lieutenant Worster's Superintendence.-

/Signed/ H. D. Phillips
Actg Sr Dy Regr

26th March 1839.-

No. Copy sent to the Criminal Judge of Chingleput and Lieutenant Worster respectively for their information.-

/Signed/ H. D. Phillips
Actg Sr Dy Regr

26th March 1839.-

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

Gentlemen

I am directed to transmit to you copy of a Return from the Criminal Judge of Chittoor dated the 28th Ultimo to a precept of the 3d Judge who held the 4th Quarterly Sessions of 1838, and to desire that you

you will call upon the Criminal Judge to name the Judges of the Provincial Court to whom he alludes in the last part of the 3d Paragraph of his return and forward a copy of his answer to this Court.—

Signed/ C. P. Brown
A. Regr

26th March, 1839.—

No. 61.

No. To The Chief Secretary to Government

Sir,

With reference to this Courts letter of the 27th March 1838 regarding the circumstances under which the rebel Ramiah Gowda was apprehended, I am desired by the Judges of the Tanjdaree Udalut to transmit to you to be laid before the Government, the annexed copy of a communication, dated the 15th instant from the Magistrate of Canara bringing the subject of Ramiah Gowda's apprehension to the notice of the Court in order that the rewards which were proclaimed may be distributed to the parties by whom the individual in question was seized.—

No.

Signed/ C. P. Brown
A. Regr

27th March 1839.—

No. To The Criminal Judge of Rajahmundry

Sir,

1. I am directed to acknowledge your letter of the 14th Instant explaining the grounds of a statement made in your abstract of the evidence in the Criminal case No. 101 of Report No. V. for December 1838.—

2. The Judges of the Court of Tanjdaree Udalut desire that you will furnish the Magistrate of Rajahmundry with a copy of your letter now under acknowledgement and call upon him to warn the Head of Police of Ambapoor of the necessity of observing much greater accuracy in his statements. It will be perceived that the statements made by him in the present case have proved to be in a great measure in correct.—

Signed/ C. P. Brown
A. Regr

27th March 1839.—

No. To The Acting Joint Criminal Judge at Tinnevelly.—

Sir,

The Judges of the Tanjdaree Udalut desire me to transmit to you the annexed copy of a communication dated the 15th instant from the 1st Judge late on Circuit in the Southern Division, stating his

his opinion of the accomodation provided for the Convicts in the fort at Palamcottah, consequent on their transfer from the Tinnevelly Jail under the arrangement proposed by the late Joint Criminal Judge and recently sanctioned by the Government.—

2. With Reference to the 6th para: of Mr. Dickinson's letter, the Judges request you will explain the grounds on which you were induced to adopt so objectionable a mode of securing convicts in health, as that described by the 1st Judge, and further that you will report, whether the windows adverted to in the 5th para of Mr. Phillips address to the Provincial Court of Circuit dated the 7th November 1837, have been constructed in the outer wall of the Choultry in question.—

3. You are also Requested to furnish the Medical Officer in charge of the Convicts with a copy of Mr. Dickinson's letter, with a view to his submitting his opinion in respect of the probable injurious effects of the building and of drawing whether any and if so, what increase of sickness and mortality has occured amongst the Prisoners since their removal from the Jail at Tinnevelly.—

Adverting

Adverting to the sentiments expressed

4. by the 1st Judge late on Circuit; the Court of Toudaree would further wish to be informed why the Medical Officer has omitted to bring to notice the inconveniences attending the mode of incarcerating convicts which is stated to have been adopted in the Jail under your Superintendence, and also desire to be favored with your own opinion regarding the objectionable peculiarities of the present Jail to which Mr. Dickinson has so forcibly alluded.—

5. As it does not appear to have been contemplated by the late Joint Criminal Judge on whose suggestion the transfer of the Convicts to Palamcottah was authorised, that the Choultries now used as Jail and Jail Hospital should contain more than the number of Prisoners who were then in confinement, you will be pleased immediately to adopt measures for removing to the Jail at Madura such number as, in communication with the Medical Officer; you may deem it advisable to transfer from Palamcottah in order that those remaining may be

be accomodated without risk to their health.—

/Signed/ C. P. Brown
Actg Regr

27th March 1839.—

No. To The Criminal Judge of Chicacole

Sir,

In reply to your communication of the 20th instant, I am instructed to intimate to you that the Judges of the Tovjdaree Udalut have been pleased to authorize you to Return to the Magistrate of Chicacole the Prisoners & therein referred to, with a view to his procuring additional evidence in support of the charge of Gang Robbery adduced against them and on which they have been transmitted to the Court under your Superintendence.—

/Signed/ H. D. Phillips
Actg Sr Dy Regr

28th March 1839.—

No. To The Joint Criminal Judge at Guntoor

Sir,

Adverting to your communication of the 27th Ultimo submitting a report of the circumstances under which you consider it inadvisable

now

now to direct the transmission of 50 Convicts to Vizagapatam, I am desired to intimate to you that on the 25th instant, the Right Honorable the Governor in Council was pleased to express his concurrence in the opinion of the Court of Tovjdaree Udalut as to the inexpediency of at present reducing the number of the Convicts in the Jail under Your Superintendence.—

/Signed/ H. D. Phillips
Actg Sr Dy Regr

28th March 1839.—

No. To The 4 Provincial Courts of Circuit

Under a special order of Government dated the 9th Instant, I am instructed by the Court Tovjdaree Udalut to direct that you will desire the Magistrates subject to your jurisdiction to issue a proclamation requiring all persons to give notice to the Police when Jewels are brought to them to be melted, and warning them that a disregard of such order will subject them to a prosecution under the provisions of Section IX Regulation XIII of 1832.—

/Signed/ C. P. Brown
Actg Regr

30th March, 1839.—

To

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

Sir,

I am directed by the Judges of the Toungdaree Adalut to acknowledge the receipt of your letter of the 25th Ultimo and the papers which accompanied it explanatory of the detention of the Parties in certain cases on the Chittoor Calendar for the 4th Quarter Sessions of 1858 noticed in the letter from this Office of the 5th Ultimo.—

2. The statement now furnished by the Criminal Judge is at variance with the Batta statement which accompanied your letter of the 21st January last for the latter made the detention of Parties in some cases to extend to periods of 148 23 and 26 days: while in that furnished by the Criminal Judge the detention in no case exceeds 22 days.—

3. Moreover according to the statement furnished by the Criminal Judge, the Prosecutor in case No. 1 of the Calendar was in attendance before the Court of Quarter Sessions from the 24th October to the 14th November 1858: but in the extract from the Progress Book "it is stated that the Prosecutor and

four of his witnesses were examined on the 24th October and were ordered to return to their village on the following day and it appears from the same extract that the Trial was concluded on the 1st November. But if this be the case the detention of the Prosecutor until the 14th November is inexplicable.—

4. With regard to case No. 2 while the extract from the Progress Book shows that the Trial was concluded on the 27th October the statement furnished by the Criminal Judge shows the period of the detention of the Prosecutor to be the same as in case No. 1 abovementioned.—

5. In Case No. 3 a similar discrepancy is observable.—

6. In a note in the statement furnished by the Criminal Judge it is observed that "the Trials of these three Cases." No. 1 2 and 3 "closed on the 1st November 1858 but the Prosecutors were detained till the 14th of that month as directed by the 3rd Judge until the arrival of certain witnesses"

This statement contradicts itself.

7. If the Trials were closed on the 1st November, it is not possible to understand how the Prosecutor

could be detained for the arrival of witnesses.

8. The Judges direct me to desire that you will furnish a further explanation on the p[oi]nt above indicated, and that you will bear in mind that by "explanation" is meant something more satisfactory than the mere transmission of an unintelligible statement by a subordinate officer. The Judges are surprized that the palpable discrepancies between the two statements under consideration did not attract your notice and induce you to make a further inquiry before forwarding them to this Court.

30th March 1839.

Signed/ T. W. Davidson
Sen[r] Dep[y] Reg[r]

Toaydaree Diary 2nd April 1839

No 62.

No. To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Court of Toaydaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying copy of a letter received from the Criminal Judge of Bellary on the subject of placing at the disposal of the Officer Commanding the adel districts a party of Convicts to be employed in digging a well to supply water for the additional troops shortly expected at Bellary from Bangalore.-

2. The Criminal Judge has reported that the place at which it is proposed to dig the well "affords great facility for the escape of Convicts" and is situated at too great a distance from the Jail to admit of the Convicts being employed with any effect. if they are daily carried to and from the Jail.-

3. It appearing however from the 4th parah of this communication that in consequence of the failure of rain last season there is not a sufficient supply of water to be procured for the additional troops expected unless the well be dug. The Court

are

are of opinion that the suggestion of Major General Wilson is deserving of consideration and they accordingly beg to recommend that authority be granted to the Criminal Judge to place at the disposal of the Major General all the available convicts for employing in the manner indicated in the letter now under reference provided a guard can be afforded sufficiently strong to prevent the possibility of escape.-

/Signed/ C. P. Brown
Actg Regr.

2nd April 1839.-

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

Gentlemen,

1. I am directed to acknowledge your letter of the 25th Ultimo. stating that in case No 9 of the Madura Calendar for the 1st Sessions of 1839 the only ground that appears in the Record to justify a requisition of security from the prisoners from No 1 to 7. is furnished by their confessions before the Police Authorities.-

2. Under these circumstances the Judges of the Court of Foujdaree Udalut desire that you will immediately issue orders for

for the release of these prisoners.-

/Signed/ C. P. Brown
Actg Regr.

2nd April 1839.- No. 63.

No. To The Chief Secretary to Government

Sir,

With reference to the order of Government No. 332. dated the 12th March 1839 I am directed by the Judges of the Foujdaree Udalut to forward to you the annexed copy of a letter from the Officer Commanding Samulcottah, furnishing the required information on the subject of the Convicts employed under his orders: and to request the instructions of Government relative to the application of Major M'Curdy for permission to employ the prisoners in raising the walls of the huts required for the Recruits.-

/Signed/ T. H. Davidson
Sr. Dy. Regr.

6th April 1839.-

No. To The Chief Magistrate and Superintendent of Police at Madras

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut under instructions from Government to inform you that a communication has been received from the Resident Councellor at Singapore under date the

the 22nd Ultimo reporting the reapprehension on that date of a Convict by name Andy Dawan, convicted of felony and Larceny and sentenced on the 14th April 1836 to seven years imprisonment and who had absconded from the Settlement of Singapore on the 21st February 1837.—

6th April 1839.—

/Signed/ T. Clarke
Asst to the Regr.

No. To The Acting Civil Auditor

Sir,

I am directed by the Judges of the Toydaree Adalut to forward to you the accompanying extract from the accounts of Audit of the Coimbatore Collectorate for fusly 1247 and the account Particulars and statement therewith received from the Magistrate of Coimbatore and to state that the Judges recommend that the several Items entered in the extract receive the sanction of Government.—

/Signed/ T. Clarke
Asst to the Regr.

6th April 1839.—

No. To The Criminal Judge of Bellary

Sir,

I am directed by the Judges of the Toydaree Adalut to acknowledge the receipt of your letter of the 20th Ultimo on the subject of placing at the disposal

of the Officer Commanding the Ceded Districts, a party of Convicts to be employed in digging a well to supply water for the additional troops shortly expected at Bellary from Bangalore.—

The Judges desire me to inform you

2.

that this communication has been laid before Government and that the Right Honorable the Governor in Council has been pleased to sanction the Recommendation made by the Court in support of the suggestions of Major General Wilson.—

With reference to the hazard noticed

3.

in your letter, of the Convicts making their escape while employed on this work, at some miles distant from the Jail, it will be necessary to be particularly cautious that the guard provided by you, together with that afforded by the Major General shall be sufficiently strong to prevent the possibility of escape.—

/Signed/ C. P. Brown
Asst Regr.

8th April 1839

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

Sir,

In reply to your letter of the 26th Ultimo

1.

forwarding the original warrant and copy of a communication from

from the Assistant Criminal Judge in charge of the Criminal Court of Malabar certifying execution of the sentence of death passed on the prisoner Perinkolen Veanaatharen Chatoo in No. 1 on the Malabar additional Calendar, I am directed to state that the Court of Toujdaree Udalut have observed in the letter of the Assistant Criminal Judge a similar disregard on the part of that officer to the instructions conveyed in the Circular Order of the 5th. May 1830 as was evinced by him in his communication of the 3d. March and to request that the attention of Mr. Chatfield may again be drawn to the order above indicated with injunction strictly to conform to it in the present instance in all reports of a like import in future.—

2. And adverting to the extract from the Proceedings of the Court of Circuit under date the 11th. February which accompanied your letter of the 15th. February I am desired to observe that the reward namely 30 Rupees which was paid to the 5 witness under the warrant of the Court of Circuit does not appear to the Court of Toujdaree Udalut to be authorized by the Section and Regulation cited

in support of its disbursement, you are therefore required to submit a further explanation on this point.—

/Signed/ T. Clarke
Mr. Asstt. to the Regr.

8th. April 1839.

No.

To The
Criminal Judge of
Chingleput
Cuddapah
Joint Criminal Judge of
Cuddalore
Vizagapatam
Principal Sudr Ameen of
Cuttack through the P.C. C.D.
Magistrate of
Canara
Officer Commanding
Vellore
Vizianagaram
To Captain Hall
and
Lieutenant Worster.

Sir,

I am directed by the Judges of the Toujdaree Udalut to call your attention to the Circular letter from this office of the 25th. July 1838 and to desire that you will send up without any further delay the statement due for the 2d. Half of 1838. according to the Form & which accompanied that communication.—

/Signed/ J. H. Davidson
A. Regr.

11th. April 1839.

No.

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

Gentlemen,

I am directed by the Judges of the Toujdaree

Foujdaree Udalut to request that you will call the attention of the Principal Sudr Ameen of Kumbum to the Circular letter from this Office of the 25th July 1838, and desire that Officer to submit without further delay, the statement due for the 2d Half of 1838, according to the Form which accompanied that communication

11th April 1839.

/Signed/ T. W. Davidson
Acting Registar

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

Sir,

1. A Report has been received in this office from the Criminal Judge of Bellary of the escape of sixteen prisoners awaiting their Trial at the pending Sessions before the Court of Circuit from the Jail of that Zillah on the night of the 20th Ultimo.—

2. From the Depositions transmitted with the Criminal Judge's Report there seems too much reason to believe that the escape was effected mainly through the disobedience of the Jailor and the misconduct of the Peons who were or ought to have been on guard.—

The

The Judges direct me to desire that

3 you will, before quitting Bellary, institute a full and complete investigation regarding this occurrence and state your opinion, on review of all the circumstances, as to whether any or what degree of Blame attaches either to the Jailor, the Duffadar or the Peons; and in the event of your deeming the escape attributable to the misconduct of any of those persons, as to the degree of punishment which should be meted out to them.—

4. You will likewise be pleased to submit your opinion as to the advisability of making any alteration in the relative position of the Walls, which the Criminal Judge seems to consider to have afforded a facibility for escape on the present occasion.—

5. I am directed to add that the sentiments of the Foujdaree Udalut on this occurrence, have been communicated to the Criminal Judge of Bellaree in a letter addressed to him under this date; of which a copy is herewith transmitted for your information.—

/Signed/ T. W. Davidson
Acting Register

11th April 1839.—

To

To The Criminal Judge of Bellary

Sir,

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 25th Ultimo reporting the escape of sixteen prisoners awaiting their Trial before the Court of Circuit from the Jail of Bellary on the night of the 20th Ultimo.—

2. A perusal of the Depositions taken in this case has impressed upon the minds of the Judges of the Toujdaree Udalut the conviction that the escape could not have been effected but for the deliberate and unexcusable disobedience of your orders evinced by the Jailor Soobaun Saik and the shameful neglect and carelessness of the Peons on Guard.—

3. It appears by the Depositions taken on the occasion that you had issued a very proper order to the Jailor, prohibiting the practice which seems formerly to have obtained in the Zillah Jail, of placing the grinding stones, Rice pounders &c^a^ at night in the cells of the Prisoners.—

4. These orders, which in your question

Toujdaree Diary 11th April 1839.—

question to the Jailor, you designate as "repeated" and "positive", that person thought fit to disobey, and by placing the grinding stones in the room occupied by the Fugitives, did in fact furnish them with the Instruments wherewith to effect their escape: for they could not have removed the windows without instruments of some kind, and the Jailor positively swears that he examined the prisoners on shutting them up for the night, and that they had them no instrument or weapon of any kind about them.—

5. From the circumstance of the escape not being discovered until the following morning when the Cells were opened, it is clear that no attention was paid to the order of this Court which requires the Duffadar to make periodical rounds and accompany each relieving Peon to his post. It shows also that the Peon who is alleged to have been on Guard in the Yard all night, was either absent from his post or asleep, if he did not connive at the transaction.—

6. Under the circumstances above recited, the Judges of the Toujdaree Udalut have considered

considered it proper to issue instructions to the Judge now on Circuit in the Centre Division, to make a full investigation and report on the subject of the misconduct of the Peons and likewise of the Jailor in whose wilful disregard of the orders issued for his guidance the first cause of the escape is to be found, and whose removal from his situation the Judges are surprized that you have not recommended-

It seems, however, only just, to exclude from the general censure the Peon Jumaul Mahommed, by whose uncontradicted deposition it appears that his watch terminated at 9 P.M. when he showed the windows and locks of the cells &c. and in a secure state to the Peon who relieved him, and reported the same to the Duffadar.-

/Signed/ T. H. Davidson
A.C. Register

11th April 1839.-

No. 7.

To The Judges of the 4 Provincial Courts of Circuit

Gentlemen,

The Medical Board having in a recent Report to Government, submitted their recommendation "that no material alteration in the description of grain on which prisoners are fed, or quantity of provisions allowed to them should be directed by the Civil authorities, unless in communication with medical officers, as sudden and injudicious changes in diet are a well known frequent cause of sickness, more especially of Bowel Complaints and diseases characterized by debility of constitution"; and Government having expressed a wish that "instructions to the effect suggested by the Medical Board may be issued to the Proper officers should such be deemed unobjectionable"-

I am directed by the Judges of the Toujdaree Udalut to desire that you will issue instructions to the several officers in charge of Jails in your Division enjoining them to abstain in future from making any change in the description of Grain or quantity of Provisions ordinarily allowed to the Prisoners under their control, without previously consulting the Medical officer - and in the event of his disapproving the proposed measure, without a reference to the Toujdaree Udalut.

/Signed/ T. H. Davidson
A.C. Register

12th April 1839.-

No. 8.

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

Gentlemen,

In returning to you the statement of

of sums drawn from the Principal Collector's Treasury of South Arcot, and paid as reward for the apprehension of offenders under the Provisions of Section X ∞ Regulation XIII of 1832. by the Assistant Criminal Judge at Cuddalore, which accompanied your letter of the 3d. Instant I am directed by the Judges of the Court of Fouydaree Udalut to request that you will call on the Acting Assistant Judge to submit an explanation of the several rewards included in the statement, specifying the numbers of persons apprehended in each case and the amount paid for the apprehension of each individual.-

I have &c.

/Signed/ T. Clarke
Asst. Sesn. Depr. Regr.

12th April 1839.-

No. To The Criminal Judge of Chingleput

Sir,

1. Government having been pleased to require that a party of one hundred Convicts shall be placed at the disposal of Captain Hall Superintendant of Roads at the Presidency - and the number already forwarded to him from Jails within a moderate distance of Madras falling short of the prescribed complement

complement by forty three (43) I am directed by the Judges of the Fouydaree Udalut to desire that you will adopt immediate measures for transferring to that Officer the number required to make up the deficiency, or such portion thereof as the present state of the Jail under your charge may enable you to furnish.-

2. You will be careful to observe that these Convicts must be able-bodied, and that the unexpired period of their sentences must not exceed four Months.-

3. On transferring them to the charge of Captain Hall, you will be pleased to conform to the Rules of the 9th June 1837 published in the Fort St. George Gazette of the 17th June 1837 No. 604 - paying especial attention to Rule III - You will likewise be careful not to transfer desperate characters, or Convicts who may be undergoing banishment in the District of Chingleput by sentence under the provisions of Clause Third, Section VIII Regulation XV of 1803.-

4. The Convicts will be accompanied by the complement of Peons prescribed by the standing orders

I

of the Tovjdaree Adalut and you will call upon the Magistrate of Chingleput to furnish you with such a number of extra Guards as you may consider necessary for the safe custody of the Gang during the March.—

5. You will likewise be careful to provide that proper fetters are sent with the convicts in question and you will make an immediate Report to the Tovjdaree Adalut of what you may do in pursuance of these instructions.—

12th April 1839.— (Signed) T. W. Davidson
A. Regr.

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

Gentlemen,

1. With reference to the letter from this Court under date the 22nd March 1839, I am directed by the Judges of the Court of Tovjdaree Adalut, under instructions received from Government, bearing date the 2nd Instant No. 296, to desire that immediate measures may be adopted for transferring 50 of the party of Convicts referred to in the former communication with the usual complement of Peons to the charge of the Magistrate of Vizagapatam for

the purpose of being employed on the great Northern Road in that District and that the remainder may be forwarded to Masulipatam as an addition to the body of Convicts now employed there in excavating the Pettah Canal.—

2. You will be pleased to instruct the Joint Criminal Judge at Vizagapatam to observe in the transfer of the Convicts to the Magistrate of Vizagapatam all the rules laid down in the order of the 9th June 1837 published at page 1132 of the Official Gazette and in the last column of the detailed list care will be taken to note those Convicts who may have been hitherto employed at the forge, in Carpenter's work or in making bricks.

3. The attention of the Acting Joint Criminal Judge will also be drawn to providing the Convicts in question with proper fetters.—

(Signed) T. Clarke
A. Senr. Depy. Regr.—

12th April 1839.—

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

Gentlemen,

With reference to your Register's letter of the 24th January last I am directed by the Judges of

of the Toydaree Udalut to request that the opinions of the present Acting First and Acting Second Judges of the Centre Provincial Court regarding the Penal Code may be forwarded to this Office without further delay the non-receipt of the same being the sole circumstance which prevents the Court from preparing the Report required by the Government of India on that subject.

13th April 1839.

/ Signed / T. H. Davidson
Actg Regr.

To W. D. Davis Esquire
Third Judge of the Provincial Court of Circuit
in the Centre Division

Sir,

I am directed by the Judges of the Toydaree Udalut to desire that you will transmit to this Office without any further delay, your opinion on the subject of the proposed Penal Code called for by the Court's Circular Letters of the 11th April and 16th November 1838.

13th April 1839.

/ Signed / T. H. Davidson
Actg Regr.

To T. A. Oakes Esqre 1st Judge of the Provincial
Court of Circuit in the
Centre Division
Mr Lascellas late criminal Judge of
Chittoor

Toydaree Diary 13th April 1839.

Chittoor having, in a Return made by him to a Precept of the Third Judge presiding at the fourth Quarter Sessions of 1838 at Chittoor calling upon him, pursuant to instructions from the Court of Toydaree Udalut to explain the "particular circumstances" which prevented the attendance of certain witnesses at the said Sessions, stated that "he has for some time past experienced the greatest difficulty in obtaining the attendance of Prosecutors and witnesses, especially in cases committed for Trial before the Court of Circuit, and further that he has observed an increasing objection on the part of persons plundered to attend and prosecute - and this appears to have arisen in a great measure from the long attendance of the parties in committed cases, for some years past, at the Sudr Station, waiting the returns of the Judges from Palamanair, it having been the practice, as is for the Judges holding Quarter Sessions to reside at Palamanair during a great part of the year, and to visit the Sudr Station occasionally for the purpose of disposing of those cases which may have accumulated during the absence of the Judges" - and Mr Lascellas having, in obedience to a requisition from the Toydaree Udalut, to name the Judges to whom he alluded stated, in a subsequent communication that the Judges alluded to are Mr T. A. Oakes and Mr W. D. Davis, the First and Third Judges of the Provincial Court Centre Division, but more especially the latter gentleman" I am directed by the Judges of this Court to request that you will furnish them with any explanation you may see fit to offer in reference to Mr Lascellas' allegations above cited -

13th April 1839 -

/ Signed / T. H. Davidson
Actg Regr.

B

Foujdaree Diary 15th April 1839.

No. 64

To

The Chief Secretary to Government

Sir,

The Magistrate of Chingleput has reported that a prisoner named Veneatagan from the Zillah of Cuddapah, employed on the great Western Road under the orders of Lieutenant Wood has recently attempted to make his escape after knocking down and seriously injuring the Peon on guard over him with a Pickaxe. I am directed by the Judges of the Foujdaree Adalut to request that the Right Honorable the Governor in Council will be pleased, under the Provisions of Section III. Regulation I of 1833, to grant authority for making over the said prisoner to the Criminal Court at Chingleput.—

15th April 1839.

Signed J. H. Davidson

Acting Register

To

Foujdaree Diary 20th and 22nd April, 1839.

Memo:

12 Copies of the printed forms of Supplemental Report

12 Do. Do. Criminal Report No. V

12 Do. Do. Do. VI

12 Do. Do. Do. IX

12 Do. Do.

Forwarded to the Acting Criminal Judge of Madura with reference to his letter dated the 11th April 1839.—

Signed J. H. Davidson

Acting Register

20th April 1839.

No. 65.

To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to state that in consequence of the Officer Commanding Guntoor having withdrawn the Guard of one Havildar and twelve Sepoys from the Gaol, in order to furnish a guard to escort treasure to the Presidency, the Joint Criminal Judge reports that he has appointed 10 extra peons to do the duty of the Invalid Sepoys until their return to Guntoor which the Commanding Officer informed him would be in about 42 days.—

Under

2. Under the circumstances stated the Court of Toydaree Udalut beg leave to recommend for the sanction of Government the temporary employment of the above mentioned peons.-

/Signed/ A. P. Forbes.-

22nd April 1839.- Asst to the Resr

No. To The Officer Commanding at Samulcottah

Sir,

1. With reference to your letter dated the 26th March 1839 I am directed by the Judges of the Court of Toydaree Udalut, to forward to you the annexed copy of an Order of Government No. 330 dated the 11th April 1839 authorizing you to retain the convicts under your charge during the period of six months for the purpose of being employed on the works mentioned in your letter and desiring that you will upon their completion return the party without further orders upon the subject into the Jail of Rajahmundry.-

I

2. I am further directed to inform you that a communication has been made to the Criminal Judge of Rajahmundry requiring him to see that the present Complement of Convicts under your charge be maintained during the entire period above mentioned.-

/Signed/ A. P. Forbes

22nd April, 1839.- Asst to the Resr

No. To The Criminal Judge of Rajahmundry

Sir, I am directed by the Judges of the Toydaree Udalut to inform you that in accordance with an order of Government No. 330 dated April 11th 1839, the Officer Commanding at Samulcottah is authorized to retain the Convicts under his charge for a further period of six months the Judges require you to see that the present complement of Convicts under Major McCurdy's charge be maintained during the entire period above mentioned.-

/Signed/ A. P. Forbes.

22nd April, 1839.- Asst to the Resr

To

No. To The Acting Joint Criminal Judge
at Trichinopoly

Sir,

In returning you the annexed statement which accompanied your letter of the 1st Instant I am directed by the Judges of the Court of Toujdaree Udalut to draw your attention to the 13th Clause of the Rules for promoting regularity and dispatch of business published under date the 2nd of November 1833 at page 844 of the Official Gazette of that year to which the attention of public departments was in a special manner recalled in a subsequent order of Government dated the 26th July 1836 and published in No. 483 of the Fort St. George Gazette for 1836 and to request that in conformity with the provisions of the clause in question you will cause to be entered in words at length as well as figures the amount recommended by you for sanction.—

Signed/ T. Clarke
Actg Sr. Depy Regr.

22nd April 1839.—

No. To The Magistrate of Chingleput

Sir,

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 8th instant, and in reply to inform you that the Right Honorable the Governor in Council was pleased by an order in Council dated the 16th April 1839 No. 337 to grant authority for making over the prisoner Vencatagan therein mentioned to the Criminal Court of Chingleput.—

Signed/ T. H. Davidson
Acting Register

22nd April 1839.—

No. To The Acting Magistrate of Canara

Sir,

With reference to Mr. Blair's letter of the 15th Ultimo, in which he requests orders on the letter addressed to the Court of Toujdaree Udalut under date the 20th March 1838 by the Joint Magistrate then in charge of Canara forwarding the papers describing the circumstances under which Ramiah Gowda was apprehended "in order that the rewards which were proclaimed may be distributed to the parties who seized the Rebel" I am directed by the Judges, pursuant to instructions from Government, to request that

that you will report the amount of the Rewards and the authority under which they were offered, the papers above refered to appearing to contain no information on those points.—

22nd April 1839.— /Signed/ T. H. Davidson
Acting Register

No. 66

No. To
The Chief Secretary to Government

Sir,

With reference to the order of Government of the 18th December 1838 No. 1163 forwarding copies of a letter and its enclosures from the officiating Deputy Secretary to the Government of Bengal relative to the apprehension at Kyouk Phyoo in Arracan of a convict named Laul Mahommud stated in para 1 of Mr. Young's letter to have escaped from the Jail of Masulipatam, I am directed by the Judges of the Toydaree Adalut to state that the Records of this office having been examined without success, the correspondence was forwarded to the Judges of the Northern Provincial Court who have now reported that neither the Records of their office nor those of the subordinate Courts in that Division furnish any information regarding

regarding the Convict in question.—

/Signed/ T. H. Davidson
Acting Register

24th April 1839.—

No. 67

No. To
The Chief Secretary to Government

Sir,

1 With reference to the order of Government dated the 13th June 1838 No. 584 I am directed by the Judges of the Toydaree Adalut to state for the information of the Right Honorable the Governor in Council that the Acting Magistrate of Malabar has reported that Rungyan the individual therein alluded to, on having appeared at Calicut, he has "caused him to be arrested and sent to the Resident of Travancore and Cochin agreeably to the request contained in Colonel Fraser's letter dated the 17th August 1836."—

2. I am directed to add that a copy of the order of Government of the 10th April 1838 No. 366 wherein it was intimated to the Toydaree Adalut that Government had already "refused to interfere in the case of Rungiah" and that "the Right Honorable the Governor in Council will give him an opportunity of establishing his innocence before the local authorities at

at Calicut" having been furnished to the Magistrate of Malabar. the Judges are not aware on what authority the present Acting Magistrate has proceeded to appre-hend and forward that invidual to the Resident of Travancore and Cochin.

22nd April 1839.-

/Signed/ T. H. Davidson
Acting Register

No. 68.

No. To The Chief Secretary to Government,

Sir,

With reference to the letter from this office dated 20th March 1839 No. 58, I am directed by the Judges of the Court of Tongdaree Adalut to report that upon application to the Criminal Judges of Chittoor and Chingleput and to the Joint Criminal Judge at Cuddalore it is found that in the present state of their gaols they can only supply the number of seventy six Convicts, who have accordingly been forwarded to the officer in charge of the Convicts at Guindy.-

24th April, 1839.-

/Signed/ T. H. Davidson
Acting Register

No. Copy sent to Captain Hall.

24th April, 1839.-

/Signed/ A. P. Forbes
Asst. Asst. to the Regr.

No.

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

Gentlemen,

With reference to your letter of the 12th instant forwarding a copy of a Return from the Joint Criminal Judge of Vizagapatam wherein that officer solicits sanction to rent the building in which the Convicts recently removed from under the superintendance of Captain Vallancey are at present confined in consequence of the Jail of the Auxiliary Court being under Repair. I am directed by the Judges of the Tongdaree Adalut to observe that the instructions conveyed in the letter from this office of the 12th instant for the immediate transfer of fifty of those Convicts to the Magistrate of Vizagapatam for employment on the Great Northern Road in that District and of the remaining number to Masulipatam to aid the party now employed at that station in excavating the Pettah Canal, will have obviated the necessity for incurring any further expence in accommodating the Convicts in question.-

2 You will be pleased to instruct the Joint Criminal Judge to submit for sanction a statement of the expence actually incurred for the Rent of the Building in question up to the date on which the

the instructions above referred to may have been carried into effect.—

Signed J. H. Davidson
Acting Register

24th April 1839.—

No. To

The Acting Criminal Judge of Combaconum

Sir,

The Judges of the Provincial Court of Circuit in the Southern Division having forwarded to this office an application from their Mooftee Mahommed Imaroof for permission to be absent from his duties on urgent private affairs for two months from the 16th June next I am directed by the Judges of the Tonjdaree Adalut to desire that you will report whether the present state of health of the Mooftee Sudr Ameen of the Zillah Court of Combaconum is such as to admit of his proceeding to Trichinopoly and there officiating in the place of the Mooftee of the Provincial Court during the absence of the latter.—

Signed J. H. Davidson
Acting Register

25th April 1839.—

No. 69.

To

The Chief Secretary to Government

Sir,

A further compilation of the Circular Orders of the Tonjdaree Adalut having been printed at the Fort St. George Gazette Press and the required number of Copies having been distributed in the provinces (as shewn in the accompanying statement) I am directed to forward the remaining one hundred and thirty two (132) Copies to the Government Office and to state that 5 Copies have been forwarded to Calcutta for the use of the Indian Law Commission.—

Signed J. H. Davidson
Acting Register

26th April 1839.—

Statement shewing the manner in which the printed Copies of the Circular Orders of the Tonjdaree Adalut have been distributed.—

Tonjdaree Adalut Circular Orders from page 61 to 64 inclusive

Provincial Court in the Northern Division				3
Do.		Southern	Do.	3
Do.		Centre	Do.	3
Do.		Western	Do.	3
Criminal Judge of	Cuddapah			2
Do.	Combaconum			2
Do.	Madura			2
Do.	Salem			2
Do.	Malabar			2
Do.	Canara			3
Do.	Rajahmundry			2
Do.	Nellore			2

Carried Over 29

Tonjdaree Diary 26th April 1839.-

Tonjdaree Udalut
Circular Orders
from page 61 to
64 inclusive -

Criminal Judge of Chicacole	Brought Over	249
Do. Bellary		2
Do. Chittoor		2
Do. Chingleput		2
Joint Criminal Judge at Coimbatore		1
Do. Do. Tinnevelly		1
Do. Do. Tellicherry		1
Do. Do. Masulipatam		1
Do. Do. Guntoor		1
Do. Do. Cuddalore		1
Do. Do. Vizagapatam		1
Do. Do. Cochin		1
Do. Do. Trichinopoly		1
Principal Sudr Ameen at Masulipatam		1
Magistrate of Southern Division of Arcot		3
Do. Northern Do.		3
Do. Bellary		3
Do. Coimbatore		3
Do. Canara		3
Do. Cuddapah		4
Do. Malabar		3
Do. Tanjore		3
Do. Nellore		3
Do. Salem		3
Do. Chingleput		3
Do. Ganjam		2
Do. Guntoor		3
Do. Madura		2
Do. Masulipatam		3
Do. Rajahmundry		2
Do. Tinnevelly		2
Do. Trichinopoly		3
Do. Vizagapatam		2
Court of Tonjdaree Udalut		3
Indian Law Commission		14
		5
Returned to the Government Office		118
		132
	Total	250

26th April 1839.-

Signed J. H. Davidson
Acting Register

To

9

Tonjdaree Diary 26th April 1839.-

No.

To

The Secretary to the Indian Law Commission

Sir,

I am directed by the Judges of the Tonjdaree Udalut to transmit to you for the use of the Indian Law Commission five Printed Copies of the Circular orders issued by the Court since the date of the last publication.

26th April 1839.-

Signed J. H. Davidson
Acting Register

No.

To

The

Provincial Court of Circuit Northern Division 3 Copies
Do. Southern Do. 3 Do.
Do. Centre Do. 3 Do.
Do. Western Do. 3 Do.
Criminal Judge of Cuddapah 2 Do.
Do. Combaconum 2 Do.
Do. Madura 2 Do.
Do. Salem 2 Do.
Do. Malabar 2 Do.
Do. Canara 2 Do.
Do. Rajahmundry 2 Do.
Do. Nellore 2 Do.
Do. Chicacole 2 Do.
Do. Bellary 2 Do.
Do. Chittoor 2 Do.
Do. Chingleput 1 Do.
Joint Criminal Judge Coimbatore 1 Do.
Do. Tinnevelly 1 Do.
Do. Tellicherry 1 Do.
Do. Masulipatam 1 Do.
Do. Guntoor 1 Do.
Do. Cuddalore 1 Do.
Do. Vizagapatam 1 Do.
Do. Cochin 1 Do.
Do. Trichinopoly 1 Do.
Principal Sudr Ameen at Masulipatam 1 Do.

26th April 1839.-

I am directed by the Judges of the Tonjdaree Udalut to forward to you for the use of your Court the accompanying ×Copies of the printed Circular orders of the Tonjdaree Udalut forming a continuation to page 64 of the second volume (not bound) of the Circular orders of the Court.-

Signed J. H. Davidson
Acting Register

To

Tonjdaree Diary 26th and 27th April 1839.-

No.

To

The Magistrates of the

Southern Division of Arcd	3 Copies
Northern -- Do. -- Do.	3 Do. Sir
Bellary	3 Do.
Coimbatore	3 Do.
Canara	4 Do.
Cuddapah	3 Do.
Malabar	3 Do.
Tanjore	3 Do.
Nellore	3 Do.
Salem	3 Do.
Chingleput	2 Do.
Ganjam	3 Do.
Guntoor	2 Do.
Madura	3 Do.
Masulipatam	2 Do.
Rajahmundry	2 Do.
Tinnevelly	3 Do.
Trichinopoly	2 Do.
Vizagapatam	3 Do.

I am directed by the Judges of the Tonjdaree Adalut to forward to you for the use of your office and that of your Subordinates the accompanying 3 Copies of the printed Circular Orders of the Tonjdaree Adalut forming a continuation to page 64 of the second volume (not bound) of the Circular orders of the Court.-

(Signed) T. H. Davidson
Actg Register

26th April 1839.-

No. 70

To

The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to forward to you to be laid before Government the annexed copy of a letter dated the 18th instant from the Joint Criminal Judge of Guntoor wherein that Officer requests sanction to remit annually to the Collector of the District in order to be credited under the collections of the Talooq held by Zemindar the sum of Rupees 3-13 (three and annas thirteen) being the rent of piece of ground belonging to the Zemindar and which being in the immediate vicinity of the Jail at Guntoor the Joint Criminal Judge is of opinion should be left waste and uncultivated both for the security of the prisoners and in order to prevent improper persons from approaching the Jail.-

Under the circumstances represented

2 by the Joint Criminal Judge the Judges of the Tonjdaree Adalut beg leave to recommend that the application of that Officer to the effect above stated be complied with.-

(Signed) T. H. Davidson
Acting Register

27th April 1839.-

No. 71

To

The Chief Secretary to Government

Sir,

1. Captain Vallancey Joint Magistrate of Vizagapatam has reported to the Court of Tonjdaree Adalut that he omitted to insert the name of Shaik Madar alias Bonda Madar, Thug Prisoner in his letter of the 9th January last of which a copy accompanied Mr. Douglas's letter to your address of the 22nd of the same month No. 11.

2. That prisoner Captain Vallancey observes was present at a murder committed near the village of Jiggur in the Masulipatam District in the year 1825 and he requests that sanction may be granted for bringing him to trial before the Court of Circuit at Vizagapatam during the Sessions now being held at that station.-

Ye

3. He further requests Sanction for the Trial before the same Sessions of Meah Sahib alias Koolkah Meah Aung approver for being concerned in the same murder" and adds that application for his Trial was not previously made owing to his absence from "Captain Vallancey's" Head Quarters and being uncertain when he would return.—"

4. The Judges of the Foujdaree Udalut direct me to request that the Right Honorable the Governor in Council will be pleased, unver the provisions of Section III, Regulation III of 1827. to order the abovenamed prisoners to be brought to trial before the Court of Circuit at the present Sessions at Vizagapatam.—

27th April 1839.— (Signed) T. A. Davidson
Dy Regr

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

In reply to your letter of the 18th Instant submitting in connexion with the 2nd Parah of this Court's letter of the 16th October last copy of a communication from the Acting Judge at Madura I am directed to acquaint you that the Judges of the Court of Foujdaree Udalut have been pleased to

10. to authorize the Acting Judge to retain for a further period of six Months a gang of 32 Convicts at Terodpara goontam for the purpose of their being employed in repairing and forming roads at and near that place.—

(Signed) T. Clarke
27th April, 1839.— Actg Sr Dy Regr

No. To The Secretary to the Board of Revenue in the
Department of Public Works
Sir,

1. With reference to the orders of Government under date the 15th January 1839, and the 31st July 1838, I am directed by the Judges of the Court of Foujdaree Udalut to forward to be laid before the Board for examination and check, and for eventual transmission to Government, the enclosed amended estimate amounting to Rupees (228-4-—) two hundred and twenty eight and annas four of the cost of repairing the treadmill in the Jail at Chittoor.

2. I am also directed to transmit to you the enclosed copy of a communication which accompanied the estimate in question.—

(Signed) T. Clarke
27th April 1839.— Actg Sr Dy Regr

To

No.

To

The Judges of the Provincial Court

Gentlemen,

in the Northern Division

With reference to your letter of the 20th Ultimo submitting copies of communications from the Civil Engineer and Zillah Surgeon regarding the erection of a separate Jail Hospital with cells for the reception of Lunatics at Masulipatam I am directed by the Judges of the Court of Toujdaree Udalut to request you will return to this office with the least practicable delay the plan and estimate of cost which accompanied Mr. Phillipsi's letter to your address under date the 15th February 1839.-

27th April 1839.-

Signed J. Clarke

Actg Sr Dy Regr.

No.

To

The Criminal Judge of the Zillah of

Chicacole

Sir,

In reply to your letter of the 16th Instant returning an Extract from the Proceedings of the Court of Toujdaree Udalut dated the 8th April 1839 with a request that it may be corrected I am directed to intimate to you that the Judges of the Court of Toujdaree Udalut have been pleased

to accede to your request and to desire the accompanying amended copy of their proceedings be furnished you.-

Signed J. Clarke

Actg Sr Dy Regr.

27th April 1839.-

No. 72.

No.

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Toujdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying statement of the charges incurred on account of extra pens employed agreeably to the 2d. paragh of the Circular order of this Court under date 15th October 1834 in consequence of the increased number of prisoners in the Jail attached to the Court of the Principal Sudr Ameen of Sursee in the Zillah of Canara.-

The Judges of the Court of Toujdaree Udalut

2.

beg to recommend that the special Sanction of Government be granted for the disbursement of Rupees eight annas thirteen and pice six and a half (Rs. 8-13-6½) on account of the charge above mentioned.-

Signed J. W. Davidson

Acting Regr.

29th April 1839.-

To

No. 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 Tonjdaree Udalut to acknowledge the receipt of your Register's letter of the 5th instant with a communication and its enclosures from the late Criminal Judge of Chittoor requesting the sanction of Government for the salary and batta of certain peons on Guard over the convicts employed in Repairing the Roads between Chittoor Vellore and Arcot from the 28th June to November 1836.—

2. The Judges of the Tonjdaree Udalut desire to know by what authority the batta was granted and if by an order of Government the date thereof.—

3. In returning the annexed statement which accompanied the letter of the late Criminal Judge of the 27th March I am further directed to desire you to call the attention of the Assistant Criminal Judge to the 13th Clause of the rules published under date

date 21st November 1833 at page 844 of the Fort St. George Gazette of 1833 to which the attention of the public departments were in a special manner called in a subsequent order of Government dated 26th July 1836 and published at page 483 of the Official Gazette for that year, and to request that in conformity with the provisions of the Clause in question you will direct the Assistant Criminal Judge to enter in words at length as well as in figures the amount of the charges in question.—

29th April 1839.— (Signed) J. D. Forbes.
Asst. Sr. Asst. Register

No. To Lieutenant V. K. Worster

Sir,

1. With reference to your letter of the 15th April 1839 I am directed by the Judges of the Court of Tonjdaree Udalut to inform you that neither of the statements alluded to by you in it is the one required by Government and called for in the letter from this Office under date April 11th.—

2. The statement required is the

one

Fouzdaree Diary 29th April 1839.-

are specified in the Circular letter of the Fouzdaree Adalut of the 25th July 1837 of which a copy was then sent to you together with the form in which it was to be drawn up and was intended to shew in what manner the services of the Convicts were disposed of on the 30th of June and 31st December each Year.-

29th April 1839.-

Signed A. P. Forbes.-
Asst to the Regr

Toujdaree Diary 2nd. May 1839.-

No.

To

The Joint Criminal Judge of Guntoor,

Sir,

With reference to your letter of the 10th. April 1839 applying for sanction for the employment of 10 extra Jail peons until the return of the invalided Jail Guard Sam directed by the Judges of the Court of Toujdaree Udalut to inform you that the Right Honorable the Governor in Council has been pleased by an order dated the 26th. April 1839 No. 356 to grant authority for the temporary employment of the extra establishment in question.-

Signed J.A.P. Forbes
A.R. Asstt. to the Regr.

2d. May 1839.-

No.

To

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

Gentlemen,

With reference to your letter of the 5th. Ultimo I am directed by the Judges of the Toujdaree Udalut to request that you will forward to this office with as little delay as possible a copy of para 9 of the Police Report of the Magistrate of Cuddapah for the past year alluded to in that officers letter to your address under date the 28th. March 1839 wherein

he

he applies for the sanction of Government to confer a gratuities upon certain persons concerned in offering a manly and effectual resistance to a gang of Robbers in the village of Rospanagrody in the Coilgoutta Talook of that District.

2nd May 1839. (Signed) T. H. Davidson
Acting Register

No. 56.

To The Secretary to the Military Board

Sir,

1. With reference to the order of Government dated the 4th Septembr 1838 No. 839 whereby the Military Board were authorized to comply with the application of the Acting Criminal Judge of Canara to be supplied with twelve Cartridge pouches and six powder flacks for the use of the Jail Guard at Mangalore from the ordnance Department at the Presidency I am directed by the Judges of the Toujdaree Udalut to state that the Criminal Judge has recently reported that he has not yet received the stores in question: and that in consequence the Peons in charge of the working parties of Convicts though provided with fire arms have no Ammunition.

Under these circumstances and with

with reference to the letter addressed from this office to the Chief Secretary to Government under date the 27th August 1838 - on which the order above cited was passed - I am directed by the Judges of the Toujdaree Udalut to request that the matter may be brought to the notice of the Military Board in view to the requisite measures being taken for dispatching to Mangalore with as little delay as may be possible, the stores for which the Criminal Judge of Canara has applied to the extent specified in the first parah of this communication.

(Signed) T. H. Davidson
Acting Register

3rd May 1839. No. 73.

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Toujdaree Udalut to report that the officer Commanding the Neilgherries has represented to the Judges of the Provincial Court of Circuit in the Southern Division, the trouble and delay experienced under the present mode of supplying the funds for the subsistance

subsistance of the Convicts and the pay of the guard &c. under his charge at Ootacamund.—

2. Colonel King observes that "the Convicts in the Jail at Ootacamund having been partly received from Calicut and partly from Coimbatore, two distinct abstracts have been hitherto required Monthly for their subsistence and for the pay of the Peons, of which, one is sent to the Criminal Judge at Calicut who remits an order either on the Tahseeldar at Ootacamund or on the Principal Collector of Coimbatore but more frequently the latter": while "the other, which includes the pay of the standing guard at the Jail, as well as of the Peons, and subsistence &c. for the prisoners from Coimbatore, is forwarded to the Principal Collector of that District who invariably sends the amount with the Treasure for the payment of Officers' Abstracts."

3. It is added that the Complement of Convicts allotted to the Jail at Ootacamund is one hundred and as casualties occur they are replaced from the Coimbatore Jail" from which there is already a Majority.—

4. Colonel King therefore suggests that

that in place of the present mode of drawing separate abstracts "the expences of the entire establishment" be, in future, "included in one abstract and drawn upon the Principal Collector of Coimbatore, which" he observes "will greatly simplify the accounts and ensure a more regular remittance of the money".—

5. The Judges of the Toujdaree Adalut I am directed to observe entirely approve the suggestion offered by Colonel King: and should there be no objections thereto on the part of the Officer of account or Audit the Judges beg leave to recommend that the sanction be granted for giving effect to the arrangement above indicated.—

Signed J. H. Davidson
Acting Regr.

3d. May 1839.—

No. 74.

No. To, The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Toujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying memorandum of the sum proposed to be disbursed in purchasing iron and charcoal required for making fetters for the Convicts in the Jail of

of Tinchinopoly.

2. The Judges of the Tanjdaree Udalut beg to recommend that the sanction of Government be granted for the outlay of Rupees (31-4-) thirty one and Annas four for the purpose abovementioned.

(Signed) T. H. Davidson
Acting Regr.

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

Gentlemen

1. In returning the statement submitted by the Magistrate of Tanjore showing the amount paid to the sibbendies in charge of the Convicts transferred from the Zillah Jail of Combaconum which accompanied your letter of the 24th Ultimo, I am directed by the Judges of the Tanjdaree Udalut to draw Your attention to the 13th Clause of the Rules published under date 22nd November 1833 at page 844 of the Fort St. George Gazette to which the attention of the publick departments was in a Special manner called in a Subsequent order of Government under date 26th July 1836 published at page 483 of the Gazette, and to request that in conformity with the provisions of the Clause

clause in question you will cause to be entered at the foot of the Statement in words at long th as well as in figures the amount of the charges requiring Sanction.

7th May 1839. (Signed) T. H. Davidson.
Acting Registr.

No. 75.

No. To The Chief Secretary to Government

Sir,

1. With reference to parah 4 of the Circular Order of the Court of Tanjdaree Udalut of the 16th March 1835 No. 84 I am directed by the Judges to state that the Criminal Judge of Nellore has reported that the sum of Rupees (1500) one thousand and five hundred will be required to enable him to purchase the annual supply of Grain for the Prisoners in the Jail of that Zillah, at the close of the Harvest of the present year: and has accordingly requested the Court "to obtain the orders of Government authorizing the Principal Collector of Nellore to transmit to" him "the sum of one thousand and five hundred Rupees for the purpose abovementioned."

2. The Judges of the Tanjdaree Udalut beg leave to recommend that the proposition of the

the Criminal Judge of Attore receive the sanction of Government.-

Signed/ T. H. Davidson
Acting Registar

9th May 1839.-

No. To,

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

Sir,

I am directed by the Judges of the Tuydaree Udalut to acknowledge the receipt of your letter of the 29th Ultimo, reporting for the consideration of the Court, the case of a Convict named Maumoondy Maren at present confined in the Zillah Jail of Salem, who, while working at Dharumpoory about four years ago, met with so serious an accident as to render him for life a cripple, and of whose sentence you state that the remission of the unexpired term - one year and a half will be considered by him as a valuable boon.

2. Before deciding in regard to this reference, the Judges of the Tuydaree Udalut are desirous of being informed what the general behaviour of the convict in question has been during

during his confinement: and they accordingly direct me to desire that you will furnish them with the required information on this point.-

3. I am directed in conclusion to call your attention to the orders dated the 27th July 1832 regarding legibility of signature.-

Signed/ T. H. Davidson
Acting Regr.

9th May 1839.-

No. To,

The Acting Second Judge of the Provincial Court of Circuit in the Centre Division

Sir,

1. I am directed by the Judges of the Tuydaree Udalut to acknowledge the receipt of your letter of the 19th Ultimo referring for their orders the case of a female convict now in confinement in the Jail of Chittoor "in Irons" under a sentence passed by the Acting First Judge of the Provincial Court.-

2. A similar reference I am desired to observe was made to this Court under date the 2nd March 1835 by Mr. Casamajor then officiating as

as First Judge on Circuit in the Centre Division which was answered in the Register's letter of the 3d April following the principle indicated in which is also applicable to the present case.—

3. It appears to the Court that although circumstances may arise to Render it both proper and just on the part of a Judge of Circuit to pass a sentence of imprisonment without Irons, yet there is no Provision of the Law whereby he is precluded from sentencing a female to labour in Irons whenever he may deem it proper to do so: and that in the present instance if the Acting First Judge considered it expedient that "Irons" should form a part of the punishment awarded to the prisoner in question the sentence cannot on that ground be called in question.—

(Signed) T. H. Davidson
Actg Regr

9th May, 1839.—

No 76.

No To The Chief Secretary to Government

Sir,

1. With reference to the resolution of Government, under date the 9th March 1839. No 204.

for the promulgation of the notification, therein referred to as amended in red ink, I am directed by the Judges of the Toujdaree Adalut to transmit to you for the consideration and orders of the Right Honorable the Governor in Council the accompanying copies of letters dated respectively the 17th and 25th Ultimo addressed to the Provincial Courts of Circuit in the Northern and Western Divisions by the Magistrate of Guntoor and the Acting Magistrate of Canara.—

2. It will be observed that both Mr. Goldingham and Mr. Maltby advert to the effect of the proclamation of Government if strictly interpreted, and the latter Gentleman suggests a modification of its terms which the Judges do not approve but deem it their duty to lay before the Right Honorable the Governor in Council.—

3. The Judges of the Toujdaree Adalut beg permission respectfully to recommend that the proclamation, in its present form be recalled for the following reasons.—

First because with reference to the provisions of Section XIII Regulation I of 1802 the Criminal

Criminal Courts are, in the opinion of the Judges precluded from taking notice, judicially, of the said proclamation.—

Secondly, because the Fouzdaree Udalut cannot require obedience to the said proclamation or enjoin the Magistrates and Native officers of Police to act upon it by apprehending and sending to the Criminal Judge persons who might infringe it. On the contrary it appears to the Judges that Magistrates, or Officers of Police so doing, would subject themselves to an action for false imprisonment.

Lastly, because the principle of the said proclamation appears to the Judges to be opposed to the rule that "penal statutes must be "construed strictly," and in Criminal cases Judges must not construe "the law otherwise than according to the letter.—

10th May, 1839.— /Signed/ T. H. Davidson
Acting Regr.

No. 77.

To, The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the

the Fouzdaree Udalut to state that the Joint Criminal Judge of Trichinopoly has requested permission "to entertain for the period of one month an additional Translator and an Extra English Copyist on the respective salaries of Rupees 35 and 14 per mensem", for the purpose of expediting the translation of the Records of certain Criminal cases.—

2. I am directed to observe that in conformity with the orders issued by the Court of Fouzdaree Udalut on the occasion of the Establishment of the Auxiliary Court at Trichinopoly, eleven Criminal cases were transferred to that Court from the File of the Zillah Court of Combaconum: the whole of which the Joint Criminal Judge reports are committed for Trial before the Court of Quarter Sessions at Trichinopoly—

3. In addition to these cases of which the Records have not yet been translated, six cases have been committed for Trial before the Court of Quarter Sessions since the Court commenced operations up to the 1st instant by the late (acting) and the present Joint Criminal Judge, of which "two only" as yet have been laid before the Judge holding the Quarterly Sessions."—

4. The Joint Criminal Judge states that

that the English Department of his office is saddled at the very outset with an arrear which considerably interferes with the current business and "he submits "cannot but be considered objectionable in many respects, particularly as affecting the advantages to be derived from Quarterly Sessions."-

5. Under the circumstances above recited the Judges of the Fouydaree Udalut beg leave to recommend that the Joint Criminal Judge of Trichinopoly be authorized to entertain the Extra Establishment above mentioned at the aggregate additional expence of Rupees 149-- forty nine, for the period of one month.-

Signed/ T. H. Davidson
Acting Register

11th. May, 1839.-

No. To, Captain Valancey Joint Magistrate of Vizagapatam

Sir,

I am directed by the Judges of the Fouydaree Udalut to acknowledge the receipt of your letter of the 16th. Ultimo- and in reply to inform you that under the provisions of Section III. & Regulation

Regulation VII of 1827. the Right Honorable the Governor in Council has been pleased by an order dated the 3d. instant to authorize you to bring the prisoners referred to in that communication- namely

Shaikh Madar
alias
Buda Madar and
Meah Sahib alias Hodkah Meah

to trial before the Court of Circuit at the present Sessions, at Vizagapatam.-

Signed/ T. H. Davidson
Acting Register

11th. May, 1839.-

No. To, The Judges of the Provincial Court of Circuit in the Centre Division and Southern Division

Gentlemen,

I am directed by the Judges of the Fouydaree Udalut, pursuant to instructions received from Government, to inform you that the Office of Captain Thomas- Assistant General Superintendant for the suppression of Thuggee at Palamanair was reduced from the 1st. instant and that "the duties lately intrusted to that Officer

officer will hereafter be performed by Captains Elwall and Vallancey who are respectively stationed at Bangalore and Vizagapatam, and have been instructed to receive charge of the same from him" and to desire that the same may be communicated to the Judicial and Magisterial officers in the District of Chittoor for their information.

Signed/ T. H. Davidson
Acting Regr.

11th May, 1839.-

No.

To,
The Acting Magistrate of
Malabar

Sir,

In reply to your letter of the first Ultimo and with reference to the orders of Government of the 12th June last I am directed by the Judges of the Court of Tovjdaree Udalut under instructions from Government bearing date the 6th Instant No. 376 to request you will explain the authority under which you proceeded to apprehend and forward Rungyen to

to the Resident of Travancore and Cochin.

Signed/ T. Clarke
Asst. Sr. Dy. Regr.

13th May 1839.-

No.

To,
The Acting Magistrate
of Coimbatore

Sir,

With reference to the statement of contingent charges, not exceeding 20 Rupees each incurred in the 3d quarter of Fusly 1248 which accompanied your letter of the 27th Ultimo I am directed by the Judges of the Tovjdaree Udalut to enquire whether there is any general sanction for paying batta to the Peons who escorted prisoners and witnesses to the Criminal Court from the Magistrate's and Joint Magistrate's offices and in the event of there being none to desire that you will state under what authority you have incurred the charges alluded to.-

Signed/ A. P. Forbes
Asst. to the Regr.

13th May 1839.-

To

No. 78.

No.

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Toydaree Udalut to forward to you to be laid before the Right Honorable the Governor in Council the accompanying letter dated the 9th March last and its enclosure from Mr. Blair the Principal Collector of Canara submitting the information called for by the order of Government dated the 15th May 1838 No. 504 in regard to the circumstances and conditions under which the Pension enjoyed by the late Lachmun Bungar was granted, and in regard to the present circumstances of the family of that Chieftain.—

Translation of a Petition from the Mother of the late Bungar.

2. This letter reached the Office of the Toydaree Udalut on the 27th Ultimo and the present Acting Magistrate of Canara in his letter of the 2d Ultimo, states that it had "just been returned from the Board of Revenue to which office it was through inadvertency directed.

3. I am directed by the Judges of the Toydaree Udalut to observe in explanation of the delay in complying with the order of Government above cited, which the Judges regret that subsequently to the dispatch of the requisite instructions to the Magistrate of Canara under date the 2d May 1838 their attention has not been called to the subject, and the matter passed from their consideration.—

14th May 1839.—

Signed T. H. Davidson
Acting Register

No. 79.

No.

To,

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Toydaree Udalut to forward to you to be laid before the Right Honorable the Governor in Council the annexed copy of a letter dated the 24th Ultimo from the Acting Magistrate of Tinnevelly reporting the perpetration of a Robbery in the Travancore Country by an armed Mob from the District of Tinnevelly, of whom "many" it appears were captured after a severe conflict with the villagers, but the majority escaped back again into Tinnevelly."—

It will be seen that Mr. Thompson lays much stress upon the evil effects of the existing rule whereby a native subject of the British Government charged with a crime committed out of the British Provinces but found within the British Territory is amenable only to the British Tribunals, the result of which, he observes, is to secure impunity to offenders

do

so circumstanced by reason of the disinclination evinced by the people of Travancore to quit their own Country for the purpose of prosecuting the parties in our Courts: and as a remedy of the mischief he suggests recourse to the practice obtaining in Bengal as described in Mr. Secretary Mr. Laughten's Letter to the Madras Government under date the 22d. February 1836 of making over the offender to be dealt with according to the Laws of the Country wherein he committed the offence; and recommends that if it be possible, the same course be adopted in respect of the persons concerned in the particular Robbery in question.—

3. In their Register's Letter to your address under date the 31st March 1836 No. 67 - the Judges of the Tovjdaree Udalut communicated their opinion that "there is nothing in Regulation I 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 Tondiman and found

within the Territory, to be delivered up for the purpose of being tried by his Courts whenever such a course of proceeding may be deemed expedient: but that the Magistrate could make over the offender only under a special order of the Governor in Council" and the Judges direct me to state that they consider that opinion equally applicable to offences committed within the Travancore Territories.—

4. Should this opinion meet with the concurrence of the Right Honorable the Governor in Council, the Judges would suggest that the acting Magistrate of Tinnevelly be authorized to make over the accused parties in the present case to the authorities in Travancore and that instructions to the same effect as those conveyed in the order of Government of the 12th April 1836 No. 305, be issued to the Magistrates of the Districts bordering on the Territories of that state for their guidance in similar circumstances.—

(Signed) T. H. Davidson
Acting Register

14th May, 1839.—

To

No. 80

No. To,

The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 26th April 1839 No. 355 I am directed by the Judges of the Foujdaree Adalut to state that the names of the six Convicts who escaped from the Jail at Buntwalband in the letter of the 15th March last from Mr. Blair to the Secretary to the Board of Revenue in the Department of Public works are stated to be still at large have not been reported to this office: and that the Judges are unable at present to offer any opinion in regard to the Rewards which should be proclaimed for their re-apprehension: but that the Acting Magistrate of Canara has been called upon to furnish the requisite information without delay; and that on the receipt thereof, the Judges will submit their sentiments on the point referred for their consideration.

15th May 1839.

(Signed) J. H. Davidson

Acting Register.

No. To

The Acting Magistrate of Canara.

Sir,

I am directed by the Judges of the Foujdaree Adalut to desire that you will report with the least possible delay to enable them to reply to a reference made to the Court on the subject by Government the names of the six fugitive Convicts who, in Mr. Blair's letter of the 15th March 1839 to the Secretary to the Board of Revenue in the Department of Public works are stated to be still at large; and that you will at the same time forward to this Office a Descriptive Roll of the said Convicts, with a notice of the nature of their offences, and of the length of time their sentences have yet to run &c.

15th May 1839.

(Signed) J. H. Davidson

Acting Register

No. To,

The Criminal Judge of Cuddapah

Sir,

With reference to Mr. Douglass's letter of the 10th August 1838. I am directed by the Judges

Judges of the Fouydaree Udalut to desire that you will forward to this office without delay the statement due from the Principal Sudr Ameen of Cumbum for the Second half of the year 1838. in the form of which a copy accompanied the communication above refered to.—

Signed J. H. Davidson
Acting Register

15th May 1839.—

No. To,
The Acting Cuminal Judge of
Combaconum

Sir,

I am directed by the Judges of the Fouydaree Udalut to call your attention to my letter of the 25th Ultimo requiring you to report whether the present state of health of the Mooftee Sudr ameen of the Zillah Court of Combaconum is such as to admit of his proceeding to Trichinopoly and there officiating in the place of the Mooftee of the Provincial Court during the absence of the latter; and to desire that you will submit the requisite information without further delay.—

Signed J. H. Davidson
Act. Regr.

17th May 1839.—

No. 81.

No. To,
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Fouydaree Udalut to state that Mr. Davis the Third Judge on Circuit in the Centre Division has applied for sanction for the temporary employment on the Circuit establishment of an acting Translator, under the following circumstances.—

2. Goorroomoorty Iyah the Head Translator of the Provincial Court in the Centre Division, having obtained leave of absence a person named Soondra Naick was appointed to act for him, and in that capacity accompanied Mr. Davis on his present Circuit; but in a letter dated the 29th Ultimo addressed to the Third Judge the Register of the Provincial Court reports that the Head Translator returned to his duty on the 18th of that Month and requested Mr. Davis to strike out the name of Soondra Naick from the Indent from that date.—

3. Mr. Davis however, on the ground that there is "no time for his place being supplied by

by another Translator from the Court of Chittoor," and that the being deprived of his services in the present stage of the duty" at Bellary - "will greatly interfere with the speedy termination of the sessions" solicits authority to retain Soondra Naick as acting Translator from the date of his removal until the arrival of the Court of Circuit at Chittoor, on the monthly Salary of Rupees 25-/ twenty five, with the usual batta.

4. And under the circumstances above recited, the Judges of the Tongdaree Udalut beg leave to recommend that the request of the Third Judge be complied with.-

17th May 1839.- /Signed/ T. H. Davidson
Acting Regr.

No. To,
The Acting Criminal Judge
at Salem

Sir,

Supplemental Report
Criminal Report Nos. V
do do VI
do do VII
do do VIII
do do IX

With reference to your letter dated the 4th Instant I am directed by the Judges of the Tongdaree Udalut to transmit to you

you 20 Copies each of the printed forms noted in the margin.-

17th May, 1839.- /Signed/ T. H. Davidson
Acting Regr.

No. 82.

To,
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tongdaree Udalut to state that the Magistrate of Vizagapatam, in forwarding with a letter dated the 3d instant an extract from the Ministes of Consultation in the Military Department under date the 9th April 1839. No. 1574. of which a copy is annexed has requested the opinion of the Court "as to the authority which is thereby vested in Captain Vallancey -

2. The first question propounded by the Magistrate is- "Has Captain Vallancey authority to punish under Regulation VII of 1832"?-

3. It appears to the Judges of the Tongdaree Udalut that the order of Government above cited - to the effect that "the Right Honorable the Governor in Council is of opinion that, under all

all the circumstances of the case it is not advisable to establish a separate Military Police within the Town of Vizagapatam" was intended to exclude the operation of Regulation VII of 1832 and that this first question must be answered in the negative.—

4. The Magistrate in the next place asks "does an appeal lie from Captain Vallancey's decisions to me or not" and he submits his opinion that "although Captain Vallancey has been expressly mentioned by name in those proceedings" meaning the extract from the minutes of Consultation above cited "this arises from" "the Magistrate's" having stated that the Police of Vizagapatam was under his" Captain Vallancey's immediate control at present and he "concludes that the intention of Government is that an addition of 1 Duffadar and 12* Peons is to be made to the Police Establishment of Vizagapatam, and that this establishment is to be expressly employed for the suppression of unlicensed Toddy and arack Shops.—

*Note apparently should be 10 Peons

5. The Magistrate adds that it would of course be placed under the same officer who is in charge of the Police, but he hardly thinks it can be intended either to vest Captain Vallancey with any new authority or to remove him in this single instance from acting in subordination to his authority as Magistrate."

6. It appears to the Judges, from a consideration of the extract from the Minutes of Consultation, that the Magistrate has correctly interpreted the intentions of Government on this point. The instructions therein conveyed could not of course be intended to set aside the conditions under which by the order of Government of the 2nd June 1837 No. 506 Captain Vallancey was authorized to undertake the duties of Magistrate in the Town of Vizagapatam and its vicinity namely "provided he acts in subordinate to the authority of the Collector as Magistrate, as declared by Clause third, Section V. Regulation II of 1827.—

7. The Judges of the Foujdaree Adalat

Udalut have considered it their duty to submit this reference to the Government whose orders would seem to have received discordant interpretations.—

18th May 1839.— /Signed/ T. H. Davidson
Asst Regr.

No.

To
The Officer Commanding
Vellore

Sir,

With reference to your letter dated the 13th Ultimo I am directed by the Judges of the Tongdaree Udalut to transmit to you 4 Copies of the printed forms of the Half yearly Statement required by the order of the Court of the 25th July 1838.—

18th May 1839.— /Signed/ T. H. Davidson
Asst Regr.

No.

To
The Magistrate of
Tanjore

Sir,

With reference to your letter dated the 4th Instant I am directed by the Judges of the Tongdaree Udalut to transmit to you 4 Copies of the printed forms

form of the Half yearly Statement required by the order of the Court of the 25th July 1838.—

/Signed/ T. H. Davidson
Asst Regr.

18th May 1839.—

No.

To
The Joint Magistrate in charge
of the Zillah of Canara.

Sir,

With reference to your letter dated the 22nd Ultimo I am directed by the Judges of the Tongdaree Udalut to transmit to you 4 Copies of the printed forms of the Half yearly State-ment required by the order of the Court of the 25th July 1838.—

/Signed/ T. H. Davidson
Asst Regr.

13th May 1839.—

No. 83.

To,
The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tongdaree Udalut to state that the Assistant Criminal Judge in charge of the Zillah Court of Salem has recently brought to the notice of the Court the case of a Convict named Maumoondy Maurer

Maurer at present confined in the Jail at that station, whom, he considers a fit Object of the Semency &c

2. The Convict in question was convicted by the Court of Circuit in case No. 7 of the Salem Calendar of the second Sessions of 1833, of a Robbery of Grain, "during a season" as observed by the Assistant Criminal Judge "of dreadful famine" and on the 14th October 1833, was sentenced to imprisonment with hard labour in Irons for seven years: of which the unexpired term at the present date is somewhat less than one year and five months.—

3. It appears that "while at work near Dharampoory with his Gang about four years ago, his thigh was fractured in so bad a manner that he has ever since been and must through life remain an absolute cripple."—

4. The Assistant Criminal Judge likewise certifies that "both before and since his accident, his conduct while in Jail appears to have been orderly and free from exception of any kind."—

5. Under the circumstances above

recited, the Judges of the Tonjdaree Adalut beg leave to refer the case of the said prisoner for the favorable consideration of the Right Honorable the Governor in Council, and to recommend that the unexpired portion of the sentence be remitted, and that authority may be granted for forthwith discharging him from confinement.—

Signed J. H. Davidson
A. Regr.

20th May 1839.—

To,
The Second Judge on Circuit in the
Northern Division

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your letters dated respectively the 15th and 16th Instant, and to desire that you will receive the Calendar referred to in the latter letter and dispose of the cases therein contained recalling the notice issued for the opening of the 1st Sessions of 1839 at Chicacole on the 5th Proximo.—

2. The Judges are induced to issue these

these instructions by the consideration of the great public importance of avoiding delay in trying the cases of Thuggee referred to:- and they do not, therefore, intend that your progress on your Circuit should be delayed by the trial of cases of any other description & should there be any committed during your presence at Tyagapatam.-

Signed/ T. H. Davidson
A. Regr.

20th May 1839.-

No. To

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

Gentlemen,

1. I am directed by the Judges of the Foujdaree Adalut, pursuant to instructions conveyed to the Court by an order of Government dated the 15th May 1839. No. 395. to forward to you the annexed copy of a letter addressed to the Military Board by the Officer Commanding Mangalore and to request that you will instruct the Criminal Judge of Canara to supply on the requisition of the Officer Superintending the construction of Buildings at that station, such number of convicts as

as he may be able to employ with advantage.-

2. The Criminal Judge will report for the information of the Foujdaree Adalut what number of Convicts he may place at the disposal of the Military authorities with reference to these instructions.-

Signed/ T. H. Davidson
Actg. Regr.

20th May, 1839.-

No. 34.

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying statement of sums drawn from the Principal Collector's Treasury of South Arcot and paid by the Joint Criminal Judge of Cuddalore as Rewards for the apprehension of Offenders under the Provisions of Section X Regulation XIII of 1832 and now reclenched by the Civil Auditor.-

2. In explanation of the first Item of the statement, the Acting Joint Criminal Judge states that the sum of Rupees 25 was given to a Duffadar who had distinguished himself in the apprehension of

of 14 persons concerned in a case of extensive gang robbery and also in the receiving of a large portion of the property.—

3. With respect to the reward of 3 Rupees it is stated that it was paid to a peon who had been active in tracing and arresting three persons connected with two cases of theft.—

4. The sum of 29 Rupees the last Item of the statement was distributed among 4 individuals for apprehending a convict who escaped from Jail while under sentence of fourteen years imprisonment.—

5. Under the explanations afforded by the Acting Joint Criminal Judge as above recited the Judges of the Tongdaree Adalut beg leave to recommend that the Special sanction of Government be granted for the charges in question amounting in the aggregate to Rupees 57 fifty seven—

21st May 1839.— Signed J. M. Davidson
Acting Regr.

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

With reference to your letter of the 15th. Ultimo

Ultimo, forwarding a statement of the charges incurred by the Principal Sudr Ameen of Sirsee on account of extra peons I am directed by the Judges of the Tongdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 13th instant No. 393 to grant special sanction for the charges in question amounting to Rupees 8—13—6½ eight annas thirteen and pice six and a half—

21st May 1839.— Signed A. P. Forbes
Actg. Asst. to the Regr.

No. 85.

No. To, The Chief Secretary to Government
Sir,

1. I am directed by the Judges of the Tongdaree Adalut to forward to You to be laid before the Right Honorable the Governor in Council the accompanying statements submitted by the Joint Criminal Judges of Guntoor and Vizagapatam of Batta paid to the children of Convicts in the Jails under the charge of those Officers respectively.—

The

2. The statements from Vizagapatam are for a portion of the last Quarter of 1838 and for the First Quarter of 1839: that from Guntoor for the first Quarter of 1839.

3. The Judges of the Foujdaree Adalut beg leave to Recommend that the charges in question receive the sanction of Government. those in the Vizagapatam Jail to the amount of Rupees (6-12-) six and annas twelve: those in the Guntoor Jail to the amount of Rupees (11--5) eleven and Pice five: the aggregate amount of the charges in both Jails being Rupees 17-12-5) seventeen annas twelve and pice five.—

22d. May 1839.—

Signed/J. H. Davidson
Acting Regr.

Quarterly Statement of Payments made for burying the bodies of Prisoners who died in the Jail of Vizagapatam during the Quarter ending 31st March 1839.

Date of the Death	Name of Prisoner	Charges for Shroud	Charges for Burial	Total
1st Quarter 1838				
2 Jany 1838	Sheik Ahmed	Rs. 1	Rs. 2	Rs. 3
12 Feby 1838	Sheik Hussain	1	2	3
14 Feby 1838	Sheik Ahmed	1	2	3
1st Quarter 1839				
1 March 1839	Sheik Hussain	1	2	3
12 March 1839	Sheik Ahmed	1	2	3
		Rs. 5	Rs. 10	Rs. 15

Vizagapatam.
Foujdaree Adalut 22d May 1839.

Guntoor.

Date of the Death	Name of Prisoner	Charges for Shroud	Charges for Burial	Total
4th Quarter 1838				
31 Dec. 1838	Sheik Ahmed	Rs. 1	Rs. 2	Rs. 3
1st Quarter 1839				
1 March 1839	Sheik Hussain	1	2	3
12 March 1839	Sheik Ahmed	1	2	3
		Rs. 3	Rs. 6	Rs. 9

Guntoor.
Foujdaree Adalut 22d May 1839.

No. 86.

To The Chief Secretary to Government

Sir,

With reference to the order of Government dated the 8th April 1839 No. 318 calling for further information in respect of the amount of the Rewards offered for the apprehension of the Rebel Chief Ramya Gowda and the authority under which they were proclaimed. I am directed by the Judges of the Toydaree Udalut to forward to you to be laid before the Right Honorable the Governor in Council, the annexed copy of a letter dated the 11th instant from the Acting Magistrate of Canara submitting the requisite explanation on those points.—

2. Adverting to the remarks in parah 7 of the Acting Magistrate's letter, the Judges of the Toydaree Udalut direct me to observe that considering the expediency of reducing the amount of the Reward originally proclaimed with reference to the circumstances noticed

in parah 6 of the same communication to be a question exclusively for the determination of Government, they refrain from offering any opinion on the subject

Signed J. H. Davidson
Actg Regr

22nd May 1839.—

No. 87.

To The Chief Secretary to Government

Sir,

The Magistrate of Chingleput having requested sanction to bring to trial two Convicts of the District of South Arcot named Pauvady and Kalozaden who are charged with having, while employed under the orders of Captain Hall at Gundy, "knocked off their Irons and attempted to make their escape"— I am directed by the Judges of the Toydaree Udalut to request that the Right Honorable the Governor in Council will be pleased under the Provisions of Section III Regulation I of 1833. to grant authority for making over the said prisoners to the Criminal Court at Chingleput

Signed J. H. Davidson
Acting Regr

23rd May 1839.—

To

No. To The Joint Crimun Judge of Vizagapatam

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 10th instant wherein you solicit instructions for your guidance in regard to the seventh prisoner in case No. 11 of the Vizagapatam Calendar of the present Sessions.—

2. It appears that you committed the prisoner in question to take his Trial before the Court of Circuit on the charge of having intimidated the prosecutrix and witnesses to state before the Head of Police that the deceased, of whose murder the other prisoners in the same case are accused, died a natural death, but that the second Judge of Circuit has declined to try the said seventh prisoner on the ground that the offence with which he is charged has been ruled by the Court of Foujdaree Udalut to be punishable neither by the Regulations nor

under the Mahommedan Law.

3. On this point I am directed to observe that the Court of Foujdaree Udalut ruled in their Register's letter to the Provincial Court of Circuit in the Centre Division under date the 11th January 1837 referred to by the Second Judge of Circuit in his Precept of the 9th instant that a prisoner sent up to the Criminal Court by the Magistracy of the Southern Division of Arcot charged with having "withheld information in the first instance and afterwards endeavoured to prevent the bringing to light a murder" was properly released by the Joint Criminal Judge for as much as "specific provision has not been made in the Regulations of this Presidency for the punishment of an accessary after the fact" and the Mahommedan Law Officers of the Court have declared that "a person acting in the manner described is not liable to punishment under the Mahommedan Law" and the Criminal Courts obviously "cannot award punishment for an act not punishable under

under the Mahommedan Law, unless specifically
made punishable by some provision of the Regulations.

4th With reference to this decision the
Second Judge of Circuit acted rightly in declining
to put the prisoner in question on his Trial, who
must now be discharged from custody.—

24th May 1839.— Signed J. H. Davidson
Actg Regr.

No. 89.

No. To, The Chief Secretary to Government

Sir,

I am directed by the Judges of the
Court of Tongdaree Uddalut to transmit to you to be
laid before the Right Honorable the Governor in
Council the accompanying Quarterly Statement of
disbursements made by the Criminal Judge of
Chicacole in bringing up the Children of a Convict
confined in the Jail at that station with
the recommendation of the Court that the
charge in question amounting to Rupees 3—10—4
three Annas ten and piece four may receive the sanction of
Government.—

25th May 1839.— Signed J. H. Davidson
Actg Regr.

Quarterly Statement of disbursements made for bringing up
the Children of Prisoners in the Zillah Jail of Chicacole.—

Name and Sentence of the Convict.—	Childs name and Sex.	Age.	Date of first disbursement	Charge per Diem	Total expenditure to this date
Lottah Yenikee sentenced to two years imprisonment with hard labor.—	Samadegadoo Boy— 3	10 years	2d Feb. 1839	At 6 Rice each per day	3—10—4.
	Rangegadoo Boy— 7	7— Do.			

Signed J. H. Davidson
Actg Regr.

No. 90.

No. To.
The Chief Secretary to Government

Sir,

In obedience to the orders of Govern-
ment contained in the Extract from the Minutes
of Council under date the 29th January 1839 I am
directed by the Court of Tongdaree Uddalut to
submit for transmission to the Supreme
Government the accompanying copy of a Circular
order of this date.—

25th May 1839.— Signed J. H. Davidson
Actg Regr.

To

No. 91.

No. 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 Tongdaree Udalut 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.—

27th May, 1839.— Signed J. H. Davidson

A. Regr.

92.

No. 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 29th January 1839 I am directed by the Court

of Tongdaree Udalut to submit for transmission to the Supreme Government the accompanying copy of a Circular Order of this date.—

27th May, 1839.— Signed J. H. Davidson

A. Regr.

No. To,

The Joint Criminal Judge

at Trichinopoly.

Sir,

With reference to your letter of the 25th Ultimo forwarding a statement of the sum proposed to be disbursed in purchasing iron & and charcoal required for making fetters for the Convicts, I am directed by the Judges of the Tongdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 14th instant No. 399 to grant sanction for the outlay in question amounting to Rupees (31—4—) Thirty one and annas four.—

27th May, 1839.— Signed A. P. Forbes

A. Asst. to the Regr.

To

No.

To,

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

Gentlemen,

With reference to your letter of the 25th March submitting the copy of a communication from the Officer Commanding Attacamund & suggesting with the view of preventing the unnecessary trouble and occasional delay attending the present system of making two separate abstracts for the pay and subsistence money of the Convicts and Jail Peons at Ottacamund or Calicut and Coimbatore" that authority may be given for including all the Convicts and Peons in one abstract and that abstract payable by the Principal Collector of Coimbatore "I am directed by the Judges of the Tonjdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 13th instant No. 394 to direct

direct the accountant General "to issue the necessary instructions for giving effect to the arrangement suggested by the Officer Commanding the Neilgherries for the supply of the requisite funds for the subsistance of the Convicts and the pay of the guard &c. under his charge should there be no objection to the measure —"

27th May 1839.

Signed A. P. Forbes
Actg Asstt to the Regr

No. 93.

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of the order of Government dated the 17th May 1839 No. 403. Communicating for their information and guidance as well as for any explanatory observations they may desire to offer - a letter from the officiating Secretary to the Government of India under date the 15th April 1839 conveying the remarks of the President in Council on the Circular Order of the Tonjdaree Udalut No. 102. dated the 14th February 1839 regarding the mode of

of proving the discovery of bodies buried by Thugs- and
to state that the said order has been recalled and cancel-
led by a Circular order No 105 dated the 25th May 1839
of which a Copy is annexed to this communication: the
Judges at present constituting the Court of Tonjdaree Udalut
being clearly of opinion that the order in question is
at variance with acknowledged principles of the English
Law of evidence-

2-

But with reference to para 5
of the Officiating Secretary's Letter in which it is observed
that "the President in Council is aware of no law,
whereby the Judges of the Tonjdaree Udalut are authori-
zed to pass any order, effecting in any way the law of
evidence in force in the Madras Provinces Viz.t the
Mahommedan law of evidence and the Regulations
on that head, I am directed to solicit attention to
the provisions of Clause first Section II Regulation
I of 1818; and to the Circular Orders of the Tonjdaree
Udalut arising out of those provisions-

3.

Up to the period fixed by Section VII
of that Regulation for the commencement of the operation
of

of Section II, the Tonjdaree Udalut was in common
with the Courts of Circuit bound by the rules of evidence
contained in the Mahommedan law with certain
special exceptions provided for by provisions of the
Regulations, and the process whereby that system was
maintained was that the Mahommedan Law of evidence as
applicable to each case, was declared by the Law Officers
of the Tonjdaree Udalut in their futwa which was binding
on the Court, subject to those exceptions-

By Section II Regulation I of 1818.

4.

the power of convicting notwithstanding a futwa of acquittal,
was given to the Court of Tonjdaree Udalut without any
qualification, or restriction, and the Court was thus vested
with authority to set aside the principles of the Mahommedan
Law of evidence, as declared by their Law Officers, and
to decide on the question of guilty, or not guilty, without
reference to that Law-

The Circular Order of the 15th April 1819

5-

referring to the rejection by the Courts of Circuit of evidence,
against which exception might have been taken by Mahom-
medan Law officers assisting at the trail, declared, that no
evidence which is admissible under the Law of England
is to be rejected in Criminal Cases-

6. This rule was founded upon the provision made as above noticed for the conviction of the accused in trials by the Foujdaree Adalut notwithstanding their acquittal under the Mahommedan law, as modified by the Regulations, enacted previously to Regulation I of 1818. Released from the obligation of observing the Mahommedan law of evidence, the Court turned to the law of England as their only legitimate guide, and as the acknowledged source of the provisions previously enacted in the Regulations of this Government for the conduct of judicial procedure-

7. This principle will be found to have been declared in the Circular Orders of the 25th February 1829. page 162 of the printed Circulars Orders of the 26th November 1832 page 226 of the 8th May 1833 page 236 and it has guided the Foujdaree Adalaut in the disposal of Criminal trials for the last twenty years: by the same rule the Courts of Circuit have been directed in forming their determinations in respect to the reference of trials on the ground of dissent from the futwa of their Mahammedan law officers, and the

the Foujdaree Adalut in over-ruling the futwas delivered to them-

8. It is observable that the circular Orders mentioned above have been from time to time laid before the Government under their orders to that effect, and have been submitted in due course to the consideration of the authorities in England, but no objection has been taken to their tenor, and as being based on the provisions of Section II Regulation I of 1818. there can be no doubt, that the attention of those authorities has been turned to them. The Court of Directors have watched with particular vigilance the operation of the provisions of that Section and have required a special report, which is furnished half yearly, of every case in which the Foujdaree Adalut exercise the power thereby conveyed-

9. These Circular Orders have been constantly referred to in communications with the Government, who by a reference to the Advocate General have it always in their power to ascertain whether, or not the rules of the English law of evidence have been properly cited and applied-

10. A reference in this place to this Courts letter to Government. No 33. dated the 9th May 1838. wherein the Rules of the English law of evidence were cited as applicable

t

to the Company's Courts and with the assent of the Government of Fort St. George as shewn by their answer No. 388. dated the 4th July 1828. does not appear irrelevant.

11. In that letter, after suggesting the mode in which the evidence of certain persons inhabitants of the Tronde Territories who had been cited by the Prisoners in a Criminal Case before the Court of Chingleput in their defence, should be taken namely, by the means of written interrogatories, the Court proceeded to observe that "the principle of receiving depositions on interrogatories in Criminal Cases, under particular circumstances must in their opinion be considered as admitted by Regulation I of 1834. the rules for the Civil Courts, which are thereby made applicable to the Criminal Courts, expressly providing for the evidence of women of rank being so taken."

12. With respect to cases tried by the Courts of Circuit under the Provisions of the act No. XXIV of 1836. it is to be observed that those Courts are not bound by the Mahomedan Law of evidence and according to the principle maintained under those circumstances by the Tonjdaree Adalut the Court of Circuit would be guided by the English law of evidence in forming their decision as to whether the accused were or were not proved to have belonged to a Gang of Thugs

13. With reference to the foregoing remarks

the Judges of the Tonjdaree Adalut direct me, in conclusion to observe, that in issuing a circular Order declaring what shall be taken to be good and sufficient evidence under particular circumstances, the Court have never had any reason to suppose that they were invading the exclusive province of the Legislature, or at all exceeding their authority, & provided that the Rule established by these Circular Orders were adopted from the English law of evidence,

Signed J. W. Davidson
Actg Regr.

28th May, 1839.

To
The Four Provincial Courts of Circuit

Gentlemen,

I am directed by the Judges of the Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased under date the 20th Instant to desire that until further instructions the Circular Letter from this Court dated the 30th March 1839 whereby the Magistrates under the Presidency of Fort St. George were enjoined to issue a Proclamation requiring all persons to give notice to the Police when jewels are brought to them to be melted and warning them that a disregard of that order will subject them to a prosecution under the provisions of Section IX Regulation XIII of 1832 may be suspended, and to desire that you will immediately notify the same to the several Magistrates subordinate to

your

your control with instructions to recall the said Proclamation and to cause to be made throughout their respective Districts a notification of its suspension.-

28th May 1839.

Signed T. H. Davidson
Actg Register.

No. To The Acting Criminal Judge of Malabar.

Sir. With reference to your letter dated the 20th March last I am directed by the Judges of the Tovjdaree Adalut to transmit to you 8 Copies each of the printed forms noted in the margin and 3 Copies of the printed forms of the Half yearly statement of convicts required by this Court's Letter of the 25th July last.

Supplimental Report
Criminal Report No V
Do VI
Do VIII
Do IX
Statement of the Labor of Prisoners

28th May. 1839.

Signed J. H. Davidson
Acting Register.

No. To The Acting Magistrate of Tinnevelly.

Sir. With reference to your Letter of the 24th ultimo reporting the perpetration of a Robbery in the Travancor Country by an armed mob from the District of Tinnevelly, and suggesting that the parties who have been apprehended in that District may be made over to the authorities in Travancore. I am directed by the Judges of the Tovjdaree Adalut to forward to you for your information and guidance the annexed Copy of an order of Government dated the 21st May 1839 No. 413, authorizing you to deliver up the parties in question to the Resident for the purpose of being proceeded against in the Rajah's Courts.-

28th May 1839.

Sigd J. H. Davidson
Actg Regr

No. To The Judges of the Provincial Courts of Circuit in the Southern and Western Divisions

Gentlemen,

Pursuant to instructions received from Government under date the 21st May 1839 I am directed by the Judges of the Tovjdaree Adalut to desire that you will instruct the Magistrates of the Districts within your Division bordering on the Country of the Rajah of Travancore &c &c 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 on a charge of offences committed in the Rajah's 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 Rajah's Courts.-

Signed J. H. Davidson
Acting Register

28th May 1839.-

To

No.

To

The Joint Criminal Judge of Trichinopoly

Sir,

I am directed by the Judges of the Toydaree Udalut to inform you that the Right Honorable the Governor in Council has been pleased, in an Extract from the Minutes of Consultation in the Revenue Department under date the 21st May 1839 No. 657 to request the Court to issue the necessary orders for the whole of the prisoners in the Jail at Trichinopoly sentenced to road labour being employed on the work of removing an obstruction of sand in the Bed of the River Cauvery: and accordingly to desire that you will pay immediate attention to any requisition to the above effect which you may receive from the officer under whose supervision the work in question is being executed.

29th May, 1839.

Signed J. H. Davidson
Acting Regr.

No. 94.

To

The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Toydaree Udalut to submit to be laid before the

the Right Honorable the Governor in Council, the annexed copy of a letter addressed under date the 28th March last to the Provincial Court of Circuit in the Centre Division by the Magistrate of Cuddapah, wherein that officer solicits sanction for bestowing a suitable gratuity upon the family of a person named Vencatah who died of the wounds he received in offering a manly and effectual resistance to the attack of a Gang of Robbers in the Village of Roopanagoody in the Coilgoontla Talook of that District: also a copy of the ninth paragraph of his Police Report for the past year referred to in parah 1 of the same communication.

2. The Judges of the Toydaree Udalut, after giving due consideration to the remarks offered by the Magistrate in parah 2 of his letter, are unable to concur in that officer's opinion.

3. In the present instance the Judges are apprehensive that if the bounty of Government were

were confined on the widow who is represented to be "quite a young woman" in the manner suggested by Mr. Blane the money would be employed "not to purchase stock and carry on their cultivation "on an extended scale" but to minister to the wants of a number of needy relatives so as to be of no real or permanent benefit to the widow or the immediate family of the deceased.

4. It also appears to the Judges that the sum recommended by the Magistrate to be bestowed Rupees 420 is larger than the circumstances of the case render necessary.

5. The Judges are of opinion that the bounty of Government would be suitably bestowed in the shape of an allowance of two (2) Rupees per mensem to the widow for the period of ten years from the date on which her husband was slain or until her death if it should occur previous to the expiration of that period: and this they beg leave accordingly

to recommend.

6. In parah 3 of his letter the Magistrate reports and comments on the meritorious conduct of Ayappa Reddy the Reddy of the same village who, it appears by his spirited behaviour was mainly instrumental in the caption of some of the gang who made a second attack upon the flocks.

7. The Judges of the Tonjdaree Udalut concur in opinion with Mr. Blane that "a gold Bangle of the value of (100) one hundred Rupees would be a suitable and acceptable present to" the Reddy, and, "as an honorary mark of the approbation of Government" would be more appreciated by him than "a pecuniary reward" and the Judges beg leave accordingly to recommend that Mr. Blane's proposition on this head receive the sanction of Government.

8. In the same parah the Magistrate represents that this person has also expressed his strong desire to have some efficient arms with which to repel future attacks, and he observes "that from his knowledge of the feelings of the natives

natives of that part of the Country, he is certain that there is scarcely any kind of reward which would prove so acceptable to persons removed above the immediate want of money and at the same time involve so little expence to Government as presenting them with good efficient fire arms" and that "a good light infantry musket with the sword attached would be considered as a great acquisition and would be preserved by him with pride." The Magistrate further suggests that "a proper inscription might also be inserted on a brass or silver plate on the stock": and that "a few of these muskets" "of the old pattern" "but not old worn out or repaired ones" might without inconvenience be "devoted" to the same purpose on future similar occasions.—

9. The Judges of the Toydaree Adalut are of opinion that there is much weight in the suggestions offered by Mr. Blane both in respect of the individual case under consideration and of their general application: and they beg leave

to refer the same for the consideration of the Right Honorable the Governor in Council.—

10. With reference to parah 4 of the Magistrate's letter, the Judges of the Toydaree Adalut direct me to observe that they are fully sensible of the importance of bestowing without unnecessary delay the Rewards which may be deemed proper in case of spirited resistance to the attacks of robbers: but they do not see how it is possible to effect to the suggestion offered in the concluding passage of that parah.—

11. The only safe or admissible principle upon which a regular scale" of Rewards "for such occasions" could be prepared, is the principle of apportioning the amount of the Rewards according to the varying circumstances of each case, the nature and extent of the exertions used, the degree of danger incurred or injury sustained in such resistance— and these circumstances obviously cannot be determined before the event occurs.

12. In estimating also the "moral effect"

of the bestowal of such rewards, it seems to be a question not altogether unworthy of consideration whether, if the recipients of the Bounty of Government and those present on the occasion were assured at the time that the Reward was conferred with the previously recorded approbation and full knowledge of all the circumstances of the particular case on the part of the highest authority in the County, they would not appreciate it more highly and reflect on it with more complacency than if it were given as a mere mark of the light in which the transaction was viewed by the local authority of the District.

13. It appears to the Judges of the Tonjdaree Udalut that if instances of spirited resistance to the attacks of Robbers be immediately reported to this Court with a full statement of all the circumstances, the application to Government in cases where the Magistrate or other authority might deem it expedient to recommend a Reward would occasion no material delay.

14. In the present instance the Judges

were prevented from immediately disposing of the reference, by reason of the non transmission of the parah of the Police Report without the information contained in which, they were unable to determine on the propriety of supporting the Magistrate's recommendation.

15. The repeated instances of good conduct evinced by the Villagers and others on the occasion of attacks by Robbers noticed in Mr. Blane's Letter are highly gratifying and, the Judges, doubt not, will be received with satisfaction by the Government and the Honorable the Court of Directors.

Signed J. H. Davidson
Acting Regr.

30th May, 1839.

No. 95

To
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Udalut to state that a correspondence has been forwarded to this office by the Acting Joint & Criminal Judge of Tellicherry relative to the inadvertent release of a convict named Ranny Number one

one Month before the expiration of his sentence.

2 The Additional Joint Magistrate of Canara under whose orders it would appear that the prisoner in question was employed on the works at Pootoor in a letter to the Acting Magistrate under date the 6th instant states that "the error arose from a mistake made in translating the list of Prisoners" forwarded from the Jail at Tellicherry "into Canarese the 1st May being substituted for the 31st May in the copy delivered to the Jailor as well as in that retained in the Cutcherry. The prisoner was accordingly relieved from work by the Jailor on the 1st May and produced before the additional Joint Magistrate on his arrival at Pootoor on the following morning for a discharge certificate and was dismissed by "him" with instructions to return to his Country. The error has subsequently been observed on reference to the original list which was sent with the Joint Magistrate on Circuit.—

3. The Additional Joint Magistrate observes

observes that "the prisoner has undergone a sentence of seven years with the exception of this portion": and that "it appears to "him" that to re-apprehend him now to undergo this months imprisonment would be so serious an aggravation of his punishment that "he has "thought proper to state the case to the Judges" and "to request that the prisoner may be allowed the benefit of the error and that he may receive a remission of his sentence to this extent."—

4 Under the circumstances above recited the Judges of the Toydaree Adalut beg the permission of Government to remit the unexpired term of one Month in favor of the prisoner above mentioned.—

/Signed/ T. H. Davidson
Asst Resr.

31st May, 1839.—

No. 96.

No. To The Chief Secretary to Government

Sir

With reference to the order of Government of the 26th Ultimo No. 355 and to my letter to your address under date the 15th instant I am directed by

by the Judges of the Foujdaree Adalut to forward to you to be laid before Government the accompanying Copy of a Descriptive Roll of the six fugitive Convicts therein referred to and at the same time to submit the opinion of the Judges that with reference to the Nature of the offences of which the convicts in question were convicted it is desirable that Rewards should be offered for their apprehension.—

Signed J. H. Davidson
Acting Register

31st May 1839.

To.

The Third Judge on Circuit in the Centre Division.

Sir,

With reference to your Letter of the 15th Ultimo. forwarding Copies of communication from the Medical Officer in charge of the Civil establishment at Bellary, in which he records his opinion that the Prisoner Cencata in Case No. 29 of the Bellary Calendar of the first Sessions of 1839 is insane and a fit object for confinement in the Lunatic Hospital at Madras.— I am directed by the Judges of the Foujdaree Adalut to request that you will instruct the Criminal Judge of Bellary in

in accordance with the Circular Order of the 1st June 1829. to forward the prisoner in question, under proper Custody, to the Superintendent of Police at Madras, in order that he may be lodged in the Lunatic Asylum.—

2. The Criminal Judge will be careful to see that the Prisoner is accompanied by the Certificate of the European Medical Officer on his Case.—

Signed J. H. Davidson
Acting Register.

31st May 1839.

To.

Captain R. Hall Superintendent of Government Roads at Guindy.

Sir,

With reference to your Letter of the 16th instant. forwarding a Copy of a correspondence on the subject of Batta to Duffadars and Peons of Different Stations in charge of Prisoners at Guindy. I am directed by the Judges of the Foujdaree Adalut to request that you will report for their information to what Jails the Duffadars and Peons belong who are now in the receipt of Batta, and the amount or rate of Extra allowance so disbursed to them.—

Signed J. H. Davidson
Acting Register

31st May 1839.

To

To

The Acting joint Criminal Judge at

Cuddalore.

Sir,

With reference to your letter dated the 21st Instant I am directed by the Judges of the Fouzdaree Udalut to transmit to you the printed forms as noted in the margin for the use of your Court.

12 Copies Criminal Report No. V
12 Do. —— Do. —— VI
12 Do. —— Do. —— VIII
12 Do. Supplemental Report.
3 Do. Statement of the Labor of Convicts
4 Do. of Letters to Principal Collector requiring the attendance of witnesses.

Signed / T. H. Davidson
Acting Registr.

31st May 1839.

To

The Joint Criminal Judge of Trichinapoly

Sir,

With reference to your letter of the 1st Instant requesting permission to entertain for the period of One Month an additional Translator and an extra English Copyist on the respective Salaries of Rupees 35- & 14 per mensem. I am directed by the Judges of the Fouzdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order under date 20th May 1839.

20th May 1839. No. 407. to authorize you to employ for the period of one Month the extra establishment in question at an aggregate expence of Rupees (49) forty nine.—

Signed / A. P. Forbes
Asst. to the Regr.

31st May 1839.

V

To

The Acting joint Criminal Judge of

Guntoor.

Sir,

With reference to Mr. Newbery's letter of the 14th Instant, in which he requests to be informed whether it is competent to him under Parah 44. of the Gaol Rules of the 8th October 1821. to cause the Jail Walls to be white or blue washed periodically without making any previous application to this Court, or whether it is necessary for him to make an application for this purpose under Clause 1st of the Rules for the Repair of Judicial Buildings dated the 31st July 1838. I am directed by the Judges of the Fouzdaree Udalut to state that previous sanction for White washing the walls of the Jail in conformity with the Provision of the Jail Rules above cited, is not necessary but that the

the charge for the same is to be included in the annual statement of the contingent charges of the Auxiliary Court in accordance with the practice which has been hitherto observed by all the Courts under this Presidency.

2. With reference to Mr. Newbery's remark that the Jail was blue washed when it was first built and has not since undergone that process, and that the blue wash looks clean for a far longer time than white wash and the additional expence for charcoal is not very material, I am directed to observe that the object of the Court of Tavoy Adalut in ordering in parah 44 of the Rules, the Walles of the Jail to be scraped and white washed once every quarter was the health of the Prisoners and the actual cleanliness of the Jail and had no reference to the external appearance of the Building.

3. It is proper that the Rule in question should be strictly adhered to, and the Judges see no necessity for incurring, and therefore decline to authorize any additional expence on account of a proposed change of the prescribed practice which moreover, as tending to substitute outside appearance

appearance for real cleanliness, is of more than questionable expediency.

Signed / T. H. Davidson
Acting Register.

31st May 1839.

No. 97.

To The Chief Secretary to Government

Sir,

1. The second Judge on Circuit in the Southern Division has recently brought to the notice of the Judges of the Foujdaree Adalut the meritorious conduct of the Principal witness for the prosecution Iramed Chinna Mottoo in Case No. 11 of the Salem Calendar of the first Sessions of 1839.—

2. The second Judge states that it appears from the evidence that a Gang Robbery has been committed in the house of the Prosecutor and that when the Robbers were returning with their plunder some of whom were armed with swords, sticks, spears and a Musket the witness Chinna Mottoo courageously attacked the foremost of the Gang and brought him to the ground upon which he was instantly struck on the head by one of the Gang with a stick bound with Iron, which inflicted a severe wound on the head and fractured his skull.—

3. The second Judge submits his opinion "that the witness is deserving of remuneration for his courageous conduct on the occasion and also compensation for the severe wound he received" and he recommends "as an encouragement to other persons to exert themselves on similar occasions, that a reward of seventy Rupees may be granted to the said witness".

4. Under the circumstances above recited the Judges of the Foujdaree Adalut beg leave to recommend that sanction be granted for conferring a Reward of seventy /70/ Rupees on the witness Chinna Mottoo.—

/Signed/ J. H. Davidson
Actg Regr.

1st June 1839.—

To

No.

To

The Acting Ciminal Judge of

Madura.

Sir.

I am directed by the judges of the Faujdaree Adalut to forward to you the annexed Copy of an Extract from the Minutes of consultation under date the 21st May 1839. No. 412. and to desire that in accordance with the instructions therein contained you will place the services of the convicts under your charge at the disposal of the Military authorities at Madura. for the purpose of hutting the detachment of the 6th Regiment. N. I. at that station.

2. Should the number of Convicts under your charge be insufficient for the purpose. it will be necessary to withdraw the party at present employed on the roads in the neighbourhood of Trooparagontum — untill the work now ordered be completed

1. June 1839.

Signed / T. H. Davidson
Acting Register.

To.

No. 98

To

The Chief Secretary to Government

Sir.

The Magistrate of Chingleput having reported that a prisoner named Yellen received from the zillah of Chittoor and placed under the orders of the superintendant of the Great Western Road who effected his escape with some others on the night of the 22nd Ultimo. has been re apprehended. and requested permission to forward him to the Zillah Court of Chingleput as it would occasion some inconvenience to send the prisoner to the Zillah from which he came. to take his trial for effecting the escape — the Judges of the Faujdaree Adalut direct me to request that the Right Honorable the Governor in Council will be pleased under the Provisions of Section III Regulation I of 1833. to authorize the said prisoner's being made over to the Ciminal Court at Chingleput —

4th June 1839.

Signed / T. H. Davidson
Acting Register

To

To

The Ciminal Judge of Canara.

Sir.

With reference to your letter dated the 8th Ultimo I am directed by the Judges of the Foujdaree Adalut to transmit to you eight Copies each of the printed forms as noted in the margin for the use of your Court.

Criminal Report No. V VI VIII
Supplemental Report
Statement of the Labor of Convicts.

/Signed/ T. H. Davidson
Acting Register.

4th June 1839.

No.

To The Acting Ciminal Judge of Salem.

Sir.

With reference to the communications from the Asistant Criminal Judge in charge of the Zillah Court of Salem, dated respectively the 29th April and 11th Ultimo. I am directed by the Judges of the Foujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 28th May 1839. No. 432. to remit the unexpired portion of the Sentence passed upon

upon the convict Maumoondy Mauren therein referred to, and accordingly to desire that you will immediately discharge the said Convict from confinement-.

/Signed/ T. H. Davidson
Acting Register

4th June 1839.

No. 99.

To

The Chief Secretary to Government.

Sir

I am directed by the Judges of the Foujdaree Adalut to submit for the consideration and orders of the Right Honorable the Governor in Council, the annexed Copy of letter addressed under date the 23d Ultimo to the Zillah Judge of Cuddapah by the Officer commanding the 16th Regiment. N. I. wherein he requests the asistance of convicts in erecting additional huts in the Regimental Lines-

2- The Acting criminal Judge in forwarding this application, has observed that there are at present 206. working convicts in the Jail of whom 61. are engaged in the paper Manufactory. 80 in making bricks and cutting wood to burn them. 43 in repairing the roads. 9 are in Hospital and the remaining 13 are engaged

engaged in the smithy, in wasting, sweeping, baiding the prisoners and Making Tope-

3. The acting Criminal Judge further states that he is informed that the enjineer will shortly require all the available prisoners for rebuilding the Gail, that the roads in and about the Town are in great want of repair. and that the distance of the lines from the Gaol is such that a great deal of time would be wasted by the Convicts in going and returning and, under these circumstances the acting Criminal Judge submits that it is inexpedient to complay with the request of Major Suard unless the Government is willing to transfer or send back to the Jail an adequate Number of Convicts-

4. The Judges observe that they possess in information in regard to the time fixed upon by the Civil enjineer for commencing the building of the new Jail, but it is presumable that whenever that may be, he will requir the services of all the available convicts at Cud Dapah.

5th June 1839.

/Signed/ J. H. Davidson
Acting Register

No. 100

To.

The Chief Secretary to Government

Sir, With reference to the order of Government of the 6th Ultimo. No. 376. I am directed by the Judges of the Tanjdaree Adalut to state for the information of Government that the Acting Magistrate of Malabar having been called upon to explain on what authority he proceeded to apprehend and forward Rungyen to the Resident of Travancore and Cochin, has in his letter of the 22d Ultimo reported that the Government having, under date 12th June 1838. No. 584. determined with reference to their orders of the 10th April proceeding that in consequence of Rungyen having absconded from Madras Government have resolved to interpose no further on his Case he forwarded him to the Resident as requested in Colonel Frazer's letter dated the 17th August 1836.

2- The Judges of the Tanjdaree Adalut direct me to submit their opinion that, with reference to the order of Government of the 10th April 1838. No. 366. of which a Copy was furnished to the Magistrate

Magistrate that officer had no authority to apprehend and forward Rungyen to the Resident of Travancore and Cochin.

/Signed/ J. H. Davidson
Acting Register

5th June 1839.

No.

To,

The Third Judge on Circuit in the Centre Division.

Sir.

With reference to your letter of the 4th Ultimo. I am directed by the Judges of the Tanjdaree Adalut to inform you that the Right Honorable the Governor in Council has been pleased by an order dated the 28th Ultimo. No. 428. to sanction the retention of Soondra Naick on the Circuit establishment as an Acting Translator on a salary of Rupees (25) twenty five per mensem with the usual batta till the arrival of the Court of Circuit at Chittoor. and at the same time to desire that whenever on any future occasion a subordinate servant may obtain leave of absence, such arrangments may be made as shall obviate a double charge to the Company.

A communication to this effect has been made to the Collective Court at Chittoor.

6th June 1839.

/Signed/ J. H. Davidson
Acg Regr.

No.

To

The Acting Joint Criminal Judge at Cuddalore.

Sir.

With reference to your letter of the 23d Ultimo to the Magistrate of South Arcot of which a Copy has been submitted to the Court by that officer. I am directed by the Judges of the Tanjdaree Adalut to desire that you will immediated place at his disposal the three Bricklayer Convicts therein refered to for the purpose of them being employed with the working party at Markanum.

/Signed/ J. H. Davidson
Acg Register

6th June 1839.

No.

Copy sent to the Magistrate of Southern Arcot for his information with reference to his letter of the 25th Ultimo.

/Signed/ J. H. Davidson
Acg Register.

6th June 1839.

No.

To

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

Gentlemen.

I am directed by the Judges of the Tanjdaree

Tonjdaree Udalut to acknowledge the receipt of your Letter of the 22d Ultimo, accompanied by a Copy of a communication from the Assistant Criminal Judge of Chicacole wherein that officer solicits sanction to expend the sum of twelve puce per diem for the maintenance of two Children of a female Convict named Lottah Yerriky retrospectively from the 2d February 1839 until the release of their mother, who has been sentenced to two year's imprisonment from Confinement.

2. In reply, I am directed to state that the Judges of the Tonjdaree Udalut, under the discretion vested in them by the order of Government of the 11th August 1835 authorize the Assistant Criminal Judge to make the disbursement required to the extent above specified.

3. You will however, be pleased to call the attention of that officer to the Circular order of the 24th August 1835. No 50. and require him in conforming thereto, to submit through the Provincial Court, immediately upon the expiration of each Quarter of the year, a general statement of

the disbursements made during the past Quarter for the maintenance the these and other Children Similarly situated for which Sanction may already have been granted

/Signed/ T. H. Davidson
Actg Register

To
The Criminal Judge of Cuddapah.

Sir

I am directed by the Judges of the Tonjdaree Udalut to return for correction, the statement furnished by you in compleance with the orders of this Court of the 15th Ultimo, as in Column 2, designed to shew the number of Convicts in Jail on the 31st of December 1838. has been included the number of prisoners in confinement in default of finding security

6th June 1839.

/Signed/ T. H. Davidson
Actg Register.

To
The Secretary to the Board of Revenue
in the Department
of Public Works.

Sir.

I am directed by the Judges of the

the Court of Sudr Udalut to inform you that the Government well pleased by an order under date the 19th March 1839 No. 251. to authorize the Criminal Judge of Chenglepet to carry into effect the repairs enquired to the Tread Mile in the jail under his charge & with reference to the orders of Government under date the 31st July 1838. to transmit to you to be laid before the Board for examination and check and for eventual transmission of Government the accompanying estimate for the repairs in question amounting to Rupees 255-15-3. two hundred and fifty five annas fifteen and Pice three, in order that the necessary instructions may be issued to the proper authorities for carrying them into effect.

/Signed/ J. Clarke
Acting Sr. Dy Regr.

6th June 1839.

No.

To

The Criminal Judge of Nellore.

Sir.

With reference to your letter of the 30th April Last reporting that the sum of Rupees (1500) one thousand five hundred will be required to

to enable you to purchase the annual supply of grain for the prisoners in the Zillah jail and requesting the Court to obtain the orders of Government authority the Principal Collector to transmit to you the sum aforesaid. I am directed by the Judges of the Tanjdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by a order dated the 28th May 1839. No. 431. to authorize that officer to advance to you the sum of Rupees (1500) one thousand five hundred for the purpose mentioned in your letter.-

/Signed/ A. D. Forbes
A. W. Asst to the Regr.

6th June 1839.

No. 101.

No.

To

The Chief Secretary to Government.

Sir.

With reference to your letter dated the 23d June 1838. I am directed by the Judges of the Court of Tanjdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council, the accompanying General Statement made up to the 31st December 1838. shewing the number of Convicts sentenced to labor on public works throughout the Madras Territories, the number allotted

allotted to each description of work, their age, the authorities under whom they are placed, and where distinct from Officers in charge of Jails, the date of the authority of Government under which Convicts were placed under their Controul -

2- I am directed to explain that prisoners under trial or held to security are not included in this statement which includes convicted Prisoners alone -.

7th June 1839. Signed / T. H. Davidson
Acting Register.

No. 102.

To

The Chief Secretary to Government

Sir.

I am directed by the Judges of the Tanjdaree Adalut to forward to you to be laid before the Right Honorable the Governor in Council, the accompanying Medical Certificate of the state of health of Assistant Surgeon Octavius Palmer in Medical charge of the Civil establishment at Mangalore -

2- In submitting this Certificate, the Criminal Judge of Canara has likewise forwarded a

a Copy of a communication from Docter Palmer wherein he requests to be permitted, in anticipation of his leave being granted from Head Quarters, to proceed with the least possible delay, and the Criminal Judge reports that in consequence of the Officer Commanding Mangalore having at his requisition placed Docter Maurice the Medical Officer attached to the 23d Regiment N. I. in charge of the Jail Hospital he has intimated to Docter Palmer that under the emergency of his case, he is at liberty to quit the station in anticipation of the leave applied for being granted -

7th June 1839. Signed / T. H. Davidson
Ag. Register

No.

To

The Acting Joint Criminal Judge of Cuddalore.

Sir. In reply to your letter of the 23d Ultimo, reporting the case of an individual named Arnachalla Iyer who is proved before you to have instigated a Village Moonsif to send an Official Report to the Tahseeldar falsely accusing an innocent person

person with whom the said Arnachella Iyen was at enemity of Highway Robbery and requesting to be informed whether the case constitutes an offence punishable under the Regulation and in what manner. I am directed by the Judges of the Fouydaree Adalut to state that the Mahommedan Law officers of the Court have declared that the act brought home to Arnachellen Iyer as above stated renders him liable to Kookoobut or Discretionary punishment and the case therefore falls within the scope of the Provisions of Section VII Regulation X of 1816.

Signed/ J. H. Davidson
Actg Register

7th June 1839.

No. 103.

To The Chief Secretary to Government.

Sir.

In obedience to the orders of Govern: ment contained in the Extract from the Minutes of Counsil under date the 24th June 1834. I am directed by the Court of Fouydaree 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.

Signed/ J. H. Davidson
Actg Register

8th June 1839.

No. 104.

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 29th January 1839, I am directed by the Court of Fouydaree Adalut to submit for transmission to the Supreme Government the accompanying copy of a Circular of this date.

Signed/ T. H. Davidson
Acting Regr.

8th June 1839.

No. 105.

To The Chief Secretary to Government

Sir,

1. With reference to the orders of Government, dated respectively the 10th April 1835 and the 3d February 1838, I am directed by the Judges of the Court of Fouydaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying plan and estimate of the cost of constructing a separate Jail & Hospital at Masulipatam, with Cells for the reception of Lunatics prepared by the Civil Engineer in the Sudr Division.

2. The estimate, exclusive of the cost of erecting privies, which has been computed at Rupees 200, amount to Rupees 4,615-6-7 but this amount the Civil Engineer

Engineer respect may be reduced to Rupees 3000 by the employment of convicts, if the additional number of 300 prisoners, can be supplied, for which application was made by him this the Revenue board, on the 31st January last, by the substitution of mud for chunam as far as practicable, by the supply of the required materials being made thro the revenue authorities, & by the use of jungle instead of teak wood, the Civil Engineer however appears averse to recommend the adoption of the last suggestion, & the Court of Toujdaree Adalut concur with that officer, in opinion that it would be found highly inexpedient in public buildings, for a smale immediate saving of expenditure, to run any risk by the substitution of inferior timber for the teak,

3.

It appears from the returns of the Acting Joint Criminal Judge at Masulipatam, that the sick & insane prisoners at that station, have hitherto been accommodated in two wards of the Jail, & that during the last five years, the average monthly number of sick in hospital amounted to 11 persons, which during the whole of the same period there were only nine insane under Medicate treatment.

4-

The Acting Joint Criminal Judge further

further explains, that there are no wards in the present building calculated for the purpose of an Hospital & accommodation of Lunatics, without very considerable alteration, which would interfire with existing arrangements & he recommend that, as the erection of a seperate Jail Hospital with cells for the reception of Lunatics, has been repeatedly urged, & as from the failure of the crops a scarcity may be anticipated, in which case, Judges from a former occasion, the Jail wile in all probability become crowded, independently of the advantage to the people from the outlay being made at such a season in preparance to one of plenty, the building should be immediately commenced on,

5-

On the grounds detailed above, the Provincial Court in the Northern Division have requested, that the place & estimate, which on a former occasion had been objected to by them on the score of the excessive outlay, might be laid before Government with the favorable recommendation of the Court of Sudr Adalut-

6.

In a Letter dated the 15th February 1839, the Court of Toujdaree Adalut adverting to the return of the Acting Joint Criminal Judge observed that they did not consider they would be authorized in suggesting to the Government, the outlay of so large an amount, as was

was contemplated in the estimate of the prepared by the Civil Engineer, which would under ordinary circumstances & at most Zillah stations suffice for the construction of a gail calculated to hold two hundred prisoners-

7. And in returning the place a estimate the Court of Toujdaree Udalut directed that the attention of the Judges of the Provincial Court be drawn to the obviously unnessary extract of boundary wall produced by the uselessly great space between it & the body of the building, to the reduction of the estimate feasible by building the three cells contiguous to each other extremity of the line. to the absence of any necessity for so large a stone room as that laid down & also to the unusual size of the Hospital ward, which it is difficult to suppose could be required for so few sick connects as those who have been in Hospital during the past five years.

8. In reply to these orders the Provincial Court transmitted copies of two communications from the Civil engineer & Zillah Surgeon at Masulipatam transcripts of which I am directed to forward to you for the information of the Right Honorable the Governor in Council-

9. The Civil Engineer it will be seen

seen admits that the sum of Rupees 4615-6-7- is justly observed to be a large amount but he in explanation states stile the Hospital being in itself a small gail must be expensive unless the style of the work be altered. he is not aware of that any judicious reduction can be effected in the estimate-

10. With request to the remarks of the Court of Toujdaree Udalut the Civil Engineer states that he considers the stone room or dispensary may easily be reduced but the alterations thereby effected in the estimate will amount low mere nothing-

11. In the arrangement of the cells also Lieutenant Buckle observes by placing through lunatic allow in due bind the expense would be lessened but the saving thereby would be so inconsiderable as to have little or no effect on the amount of the estimate which other considerations assign a preference to the lunatics being where practicable kept further apart-

12. With reference to the 3d parah of the Civil Engineers letter in which he has adverted to the remarks of the Court of Toujdaree Udalut on the unnecessary extent of the boundary wall produced by the uselessly great space between it & the body of the gail the assistant Surgeon has recorded his opinion that the space of 10 yards between the boundary wall

wall & the body of the Jail objected to by the Court of Tonjdaree Udalut as useleſsly great will not be found sufficiently accept unleſs the hospital floor be raised & he observes that of the walls are to be only 10 yards off the floor ought to raised six feet from the ground. free ventilation Mr. Thomson adds in an Hospital is ends pansibly neceſsary eſpicially in hot claimates. & this cannot be when the breeze is intercepted at the distance of 10 yards by a wall 12 feet eight.

13. The court of Tonjdaree Udalut concur in the opinion expreſsed by Mr. Thomson that doubtleſs many advantages are to be expected from the floor of Hospitals being well raised but they do not consider that it will be found at all neceſsary in the present to incur the additional espende: there in which the adoption of the suggestion made by that officer would involve the Government. as it appears to them that the principal objection raised by the Zillah Surgion to the space allowed in the estimate between the main building & the boundy wall might be in a great degree obviated by reducing the height of the boundary wall from 12. to 9 feet.

14. In the concluding parah of his letter the Civil Engineer has submitted whether it would not be possible altogather to avoid the expence of a new Hospital by engaging & putting up for the purpose the hold Lock Hospital.

15. To this arrangement the Zillah Surgeon is strongly opposed & the Court of Tonjdaree Udalut are of opinion that the evils & inconvenience pointed out Mr. Thomson to the proposed plan offer strong objections to its adoption & they are inclined to concur with the Zillah Surgion in consider that such an arranginment would be highly inexpedient.

16. In conclusion the Court of Tonjdaree Udalut desire me to stated that with reference to they very small number of insane & sick persons admitted into the Hospital of the Masulipatam Jail during the last five years they are not prepared to recommend to Government the outlay of so large an amount, at that contemplated in the Civil Engineer estimate, in the erection of a new Hospital they we however at the same time impreſsed with the neceſsity of affording additional accomodation to the sick & insane presoners at Masulipatam & adverting to the circumstances represented in

in the 6 parah of Mr. Buckles letter of the great obstacles which at Masulipatam are found to exist against cheap building they beg leave to solicit the further instructions of the Government on the subject—

8th June 1839.

Signed / T. H. Davidson
Acting Register

No. 106.

To

The Chief Secretary to Government.

Sir.

1 With reference to the extract from the Minutes of consultation in the Revenue Department under date the 7th November 1837. No. 1576. requiring this Court to issue instruction for placing at the disposal of the Principal Collector of Canara from the jail at Mangalore or elsewere as many Convicts as he many consider necessary for extending the road from Mercara to Mangalore. I am directed by the judges of the Tonjdaree Adalut to state for the information of Government that the Criminal Judge of Canara has reported that to prevent the extra expence in guard & that might otherwise occur to the Government, he has consented to receive into the jail at Mangalore, a

a party consisting of sixty two prisoners. at the request of the Acting Magistrate who represents that the setting in of the raens renders it inexpedient to keeps them longer under temprary huts—

The Acting Magistrate reports

2. that it had been his intention to build a jail of sufficiently strong materials to allow of their remaining out during the Monsoon. but the sudden commencement of the rains has rendered this impracticable—

The Acting Magistrate further

3. represents that their still remains so much to be done after the Monsoon that he does not consider it advisable to be transmit them to their own District. and in the Mean time there is some occupation for them upon the new road within reach from the jail—

The Judges of the Tonjdaree Adalut are of opinion

4. that under the circumstances above recited. the Acting Magistrate and the Criminal Judge have acted with discretion in this Matter—

/ Signed / T. H. Davidson
Actg Register

10th June 1839.

No. 107.

To

The Chief Secretary to Government.

Sir

I am directed by the Judges of the Court

Court of Tanjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Copy of a statement received from the Criminal Judge of Chittoor with the accound particulars and three bills of the charges incurred by that officer from the 28th June to November 1838. & retrenched by the Civil Auditor from the hindents of the Court under his charge.

3. The charges objected to by the Civil Auditor are those on account of Salarey to Peons subsistence to convects employed in repairing the roads between Chittoor Vellore Arcot & Palmanair.

3. It appears from the records of this office that the Peons & convects in question were transferred from the Jail at Chittoor to the charge of the Magistrate of the Northern Division of Arcot under the authority conveyed in the order of Government dated the 29th March 1836. No. 277.

4. The Judges of the Tanjdaree Adalut beg to recommend that sanction be granded for the charge in question amounting in the aggregate to Rupees 398- 3- 9- three hundred & ninety eight annas three & puice nine.

11th June 1839.

Signed / J. H. Davidson
Actg Register.

No.

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

Gentlemen,

With reference to your letter of the 11th Ultimo. I am directed by the Judges of the Tanjdaree Adalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 4th June 1839. No. 457. to grant Special sanction for the charges incurred in the Auxiliary Court at Cuddalore in the payment of Rewards for the apprehension of offenders under the Provisions of Section X Regulation XIII of 1832. amounting in the aggregate to Rupees fifty seven (57)

11th June 1839.

Signed / J. H. Davidson
Acting Register.

No.

To
The Assistant Criminal Judge in Charge
of the Zillah Court of
Chicacole

Sir.

With reference to your quarterly statement under date 31st March shewing the disbursements made for bringing up the Children of Presoners in the Zillah Jail. I am directed by the

the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 31st May. 1839. No. 144 to grant Sanction for the charges in question amounting to Rupees (3-10-4) three annas ten & Vice four

11th June 1839.

/Signed/ A. P. Forbes
Acting Dy. Sct. to the Regt.

No.

To

The Magistrate of Chingleput.

Sir.

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 14th Ultimo. and to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 4th June 1839. No. 458. to authorize under the Provisions of Section III Regulation I of 1833. the prisoners.

1st Pauvaday
2nd Salayboden

mentioned in that communication, being made over to the Criminal Court at Chingleput

12th June 1839.

/Signed/ T. H. Davidson
Acting Register

To.

No.

To

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

Gentlemen.

I am directed by the Judges of the Foujdaree Udalut to forward to you the annexed Copy and translation of a Petition addressed to Government by certain Petty Merchants of Rajahmundry bringing to notice the inconvenience and loss which they suffer on account of their having been required to supply certain articles for the use of the convicts and others and to request that you will furnish transcripts of the same to the Criminal Judge of Rajahmundry, and require him to submit through the Provincial Court an explanation in regard to the several allegations therein set forth.

The Judges will be glad to receive any information which the Judges of the Provincial Court of Circuit may be able to furnish on the matter in question.

/Signed/ T. H. Davidson
Acting Register

13th June 1839.

No. 108

No.

To

The Chief Secretary to Government.

Sir

With reference to para 3 of the extract

Tanjdaree Diary 14th June 1839.

extract from the Minutes of Consultation in the Judicial Department under date the 18th March 1837. No. 277. I am directed by the Judges of the Tanjdaree Udalut to request that the authority of the Right Honorable the Governor in Council may be granted under the provisions of Regulation III of 1827 for the committal by the Joint Criminal Court of Vizagapatam for trial by the Court of Circuit of two prisoners named

Jaffer alias Veerannah

and

Syed Ally

on charges of Murder by Thuggee committed in places without the Jurisdiction of the Auxiliary Court.

(Signed) T. H. Davidson

Acting Regr.

14th June 1839.

To

Tanjdaree Diary 14th June 1839.

No. 109.

To

The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Tanjdaree Udalut to state that the Joint Criminal Judge of Trichinapoly has requested sanction for increasing the salary of the Jailor from Rupees fifteen to Rupees twenty per mensem urging as a ground of his application that the pay of that officer is at present five Rupees less than the allowances received by officer of his description, in all other Jails under this Presidency, and that the strength of the convicts is increasing in consequence of the establishment of the Joint Criminal Court.

2 In parah 3 of the letter from the officiating Secretary to Government in the Judicial Department under date the 17th September 1833. No. 810. it was stated that with reference to the difference in the extent and responsibility of the charge of the Jailors of different Jails, the Right Honorable the Governor in Council thinks it will be expedient to have two classes and to fix the pay of the 1st Class at 20 Rupees and of the 2d at 15 Rupees per mensem, and in parah 46 of the extract from the Proceedings of the Court of Tanjdaree Udalut under date the 21st April 1834.

it

it was observed that the Gailor at Trichinapoly will be placed in the second Class and his pay in consequence be raised from 14 to 15 Rupees per mensem, which was sanctioned in parah 1 of the extract from the Minutes of consultation in the Judicial Department under date the 23d May 1834. No. 396.-

3. The Judges direct me to observe, that the average number of convicts during the last six Months in the Jail at Trichinopoly exceeds that in some of the Jails in which the Jailor are of the 1st Class. as for example the Jails of Salem, Coimbatore and Tirnivelly at the date of the last Returns (for April 1839.) the Number of persons of all descriptions confined in the Trichinapoly Jail was 227. and there is every reason to expect that a considerable increase in the number of prisoners will follow upon the establishment of the auxiliary Court at that station attended with a corresponding increase of responsibility and labour on the part of the Jailor.-

4. The Judges of the Foujdaree Adalut are therefore induced to recommend to Government that sanction be granted for making the Trichinapoly Jailorship a first Class one, and raising the salary of the situation from 15 Rupees to (20) twenty Rupees per mensem.

14th June 1839.

Signed/ T. H. Davidson
Acg Registar.

To

No.

To

The Secretary to the Military Board.

Sir.

I am directed by the Judges of the Foujdaree Adalut to state for the information of the Military Board. that the Acting Joint Criminal Judge of Cuddalore having been instructed to send in to the Magistrate of South Arcot. fresh Indents for fire arms for the use of the Gaol Guard. has forwarded a Copy of a letter from the Magistrate dated the 16th Ultimo. wherein it is stated that the Fire arms in question have been indented for on the Principal Commissary of ordinance on the 20th February and ordered to be supplied by the Military Board on the 7th March last. but have not as yet been received.

The Judges of the Foujdaree Adalut direct me to request that the Ordance Department may be instructed to dispatch the required supply of Fire arms to the Acting Joint Criminal Judge of Cuddalore with as little delay as possible.-

14th June 1839.

Signed/ T. H. Davidson
Acting Register.

To.

To

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

Gentlemen, I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your Registers letter of the 6th instant, accompanied by a Copy of a Communication from the Magistrate of the Northern Division of Arcot, wherein that Officer refers the question of whether a Magistrate is empowered to adjudge labour as well as imprisonment to parties punishable under section XXXIII Regulation IX of 1816.

2. In reply, I am desired to observe that the Circular order of the 7th February 1820. applies Cases of the nature described in section XXXIII Regulation IX of 1816. and that in such cases, the Magistrate is empowered at discretion to adjudge hard labour is addition to the imprisonment authorized by that Provision.

3. With reference to the Magistrates remark in parah 3 of his letter that the Foujdaree Adalut ruled by order dated the 28th of September 1824. that it was not lawful for a Magistrate

Magistrate to adjudge labour in commutation of Fines imposed agreeable to section XXXIII and XXXV Regulation IX of 1816. I am directed to observe that the cases referred to in that order an exception to the Rule, and that the distinction is clearly drawn in the Circular order, the cases specified being those of inconsiderable breach of the peace or other slight Misdemeanour.

14th June 1839. (Signed) T. H. Davidson
Acting Register

No.

To

The Second Judge on Circuit in the
Southern Division

Sir, With reference to your letter under date May 21st bringing to the Notice of the Foujdaree Adalut the meritorious conduct of the 3d Witness for the prosecution named Chinna Mootloo in Case No. 11 of the Salem Calendar 1st Session 1839. & recommending as an encouragement to other persons that a reward of 70 Rupies be granted to the said Witness. I am directed by the Judges of the Foujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 7th June 1839. No. 465. to sanction the grant of Rupees Seventy as a reward to the Individual in question & to desire that it may be

Conferred

conferred on him with an appropriate expression of the approbation of Government.

14th June 1839. /Signed/ A. P. Forbes
Acting Asst to the Register

To.

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

Gentlemen,

With reference to your letter of the 1st Ultimo submitting statement of batta paid to the Children of Convicts in the Jail at Vizagapatam, for a portion of the fourth Quarter of 1838. and for the First Quarter of 1839. I am directed by the judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 4th June 1839. No. 449. to grant sanction for the Charges in question amounting in the aggregate to Rupees (6-12) six and annas twelve.

14th June 1839. /Signed/ A. P. Forbes
Acting Asst to the Regr

To

The Acting joint Criminal Judge of Guntoor

Sir,

With reference to Mr Newbery's letter without date forwarding a quarterly statement of batta paid

paid to the Children of Convicts in the Jail at Guntoor during the First Quarter of 1839. I am directed by the judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 4th June 1839. No. 449. to sanction the charges in question amounting to Rupees (11-0-5- Eleven and pice five.

14th June 1839. /Signed/ A. P. Forbes.
Acting Asst to the Regr

To

The Acting joint Criminal Judge at
Tellicherry

Sir,

With reference to your letter of the 17th Ultimo accompanied by a Copy of a correspondence relative to the inadvertent release by the additional joint Magistrate of Canara of a Convict named Bawry Number one Month before the expiration of his sentence I am directed by the judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 7th June 1839 No. 464 to remit the unexpired portion of the sentence passed on the said Convict.

2. You will be pleased to communicate the result of the reference, to the acting Magistrate of Canara.

Canara for his information and that of the additional joint Magistrate.

/Signed/ T. H. Davidson
Acting Register.

14th June 1839.

No. To The Acting Joint Criminal Judge of Guntoor.

Sir.

I am directed by the Judges of the Faujdaree Udalut to acknowledge the receipt of your letter of the 4th instant and to inform you that under the circumstances therein represented, they authorize you to expend Monthly the sum of (12) twelve anas on account of the subsistence of the child of the female prisoner Madeena, refered to in that communication.—

/Signed/ T. H. Davidson
Acting Register

14th June 1839.

No. 111

To The Chief Secretary to Government.

Sir.

With reference to the orders of Government under date the 15th December 1837 & the 9th January 1838 numbered respectively No. 1175 & 40. I am directed

directed by the Judges of the Court of Faujdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Copy of a letter under date the 15th March 1839. submitted by the 1st Judge late on Circuit in the Southern Division in which that officer has recorded his opinion that the buildings in the Fort of Palamcottah. to which the convicts at that station were removed, consequent on their transfer from the Jail at Tinnivelly under the arrangement proposed by the late Joint Criminal Judge, are utterly unfit for the purpose to which they are at present appropriated and he therefore strongly urges. as a measure of humanity that those buildings and should be instantly abandoned.

2. I am also desired to forward copies of two communication received from the zillah Surjon and the Acting Joint Criminal Judge on the subject of the representation submitted by Mr. Dickinson, in reply to a letter from this Court calling on those officers for their opinion as to the nature of the accommodation afforded the persons and the probable injurious effects of the buildings in question on the health of the convicts,

3. It is observed that in consequence of representation being made of the insufficiency and the

the unfitness of the buildings at Tinnevilly provided for the use of a Court house and Jail the Government were pleased in an order dated the 14th August 1838 No. 612. to authorize the erection of a new Court house and jail at Palamcottah and by an order of the 24th November following No. 892. the Military Board were instructed to cause plans and estimates for erecting a Court house and Jail to be prepared in communication with the joint Criminal judge of in there opinion there was no objection in a Military point of view to the sete selected for the proposed buildings.-

4. That the sale of the cotton screws having rendered the building in which they were secured available for the Collectors Cutcherry the premises used at the Cutcherry were transferred for the auxiliary Court and in consequence of its having been reported that there were already public buildings in the Fort in which the prisoners might be placed the intention of building a jail was also abondoned and authority was granted for the removal of the prisoners to the two Chaultries located in the fort.-

5. These Chaultries it will be seen the 1st Judge represents a being so excessively hot and badly ventilated that it is a positive cruelty to confine human

beings in places which must be so detrimental to their health and Mr. Dickensen observes that in all his experience he never met with such places as these I visited them he states at about seven oclock in the morning when the prisoners may be supposed to have been removed from them about an hower and a half, I however found the heat and stuck of them to be so great that I was obliged immediately to leave them, the prisoners one and all complained of the heat and begged to be removed from such places and their sickly appearance bore ample testimony to there being some great defect in their management whatever that might be.

6. In is letter the Apistant Surgion has expressed his opinion that the prison and small building for the use of the sick are totally inadequate for the accommodation of such a body of men not only from the contracted siege but also from the want of heighte and proper ventilature and that It is most probable that the health of the prisoners must literinate by length of confinement.-

7. The Acting Joint Criminal also observes that through the Windowes referred to by Mr. Phillipes in the 5th Parah of his letter to the Provincial-

Provincial Court under date the 7th November 1837. have been opened in the rear of the large Choultry occupied as a Jail yet it is still very badly ventilated and that it occasionally is very hot and offensive cannot be denied.

In his letter of the 8th March 1838. Copy of which was furnished to Government on the 19th of that Month that the additions required to render complete the buildings now occupied as a Jail could be carried into effect at a Cost of 600 or 700 Rupees. and in a letter dated the 21 November last the present Acting Joint Criminal Judge has observed that the buildings in question neither yield accomodation to the extent absolutely required nor is the mud wall sufficiently secure for the enclosure of a Jail and that the additions required to render the building a strong and permanent Jail Could be completed at an outlay of about 600 or 700 Rupees and in a subsequent communication in reply to a letter from this Court, desiring him to prepare and submit an estimate of the outlay to be incurred in Caring into effect the alterations and additions proposed in his letter of the 21st November the

the Acting joint Criminal judge states that as there are only two places available for the security of the prisoners all classification of them is impossible In the Jail Choultry headds are confined without restriction all prisoners on whom sentence has been passed whether by the Circuit and Criminal Court or by the Magistrate and his Assistants with all such individuals as have been committed to take their trail before the Court of Circuit In the Hospital Choultry are confined the sick and those whose cases are under investigation by the Criminal Courts and he hopes the foregoing observations will prove the necessity of certain additions being made to the jail which were estimated at Rupees 718. 4.

9. It appears that from the date of the transfer of the prisoners from Tinnevelly on the 20th February 1838. to the 12th April 1839. there was only one death. and the number of sick confined in hospital during the same period was unusually small yet the zillah Surgion states it as his opinion that it is impossible that a large body of men can be cooped up in such a confined place and with so little ventilation to carry off the foul air caused by the exhalation from their bodies and lugs without materially suffering in the long run, and in the event of an epidemic desease making its appearance there is little doubt that its ravages would be highly

increased

increased under thise circumstances.

Referring to the sentiments expressed
10
above it appears to the Court of Tanjadaree Udalut that no doubt can remain of the expediency of abandoning as a gail the buildings to which somany and serious objection have been raised especially as it appears impossible from the nature of their construction ever to render it a fit place for the confinement of a large body of persons and as it wile involve an outlay of Rupees 718 to render it even secure and they are of opinion that a new gail and should be constructed as soon as possible on the site formerly selected for that purpose.

The Court of Tanjadaree Udalut
11.
therefore beg to recommend that the Civil Engineer be called on to furnish plans and estimates in communication with the Joint Criminal Judge for the construction of a gail of sufficient dimensions to provide accomodation for 200 prisoners.

It wile be seen that measures
12.
have been already adopted by the Acting Joint Criminal Judge to obviate the evils which might result from the continuance of the practise adverted to in parah 6 of the 1st Judges letter by the transfer of a body of the convict to the old gail at Tinnevelly. at which place the

the Judges recommend they be continued until other accommodation be provided for them by the erection of a new gail.

17th June 1839.

Signed J. H. Davidson
Acting Register.

No To

The Chief Secretary to Government.

112.

Sir.

With reference to parah 4 of the
1.
Extract from the Minutes of consultation in the Judicial Department under date the 12th March 1839. No. 226. Sanctioning the employment of a Barber in the Gails at Vizagapatam Rajahmundry and Chicacole. I am directed by the Judges of the Tanjadaree Udalut to state that the Provincial Court of Circuit in the Northern Division have forwarded copy of a communication from the Assistant Criminal Judge in charge of the Zillah Court of Chicacole applying for Instructions as to the amount of Salary to be paid to the Barber.

The Judges of the Tanjadaree Udalut
2.
are of opinion that the Barber should be paid at the rate of Rupees 4-8. per Mensem (Rupees four and anas eight) and they beg leave to recommend that this be sanctioned subject to the condition indicated in the concluding part of the parah of the Extract from the Minutes of consultation above cited.

cited.

17th June 1839.

Signed / J. H. Davidson
Acting Register.

113

No.

To

The Chief Secretary to Government.

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of the Order of Government of the 7th June 1839. No. 463. wherein the Judges are required to state their opinion whether the rewards authorized in their Circular order of the 8th March last No. 104 are sufficient to ensure the reapprehension of the fugitive Convicts Mentioned in the Descriptive Roll submitted with my letter of the 31st Ultimo No. 96 or Special rewards in reference to the nature of the offences of which they have been severally Convicted, should be offered for that purpose, and in this Case, the amount it will be proper to offer for the reapprehension of each Convict.

2. The Judges direct me, in reply, to submit their opinion that the effect of the offer of the rewards allowed by the Circular order above cited should first

first be tried, and that on the occasion of communicating the requisite authority for proclaiming them to the Acting Magistrate of Canara, that Officer should be instructed to submit his opinion whether, under present circumstances, it is expedient to offer higher rewards for the apprehension of the said convicts or of any of them.

3. According to parah 1 of the said Circular order the Rewards to be offered in the present case, are Rupees (25) twenty five for each of the five following Convicts whose Sentences exceed Seven years imprisonment, namely, Tayootinguil Mamy, Poojeekoonata Rekandy, Parekel Moyideen Cooty, alias Hydrass, Pootempediakul Coonjee Markar, and Palot Imbichy, and Rupees (10) ten for the convict Komby whose Sentence does not exceed Seven years imprisonment.

Signed / J. H. Davidson.
Acting Register.

17th June 1839.

To

The Magistrate of Chingleput.

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your Letter of the 28th Ultimo and to state that under the Provisions of Section III. Regulation I of 1833. the Right Honorable the

the Governor in Council was pleased by your order dated the 11th June 1839. No. 476 to authorize you to make over the prisoner,

Yellen

refered to in that communication to the Criminal Court at Chingleput.

18th June 1839.

/ Signed / T. H. Davidson
Acting Register.

114

No.

To

The Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to state that the Magistrate of Masulipatam has submitted a Petition from two persons named Nerunja:nadoo and L. Baupaniah praying that a Reward may be granted to them under the Provisions of Section XXI Regulation IX of 1816 for the Meritorious services performed by them in discovering the perpetrators of the attack on the Tahseeldars Treasury at Ellore in which two Sepoys of the Guard were killed of which the circumstances have been brought under the Notice of Government in former communications.

2 The Court of Foujdaree Udalut under date the 5th April 1838. and in virtue of the authority

authority vested in them by Section XXI Regulation IX of 1816 authorized the Magistrate to offer a Reward of Rupees 350. for the apprehension and conviction of any one of the leaders and of Rupees 50. for that of each of the inferior offenders concerned in the outrage.

3 Of the persons apprehended on suspicion of being concerned in the Crime four were admitted approvers.

4 These persons, when the case came on to be tried before the Court of Quarter Sessions at Masulipatam, denied all knowledge of the Robbery and Murder in question, and having retracted their former evidence had undoubtedly forfeited the conditional pardon offered to them under the Provisions of Section XX Regulation VIII of 1802. and rendered themselves liable to be committed for trial for the same offence, but, under the peculiar circumstances of the case, the Court of Foujdaree Udalut considered it proper to refrain from ordering their committal, and in the Extract from their proceedings under date the 3rd April 1839. directed their immediate discharge from custody.

5 The Magistrate of Masulipatam adverting to that order observes that considering the eminent services rendered by the Petitioners in the discovery and apprehension

apprehension of the above Criminals. the risk incurred and the great personal sacrifices Made by them in standing forward as the avowed accusers of an influential Zemindar of the District. and of Cota Ramoodoo who was denounced as a notorious robber and for whose apprehension in the year 1817 a reward of 1000 Rupees had been offered by Mr Russell he is induced to recommend that the Reward at the rate of fifty Rupees to the Petitioners be not confined to the number actually convicted but be extended to the four approvers and granted on account of each of them in the same manner as if an actual conviction had taken place.

6. The Judges of the Tonjdaree Adalut direct me to submit their opinion that under the circumstances above recited. the proposition of the Magistrate is a reasonable and an equitable one. and on laying it before Government. they beg leave to recommend that the Magistrate be authorized to calculate the Rewards sanctioned by this Court as if the four approvers above referred to had been put on their trial and convicted of the offence in which they were implicated.

7. And since the Regulations have not expressly provided for cases of this nature the Judges

Judges beg leave further to suggest that the Court of Tonjdaree Adalut receive sanction generally to order payment of Rewards thus offered on account of persons who may be admitted to a conditional pardon after their apprehension and of whose participation in the crime no doubt may be entertained by this Court.—

19th June 1839. (Signed) T. H. Davidson
Acting Register

To The 2d Judge on Circuit in the Northern Division.

Sir,

With reference to your letter of the 5th instant Submitting for the opinion of the Court of Tonjdaree Adalut in respect of its correctness the translation of the Future delivered by the Mahommedan Law officer of the Court of Circuit in Case No. 16 of the Vizagapatam Calendar of the first Sessions of 1839.

1839 I am directed by the Judges of the Tonjdaree Adalut to request that you will forward a copy of the said Futwa in order that the same may be referred for the consideration and report of the Cazee-ool-Coazat and Mooftees of this Court.—

19th June 1839. /Signed/ J. H. Davidson
Asg. Regr.

To

The Acting 2nd Judge of the Provincial Court of Circuit in the Centre Division.

Sir,

I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your letter of the 5th instant reporting that an appeal has been made to you "as Judge at Sessions" from a Sentence passed by the Sudr Ameen of the Zillah Court of Chittoor - and Submitting

Submitting your doubts, whether, with reference to the Provisions of Section II Regulation III of 1833 you are legally compelled to take cognizance of such "appeal" under the circumstances of there being no Criminal Judge at Chittoor at the present time and the Register having not authority to hear the appeal—

In reply. I am desired to communicate to you the opinion of the Court of Tonjdaree Adalut that under Section XXIII Regulation X of 1816 the Judge of Circuit in Sessions, can deal with cases disposed of by a Sudr Ameen in the same manner as with cases disposed of by the Criminal Judge: and that Petitions regarding cases, not in the Calendars prescribed by that Section are, under Section XXIV of the same Regulation, cognizable exclusively by the Collective Court of Circuit

/Signed/ J. H. Davidson
Actg Register.

20th June 1839.

To

No.

To

The Acting Magistrate of
Canara

Sir,

With reference to your letter of the 22d April last forwarding a communication from Mr Blair dated the 9th March preceding submitting the information called for by the order of Government dated the 15th May 1838. No. 504 - in regard to the circumstances and conditions under which the Pension enjoyed by the late Luchmun Bungur was granted and in regard to the present circumstances of the family of that chieftain - with a translation of a Petition from the Mother of the late Bungur. I am directed by the Judges of the Toujdaree Adalut to state that the Court has been informed by an Extract from the Minutes of Consultation under date the 10th June 1839. No. 469. that "in consideration of seventeen out of the twenty one individuals dependent on the pension forfeited by the late Luchmun Bungar, being females who are unable to provide for themselves, the Right Honorable the Governor in Council" has been pleased to resolve "to recommend to the Honorable the President

President in Council that two thirds of the Pension be conferred on them in such portions as the Principal Collector of Canara may determine - the share of each to lapse to Government on her death" -

2. And "as the removal of the bones of the late rebel from the place where they are at present hanging, would interfere with the sentence of the Court Martial passed on him" His Lordship in Council has further been pleased to desire that the Bungar's Mother" may be informed in answer to her Petition that her application cannot be conflicted with" -

Signed T. H. Davidson
Acting Regr.

20th June 1839 -

To

The Acting Criminal Judge of Cuddapah -

Sir,

I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt of your letter of the 25th ultimo, forwarding a copy of a communication from the Officer Commanding the 16th Regiment Native Infantry requesting the assistance of the Convicts in erecting additional Huts in the Regimental Line - and to state that the matter having been referred for the Orders of Government - the Court has been apprized, by an Extract from the Minutes of Consultation

under

under date the 11th June 1839. No 478. that the Military Department will be informed that the Convicts are not available for the work required of them by Major Lowards.

20th June 1839.

(Signed) T. H. Davidson
Ag. Register.

To
The Magistrate of
Canara.

Sir,

I am directed by the Judges of the Tonjdaree Adalut pursuant to instructions received from Government to desire that you will forward to this Office with the least practicable delay a list of the exceptions made from the general amnesty authorized by the Extract from the Minutes of Consultation under date the 21st September 1837 No 891. (of which a copy was furnished from this Office to the Magistrate of Canara on the 22nd of the same month) to be proclaimed pleasing all persons concerned in the late insurrection in Canara from their liability to be brought to trial on that account.

20th June 1839

(Signed) T. H. Davidson
Acting Register

No

To
The Magistrate of Vizagapatam

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your letter of the 5th instant forwarding a copy of correspondence between yourself and the Resident at Nagpore relative to a person named Bhagajhaick who is now in your custody charged with having committed various acts of violence towards Bunjarries and others the inhabitants of the Nagpore Territories: and requesting instructions for his disposal.

2. In reply I am directed to observe that since, before the witnesses could reach Vizagapatam, the Sessions now being held at that station will be closed, and the next Sessions of the Court of Circuit will not be for several months, it is impossible to detain the witnesses: and under all the circumstances, and with reference to the character of the Individual as indicated in para: 3 of your letter which relieves the measure from any imputation of hardship it might otherwise

otherwise be thought to exhibit the most expedient course to pursue seems to be the postponing of the attendance of the witnesses until immediately before the next ensuing Sessions of Jail Delivery and the detention, in the mean while, of the prisoner Bhaja Naick in custody: and this course the Judges of the Foujdaree Adalut accordingly authorize you to adopt.

3. It is desirable that the treatment of the Prisoner Bhaja Naick should be as mild as is consistent with the security of his person.

Signed J. W. Davidson
Acting Register

20th June 1839.

No. 116

No. To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying statement received through the Provincial Court in the Southern Division shewing the amount paid to the Jailendies in

in charge of the Convicts transfered from the Zillah Jail at Combaconum to the Jails at Negapatam and Myaveram according to the orders of Government dated the 3d June 1830 for Fusly 1247.

2. The Judges beg leave to recommend that the special sanction of Government be granted for the charge in question amounting in the aggregate to Rupees four thousand four hundred and eighty nine and annas fifteen (4489-15-)

Signed J. W. Davidson
Acting Register

22nd June 1839.

No. To James Thomas Esquire Zillah Judge of Rajahmundry

Sir,

1. With reference to your appointment in yesterday's Gazette to act as a Judge of Circuit for the Centre Division until further orders and pursuant to instructions communicated in a letter from the Chief Secretary to Government under date the 21st instant I am directed by the Judges of the Foujdaree Adalut to desire that you will, with the least possible delay, proceed direct to Cuddapah

for

for the purpose of opening the second Sessions of 1839. at that station.

2- You will be pleased, in accordance with the Circular order Order of the 7th January 1832. to report for the information of the Court of Toujdaree Udalut the day you may appoint. for opening the Sessions at Cuddapah.

3 I am likewise directed to point your attention to the Circular order of the Toujdaree Udalut of the 2d October 1837 No. 93 which requires the Judges of Circuit to adopt the plan of summoning Witnesses suggested by Mr. Vaughan, whenever the same may be practicable

4. I am directed to add that the Provincial Court of Circuit in the Centre Division has been instructed to place at your disposal a suitable establishment of Public servants, to await your arrival at Cuddapah, and that on that or any other point connected with your present Office, you are at liberty to communicate with that Court

22d June 1839. (Signed) J. H. Davidson
Acting Register.

To

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

Gentlemen.

With reference to your Register's letter of the 3d instant and to the appointment notified in Yesterday's Fort St. George Gazette of Mr. James Thomas to act as a Judge of Circuit for the Centre Division. I am directed by the Judges of the Toujdaree Udalut to inform you that that Gentleman has been instructed under this date to proceed with the least possible delay, direct to Cuddapah and to open the second Sessions of 1839. at that place.

2. I am directed to request that you will make the requisite arrangement for causing the Law officer and the usual establishment of the Court of Circuit proceed to Cuddapah and await the arrival of the Acting Judge at that station.

22d June 1839. (Signed) J. H. Davidson
Acting Register

No To
The Criminal Judge of Canara.

Sir.

With reference to your letter of the 28th ultimo

Ultimo. I am directed by the Judges of the Tonjdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 14th Junse 1839. No. 484 to signify his approval of your according to Doctor Palmers quitting the station in anticipation of his leave, under the circumstances mentioned in that Communication and to intimate that an early opportunity will be taken to appoint a Medical Officer to hold charge of the Civil Establishment at Mangalore. during Assistant Surgeon Palmers absence.

24th June 1839.

/Signed/ T. H. Davidson
Acting Register

To

No.

The Acting Second Judge of the Provincial Court of Circuit in the Centre Division

Sir.

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 12th instant, forwarding Copies of Papers relative to a case on the Punished Calendar of the Magistrates of North Arcot. and requesting the opinion of the Court as to whether, under the Circumstances, the case is to be considered one of Robbery, or of Petty Theft punishable by the Magistracy under the Provisions of Section XXXIII Regulation IX of 1816.

In..

2. In reply I am desired to forward to you the accompanying Translation of the opinion of the Cazee-ool-Coozat and Mosftees of the Tonjdaree Udalut to whom the question was referred from which it appears that according to the Mahomedan Law, the case in question does not fall within the technical definition of either Theft or Robbery and to state that with reference thereto, the Judges are not of opinion that the Case was beyond the jurisdiction of the Magistrate.

3. With reference also to the remark in parah 2. of the Magistrates Return of the 8th instant that punishment was awarded by the Head Assistant Magistrate. and the sentence Carried into execution. I am directed to observe that the Court of Tonjdaree Udalut have on several occasions ruled. that a prisoner once tried and punished. though by an authority not legally Competent there to, Cannot be again tried or further punished for the same offence. and that in accordance with those decisions. the Prisoner in the Case under Consideration who would appear to have been re-apprehended should be immediately discharged from custody.

Translation

The act above described does not fall under the head of

of either Sirkut theft or Ghauntgam robbery for in Sir-
kut. it is a condition that the perpetrator should come
by stealth and remove the Property. and to constitute
Ghauntgame it is necessary that the property be taken
away openly and that the act be accompanied by
violence and Intimidation by Means of Weapons
and,

The offence above indicated is that of Snatching
of which the perpetrator is termed Nahib or Snatcher,
and in the event of the charge being proved against
him. he Must restore the Property. and is Moreover
liable to Tazeer. but he is not liable to Hud.

24th June 1839.

/Signed/ T. H. Davidson
Acting Register

No. To

The Magistrate of Vizagapatam

Sir. I am directed by the judges of
the Foujdaree Adalut to acknowledge the receipt of
your Letter of the 3rd Ultimo. forwarding a Copy
of an Extract from the Minutes of Consultation in
the Military Department under date the 9th April
1839. and requesting the opinion of the Court as to
the authority which is thereby vested in Captain
Vallancey

Captain Vallancey-

2. In laying the reference before
Government the judges of the Foujdaree Adalut submit-
ted their opinion that the order of Government above
cited to the effect that the Right Honorable the Governor
in Council is of opinion that, under all the circumstan-
ces of the case. it is not advisable to establish a separate
Military Police within the Town of Vizagapatam was
intended to exclude the operation of Regulation VII of
1832. and that the first question propounded in your
letter of whether has Captain Vallancey authority to
punish under that Regulation — Must be answered in
the negative-

3. With reference to the second question
of whether does an appeal lie from Captain Vallancey's
decisions to you the Juages submitted their opinion that
you have correctly interpreted the intentions of Govern-
ment on that point-

4 And by an Extract from the Minutes of
consultation in the Military Department under date
the 4th June 1839. No. 2286. the Judges are informed
that Captain Vallancey's name was mentioned solely
from the Magistrate having stated that Captain
Vallancey was in Charge of the Police of Vizagapatam,
it was not intended to vest that officer with any separate

or

or independant authority. not to remove him in any way from acting in Subordination to the Magistrate The intention of the Government is that the increase of 1 Duffadar and 12 Rons shall be expresly employed under the officer for the time being in charge of the Police of the Town of Vizagapatam in the suppression of unlicenced Toddy and arrack shops in the Town and Vicinity of Vizagapatam. and to aid the Military Police in the prevention of intoxication among the Troops-

24th June 1839.

/Signed/ T. H. Davidson
Acting Register

No. 119.

To

The Chief Secretary to Government

Sir.

1. I am directed by the Judges of the Court of Tanjdaree Adalut to transmit to You to be laid before the Right Honorable the Governor in Council the accompanying original statement with the requisite account particulars of the charge actually incurred in fusly 1247 on account of convicts transfered from the Criminal Judge of Combaconum to the charge of the Magistrate of Tanjore and on account of rewards paid for the apprehension of Criminals-

2. In explanation of the delay which has occurred in transmitting this statement. I am desired to state that the Judges found it necessary to call on the Magistrate for further explanation

explanation respecting the items included in statement No 6 showing the amount paid as rewards for the apprehension of robbers-

3. With his reply the Magistrate submitted a revised statement of rewards which he requested might be substituted for that submitted on the 9th February shewing that there is a difference of 15 Rupees between the total amounts of the revised and original Statements, it appearing that 5 Rupees in one case and 10 Rupees in another had been overpaid which have since been refunded-

4 The Judges beg to recommend that sanction be granted for the charges in question amounting in the aggregate to Rupees (8018-7-0/) Eight Thousand and Eighteen annas Seven and pice five.

27th June 1839-

(Signed/ T. H. Davidson.
Acting Register.

To

The Magistrate of Tanjore

Sir. With reference to your letter of the 15th ultimo. I am directed by the Judges of the Court of Tanjdaree Adalut to return you the original Statement of the account particulars of Charges incurred on account of rewards paid for the apprehension of thieves in fusly 124) in the Province of Tanjore which accompanied your letter of the 11th February last

27th June 1839.

/Signed/ T. H. Davidson
Acting Register.

To

To

The Civil Auditor

Sir,

The Magistrate of Trichinapoly having solicited the judges of the Court of Foujdaree Udalut to obtain the sanction of Government to the charges incurred by his District in the Jail Department for fusly 1247. which he reports have been objected to by you. I am directed by the Court of Foujdaree Udalut to request you will inform them whether any additional sanction is required than that granted by Government under date the 11th April 1839. and which appears to them to embrace the charges alluded to the Mr. Anslow's letter

27th June 1839.

(Signed) J. H. Davidson
Acting Register

No. 120.

No.

To

The Chief Secretary to Government

Sir

1. With reference to the orders of Government bearing dates the 12th March 1839 No. 236 and the 2nd April 1839 No. 296 I am directed by the Judges of the Court of Foujdaree Udalut to state that the Joint Criminal Judge at Vizagapatam has requested that the sanctions of Government may be obtained for

for the sum of Rupees 28-5-6 disbursed by him as rent for a house hired to accommodate the party of convicts transferred from under the Superintendance of Captain Vallancey to his charge under the instructions issued from this Court in accordance with the resolutions of Government recorded in the Extract from the Minutes of Consultation in the Military Department dated the 4th March last No. 1002.

2. It is observed that in consequence of the Jail attached to the Auxiliary Court being under repair the Joint Criminal Judge found it impracticable to accommodate this additional body of convicts in the Jail under his charge he therefore requested authority to continue to rent the building in which the convicts in question had been secured while under the Superintendance of the Joint Magistrate.

3. The resolutions of Government conveyed in their order of the 2nd April authorizing the transfer of fifty of the party of convicts referred to, to the charge of the Magistrate of Vizagapatam for the purpose of being employed on the great Northern Road in that District, and of the remainning number to Masulipatam to aid the party now employed at that

that Station in excavating the Pettah Canal, having
limited the necessity for incurring any further expense
in accommodating the convicts in question The Joint
Criminal Judge was directed to submit for sanction
a statement of the expense actually incurred for the rent
of the building in the Pettah up to the date on which
the orders of Government above referred to were carried
into effect.

4. In his reply the Joint Criminal Judge has reported that the house in question has been rented from the 3d. April to the 15th May at 20 Rupees per Month.

5. The Judges of the Tonjdaree Adalut accordingly beg leave to Recommend that sanction be granted for the charge in question amounting to Rupees 28-5-6 (twenty eight annas five and pice six.)

28th June, 1839. (Signed) T. H. Davidson
Acting Regr.

No. 121.

To
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Tonjdaree Adalut to state that the Provincial Court of Circuit in the Western Division have forwarded a

copy of a letter from the Principal Sudr Ameen of Honore wherein that officer reports that "a large number of Prisoners (39) forwarded in a case of assault attended with severe personal injury rendered the employment of an Extra Peon to guard them while under trial before the Court from the 20th to the 24th Ultimo, indispensable" and requests "that the requisite sanction may be obtained for the charge incurred on that account amounting to twelve (12) anas and twenty two and a half (22½) Reas, at five Rupees per Month, the pay of a Jail Peon."

2. The Judges of the Tonjdaree Adalut beg leave to recommend that sanction be granted for the charge in question.-

28th June, 1839. (Signed) T. H. Davidson
Acting Regr.

No. To The Commnab Judge of Canara

Sir,

With reference to your letter of the 27th Ultimo reporting your having complied with the request of the Acting Magistrate of Canara to receive into the Jail at Mangalore a party of the Convicts setting in of the Rains I am directed by the Judges of

Tonjdaree Diary 28th. and 29th. June, 1839.

of the Tonjdaree Adalut to inform that the Right Honorable the Governor in Council was pleased by an order dated 19th June 1839 No. 806 to express his concurrence in the opinion of this Court, that under the circumstances stated, the acting Magistrate and yourself have acted with discretion in this matter.

Signed/ A. P. Forbes
Asst. to the Regr.

28th June, 1839.

To The Jr. Magistrate of Malabar.

Sir

With reference to your letter of the 22d. Ultimo I am directed by the Judges of the Tonjdaree Adalut pursuant to instructions conveyed in an Extract from the Minutes of Consultation under date the 18th June 1839 No. 494 to desire that you will ascertain and report through this Court for the information of Government the

Tonjdaree Diary 29th June 1839

the result of any Proceedings that may be instituted against Rungyen in the Court either of his Highness the Rajah of Tanjore or His Highness the Rajah of Cochin.

29th June 1839.

Signed/ T. H. Davidson
Acting Register

No. To The Acting Magistrate of Canara

Sir,

With reference to your letter of the 11th. Ultimo I am directed by the Judges of the Tonjdaree Adalut, to forward to you for your information and guidance the annexed copy of an extract from the Minutes of Consultation under date the 20th. June 1839 No. 496 authorizing you to disburse to the parties who captured Ramaya Gowda the full reward originally offered for his apprehension namely Rupees/5000/ five thousand.

Signed/ A. P. Forbes
Asst. to the Regr.

29th. June, 1839.

To

No. To The Acting Joint Criminal Judge
at Cuddalore

Sir,

1. I am directed by the Judges of the Court of Toujdaree Udalut to acknowledge the receipt of your letter of the 13th Instant reporting the escape of a prisoner named Ramen from a working party at Mount Capper and with reference to parah 7 of the that communication in which after adverting to the conduct and general character of the Lance Naique Tilla Govinden you have remarkend "that "the Court of Toujdaree Udalut may perhaps under "these circumstances think proper to direct some "mitigation of the punishment I have thought it "my duty to award to him" I am instructed to observe that in all cases of gross and culpable neglect on the part of persons in charge of prisoners whereby they may be enabled to effect their escape Clause first Section XI Regulation XIII of 1832 makes the punishment discretionary with the Criminal Judge who should duly consider all the circumstances of the case before he

he passes sentence.

2. The Court of Toujdaree Udalut do not see any necessity for their interference in the present instance but if you have since you passed sentence, found cause for thinking that sentence too the a Judges authorize you to reconsider it and to pass in the presence Tilla Govinden such mitigated sentence as you may deem proper.

Signed J. Clarke
Acting Senior Dept Regr.

29th June 1839.

No

Tongdaree Diary 1st July 1839

To The First Judge of the Provincial Court of Circuit
on the Western Division

Sir

1. With reference to parah 2 of your letter of the 20th Ultimo wherein you observe that you have "not received the proceedings of the Tongdaree Udalut on the Calendars for the First Quarter Sessions at Tellicherry of this year and consequently that the corporal punishment awarded has not been inflicted" I am directed by the Judges of the Tongdaree Udalut to state that no proceedings were held on the said Calendars as the cases therein included, did not appear to call for any remark -

2. I am now directed to inform you that the Court of Tongdaree Udalut see no objection to the sentence of Corporal Punishment and that to prevent delay or misapprehension an intimation to that effect will in future similar instances be made to the Officer passing the sentence - -

(Signed) T. H. Davidson
Acting Regr

1st July, 1839 -

To

Foujdaree Diary 1st and 2d July 1839.

No.

To,

The Principal Sudr Ameen of Honore

Sir,

1. I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 13th Ultimo reporting that a case has been sent up to the Court by the Tahseeldar of Honore in which the party is charged with the theft in your house of property belonging to yourself and requesting instructions as to the authority by whom, under the circumstances, the charge should be investigated.

2. In reply I am desired to observe that it would be very inconvenient to send the accused and witnesses to a distance: and you will therefore be pleased to call upon the prisoner to state whether he objects to be tried by the Sudr ameen: when should he offer no objection that Officer will proceed to dispose of the case.

1st July, 1839.

(Signed) J. H. Davidson

Sr. Regr.

No. 123.

To The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the

Foujdaree Diary 2nd July, 1839.

the Foujdaree Adalut to submit to be laid before the Right Honorable the Governor in Council, the annexed copy of a correspondence forwarded by the Acting Magistrate of Malabar relative to a Garrison Order dated the 23d March 1824 issued by Colonel Miles at Cannanore under which all cattle straying into the Cantonment are, after three days, if unclaimed, sold, and the proceeds, after deducting half a Rupee a head as a Reward to the person who seizes them, and the amount of the expences incurred, are given to the poor.

2. The question of the legality of this order as it will be observed was referred to the Provincial Court in the Western Division by the Acting Joint Magistrate of Malabar, and the Judges of that Court in their letter of the 7th Ultimo recorded their opinion "that the order of Colonel Miles is unwarranted by any Regulation or Law" and suggested that that Officer should be furnished with copies of Sections XII and LIII of Regulation XI of 1816 and at the same time proposed an arrangement by which these strays might be disposed of

The

Joujdarree Diary 2nd and 3rd July 1839.

3. The matter having been brought under the notice of the Officer Commanding Cannanore a Colonel Paty in his letter of the 17th Ultimo declared his intention of submitting the case for the consideration of Government

4. In submitting the Correspondence for the orders of Government the Judges of the Joujdarree Adalut direct me to state that they concur in the opinion of the Judges of the Provincial Court as expressed in their letter dated the 7th Ultimo to the Acting Joint Magistrate,

2nd July 1839

/Signed/ J. H. Davidson
Acting Register.

No. To.

The Provincial Court of Circuit in the Centre Division

Gentlemen,

I am directed by the Judges of the Joujdarree Adalut to transmit to you the final sentence in Case No. 19 on the Calendar of the Zillah of Chittoor for the First Sessions of 1839 and to desire that the same may be carried into execution under a warrant from the Provincial Court of Circuit in the Centre Division

/Signed/ J. H. Davidson
Ag Register.

3rd July 1839.

Joujdarree Diary 3rd and 4th July 1839.

No. To.

The Magistrate of Rajahmundry

Sir

With reference to your letter dated the 26th Ultimo I am directed by the Judges of the Joujdarree Adalut to transmit to you two Copies of the printed forms of the Convicts for the use of your Office.

/Signed/ J. H. Davidson
Ag Register.

3rd July 1839.

No. To.

The Secretary to the Board of Revenue in the Department of Public Works.

Sir

I am directed by the Judges of the Joujdarree Adalut to transmit to you the accompanying Copy of the Correspondence noted in the Margin to gather with the plan and Estimate of the Cost of Constructing a separate Jail Hospital at Masulipatam therein refered to for examination and Check and eventual submission to Government.

Letter to the C. J. to Govt. 8th June 1839
Ex. Min. Cons. 19th June 1839 No. 1495

/Signed/ J. H. Davidson
Ag Register

4th July 1839.

To.

No. To.

The Criminal Judge of Canara

Sir

With reference to your letter dated the 27th Ultimo I am directed by the Judges of the Jongdaree Adalut to transmit to you 10 Copies of the printed forms of letters to the Surgeons in Medical charge of the Jail requiring him to examine Prisoners sentenced to suffer Corporal punishment for the use of your Court.

/Signed/ T.H. Davidson
Asst Register.

4th July 1839.

No. 124

No. To.

The Chief Secretary to Government.

Sir

I am directed by the Judges of the Jongdaree Adalut to forward to you the accompanying List received from the Acting Magistrate of Canara of the exceptions made from the general amnesty authorized under date the 21st September 1837 No. 891 to be proclaimed relieving all persons concerned in the late insurrection in Canara from their liability to be brought to trial on that account called for in

in your letter of the 16th Ultimo No. 1087.

/Signed/ T.H. Davidson
Asst Register.

5th July 1839.

No. To.

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

Gentlemen.

With reference to your letter of the 25th May last I am directed by the Judges of the Jongdaree Adalut to request that you will inform the Criminal Judges of Rajahmundry and Chicacole and the Joint Criminal Judge of Vizagapatam that Government was pleased under date the 2nd July 1839. No. 528. to desire that the salary of the Barbers authorized in parah 4 of the extract from the Minutes of Consultation dated the 12th March 1839. No. 226. shall be fixed at Rupees (4. 8.) four and a half per Mensem subject to the condition indicated in the concluding part of that Parah.

/Signed/ T.H. Davidson
Asst Register.

10th July 1839.

No. To.

The Second Judge on Circuit in the Northern Division

Sir

With reference to your letters of the

Fouzdaree Diary 10th July 1839

and 24th Ultimo. I am directed by the Judges of the Fouzdaree Udalut to forward to you the annexed Copy and translation of the opinion of the Cazee ool Cozat & and Mooftees of this Court in regard to the Futwa delivered by the Acting Cazee of your Court in case No 16 on the Vizagapatam Calendar of the First Sessions of 1839.

10th July 1839. Signed J. H. Davidson

Acting Register

No. To The Magistrate of Masulipatam.

Sir.

With reference to your letter of the 6th Ultimo referring for the Consideration of the Court a Petition from Nerunjanadeps and L. Banjaniah praying that a Reward may be granted to them under the Provisions of Section XXI Regulation IX of 1816 for the Meritorious services performed by them in discovering the perpetrators of the late attack on the treasury of the Tahseeldar at Ellore; I am directed by the Judges of the Fouzdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by

by an order dated the 2nd July 1839. No. 526 to authorize you, in Calculating the rewards sanctioned by this Court, to include the four approvers referred to in your letter in the same Manner as if they had been put on their trial and convicted of the offence in which they were implicated.

Signed J. H. Davidson

10th July 1839. Jr. Register

No. To The Acting Magistrate of Canara.

Sir.

With reference to your letter of the 20th May last forwarding a Descriptive Roll of the six fugitive Convicts who escaped from the Jail at Buntwal on the 16th November 1838. I am directed by the Judges of the Fouzdaree Udalut pursuant to instructions received from Government to desire that you will immediately proclaim rewards for the reapprehension of the said Convicts in accordance with the scale laid down in the Circular order of the Fouzdaree Udalut dated the 8th March last No. 104.

2. You will at the same time, be pleased to submit your opinion whether under present Circumstances, it is expedient to offer higher Rewards for the apprehension

Toujdaree Diary 10th 11th and 12th July 1839.

apprehension of the said Convicts or any of them

10th July 1839.

/Signed/ T. H. Davidson

Actg Register.

No. 125

No. To The Chief Secretary to Government

Sir.

I am directed by the Judges of the Court of Toujdaree Udalut to state for the information of the Right Honorable the Governor in Council that there are 20 Convicts in the Jail at Chingleput awaiting the execution of their sentences of transportation; and to suggest that a suitable opportunity may be taken for their removal.

11th July 1839.

/Signed/ T. H. Davidson

Actg Register.

No. 126.

No. To The Chief Secretary to Government

Sir

1

I am directed by the Judges of the Toujdaree Udalut to state that the Acting Second Judge of the Provincial Court of Circuit in the Centre Division, on the occasion of forwarding to this office the original warrant issued for the execution of an individual Contemned

Toujdaree Diary 12th July 1839.

Contemned to death by the Court of Toujdaree Udalut, has submitted a Communication from the Assistant Ciminal Judge in charge of the Zillah Court of Chittoor wherein the latter officer remarks upon the exceedingly inefficient state of the Gallows at this station, being merely two erect Palmira Sticks with a cross beam and iron rings with nothing pertaining to a drop, the consequence is, the culprit is considerably longer dying - hanging merely by his own weight: and moreover for want of a drop of some description, the "sea, sawing "process in vogue :self "seen on a former occasion, a rope break twice during an execution."

The Acting Second Judge suggests

2.

that orders be issued "to erect a new Gallows in place of the present one;" and he adverts especially to the Gallows at Mangalore which, he observe, he has "deem" and" which appears the form of construction adopted in England and embraces all that Mr. Onslow points out as defective in the Gallows at Chittoor."

The Judges of the Toujdaree

3.

Udalut direct me to observe that a sketch of the Gallows in use at Mangalore was laid before Government with the

the letter from this Office dated the 8th April 1837, No. 97
and that the Government was pleased by an order dated
the 21st April 1837, No. 381. to authorize the erection of
similar ones at the different stations therein mentioned

4. Under the circumstances mentioned
by the Assistant Criminal Judge, the Judges of the Fouj-
daree Adalut beg leave to suggest that they be authorized
to furnish the Criminal Judge of Chittoor with a Copy
of the Ketch of the Gallows in use at Mangalore, with
instructions to prepare and submit for sanction an
Estimate of the cost of erecting one on the same plan
at Chittoor.

(Signed) J. H. Davidson
Actg Register.

12th July 1839.

No. 127

No. To. The Chief Secretary to Government.

Sir.

The Magistrate of Chinglepat having
requested authority to bring to trial before the Criminal
Court of Chinglepat a prisoner named Kalee attached
to the District of Malabar, charged with having in con-
junction with another prisoner not yet reapprehended,
broken his irons and made his escape from the Jail at
Evroongaut cottah under the charge of Lieutenant Worster.
Superintendent

Superintendent of the Great Western Road." I am directed
by the Judges of the Foujdaree Adalut to request that the
Right Honorable the Governor in Council will be pleased
under the provisions of Section III Regulation I of 1833, to
direct that the offender abovenamed, be made over to the said
Criminal Court of Chinglepat.

(Signed) J. H. Davidson
Acting Register

12th July 1839.

No. To.

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

Gentlemen

1 With reference to the accompanying
Extract (para 3) of a letter dated the 28th Ultimo from
the Acting Joint Criminal Judge of Masulipatam report-
ing the escape of the night of the 18th Ultimo of a Convict
named Canajala Appaya from the solitary cell in which
he was confined, I am directed by the Judges of the Fouj-
daree Adalut to request that you will call upon the Ma-
gistrate of Masulipatam to submit his opinion on the
suggestion therein offered of making the Village Police
"criminally responsible or liable to summary fine for any
gross neglect of duty in cases when the escaped prisoner,

resides

resides within the village of which they hold the hereditary Offices." and that you will, at the same time, put this Court in possession of your own sentiments on the subject.-

2 I am likewise directed to forward to you the translations of the depositions taken by the Acting Joint Criminal Judge on the occasion of the escape: and to request that you will call upon that Officer to state whether in his opinion no suspicion of connivance or culpable neglect attaches to the peon Ibram Saib who, it appears, was on guard near the Solitary cell from 4 till 6 A.M. and during whose watch it was that the escape was discovered, in consequence of the Daroguc his visit, to the cells, having his suspicions aroused by observing a blanket hanging from the window.-

3 It does not appear that that Peon has been examined; at least, his deposition is not to be found among those forwarded by the Acting Joint Criminal.

Criminal Judge: and it appears to the Judges of the Foujdaree Udalut that the circumstance noticed in the preceding Parah: points to the expediency of making further inquiry as to the means whereby the fugitive was enabled to effect his escape.-

Signed J. H. Davidson
Acting Register

12th July 1839.-

No: 128

To,
The Chief Secretary
to
Government

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to state that the Joint Criminal Judge of Vizagapatam has submitted through the Provincial Court in the Northern Division an application for permission to continue for three Months

Months longer the extra Establishment of two Goo-
-mastahs whose employment was sanctioned by the
Order of Government dated the 19th March 1839 No. 246.

2 The Joint Criminal Judge explains that
the increase of the Criminal Cases owing to the prevalence
of scarcity in this part of the country, and the addition-
-al duty imposed on this Court by this station being
made the Head Quarters of the Thuggee establishment
requires that these additional servants should be employed."

3 The Provincial Court likewise observe
that the circumstances of the Thuggee Court being
fixed at Vizagapatam and of all the Thuggee Cases
being in consequence brought to trial in the Joint

Criminal

Criminal Court at that station must entail a great quantity of additional labour upon the establishment of the Auxiliary Court It is also within the knowledge of the Judges of the Provincial Court that the business of that Court is at all times very great," and they therefore "recommend that the application of the Joint Criminal Judge be complied with"

4 Under the circumstances above
recited, the Judges of the Toujdaree Adalut are of opi-
-nion that the Joint Criminal Judge has shown
sufficient Cause for the present application, and they
beg leave accordingly to recommend that that officer be
authorized to employ the two extra Goomastahs in
question, on a salary of Rupees (10-8-) ten and half
per Mensem each, for a further period not exceeding
three months

/Signed/ J. H. Davidson
Sr. Register.

13th July 1839.

No. 129

No. To
The Chief Secretary to Government

Sir,
1 I am directed by the Judges of the
Toujdaree Adalut to state that the Criminal Judge of
Chingleput

Chingleput has reported that William Dogherty whose employment in the joint Capacity of Jailor and superintendant of Manufactories was sanctioned by Government in the extract from the Minutes of Consultation under date the 26th March 1836. No. 262. died at that station on the 30th Ultimo from Cholera -

2 The Criminal Judge likewise states that an European named John Cotteral. Bombardier in the Artillery, arrived at "Chingleput" for the purpose of instituting a suit in the Court, "that "this man has applied to be allowed to superintend the looms, he being a weaver by trade, during his detention at "Chingleput" and has also expressed his willingness to undertake the duty of superintendant of looms and Jailor as a permanent situation" and that "he has produced two very excellent characters-one from Lieutenant Croggan of the artillery who has known him for four years and the other from Major Deville of the Artillery."

3. The Criminal Judge adds that "Cotteral's leave extends to the end of this month, and as it is absolutely necessary that an European should superintend the work of the Paisaries" he requests sanction for "the employment of Cotteral during this month at least as Jailor

Jailor and superintendant and that he be allowed a Rupee a day, the sum which was given to Dogherty on his first taking charge of the looms as remuneration for his services -"

4 Under the circumstances above recited the Judges of the Foujdaree Adalut beg leave to recommend that the Criminal Judge be authorized to employ John Cotteral in the capacity of Jailor and superintendant of the Looms during the present month, on an allowance of one (1) Rupee per diem -

The Criminal Judge states "that from the slight knowledge he has of Cotteral, he cannot take upon himself at present to recommend his permanent employment in the Jail -

/Signed/ T. H. Davidson
Actg Register.
13th July 1839.

No. To The Officer in Charge of the Zillah Court of Chicacole

Sir

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of Mr. Stoys letter of the 29th Ultimo wherein he requests to be informed whether

whether "it is absolutely necessary that Security prisoners be made to work on the different employments mentioned in the 4th parah: of the Circular Order" of the 19th January 1831 "within the walls of the Jail" and whether Security prisoners may not, under the same Circular Order be made to beat Chunam."

2. In reply I am desired to observe that the object of the Circular Order in question is to obtain a profitable return from the labour of the prisoners-

3 If therefore, the prisoners referred to, can be non profitably employed outside them inside the Walls of the Jail they can be so employed under the Provisions of Clause first: Section XIII Regulation VI of 1827.

4 There is no objection to the employment of Security Prisoners in beating Chunam-

5 I am directed to observe that the paragraph above cited lays down no absolute rule but merely conveys the "opinion" of the Toujdaree Adalut that prisoners of the description therein referred to may be most advantageously employed within the Walls of the

the Jail" the Court having previously declared that it was not their intention to "lay down any detailed rules" but to leave it to the local Officers "to exercise a sound discretion" "on the Subject-

/Signed/ T. H. Davidson
Actg Register-

13th July 1839.

No. 130

No. To The Chief Secretary to Government.

Sir.

1 I am directed by the Judges of the Toujdaree Adalut to submit to be laid before Government the accompanying Model and estimate of the Cost of Constructing a Gallows at Trichinopoly forwarded to their Office by the Joint Criminal Judge at that station who "finding on enquiry that there is no gallows of any description in the Military stores which he "might borrow, requests the special sanction of Government to erect one.

2. The Joint Criminal Judge submits his opinion that "a Gallows constructed according to the accompanying Model will be simple and economical and can be taken to pieces and removed to the Jail Godowns after an execution, without the least difficulty"

3. The Judges of the Toujdaree Adalut beg

Toujdaree Diary 15th July 1839.

beg Leave to suggest that sanction be granted for the construction of a Gallows at Trichinopoly at the estimated Cost of Rupees (64-12) Sixty four and annas twelve

15th July 1839. (Signed) T. H. Davidson
Asg. Register

No. To The Acting Joint Criminal Judge of Vizagapatam

Sir

With reference to Mr Dowdeswells Letter of the 22d May last, stating that a house had been rented for the use of Certain Convicts received from the Joint Magistrate of Vizagapatam and requesting the special Sanction of Government for the amount disbursed. I am directed by the Judges of the Toujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 8th July 1839. No. 538. to sanction the said Charge amounting to Rupees (28-8-6) twenty eight annas five and Pice six

15th July 1839 (Signed) A. P. Forbes
Asg Ms. Asst to the Register

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

Gentlemen,

With reference to your Letter of the 10th Ultimo

Toujdaree Diary 15th and 16th July 1839

Ultimo forwarding Copy of a Communication from the Principal Sudr Ameen of Honore and requesting Sanction for a Certain Charge incurred by him "in the employment of an extra Jail Peon. I am directed by the Judges of the Toujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 8th of July 1839 No. 541. to sanction the Charge in question amounting to annas twelve and reas twenty two and a half (0-12-22½)

15th July 1839 (Signed) A. P. Forbes
Asg Ms. Asst to the Regr.

No. To The Joint Criminal Judge of Trichinopoly

Sir

With reference to your Letter of the 20th May last I am directed by the Judges of the Toujdaree Adalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 9th July 1839 No. 548. to grant Sanction for making the Trichinopoly Jailorship a first class one, by which the salary attached to that office will be raised from Rupees 15 to Rupees (20) twenty per mensem. (Signed) T. H. Davidson
Asg Rr.

16th July 1839

To.

No.

To

The Provincial Court of Circuit in the

Southern Division

Gentlemen,

With reference to your letter of the 7th Instno submitting a statement from the Magistrate of Tanjore of the amount paid to the Sibbendies in charge of the Convicts transpsered from the Zillah Jail of Combaconum to the Jails at Nagapatam and Moya: varum for fusly 1247 I am directed by the Judges of the Tanjore Udalut to inform you that the Right Honorable the Governor in Council was pleased by on order under date 8th Instant No. 537 to grant special sanction for the charges in question amounting to Rupees (4489-15) Fourthousand four hundred and eighty nine and annas fifteen

17th July 1839

(Signed) A. P. Forbes
Actg Sy. Actg to the Rr.

No.

To.

The Magistrate of Tanjore.

Sir.

I am directed by the Judges of the Tanjore Udalut to inform you that the Right Honorable

Honorable the Governor in Council has been pleased by an order dated the 8th Instant No. 542 to sanction the charges incurred in Fusly 1247 on account of Convicts transferred to your charge from the Jail at Combaconum and on account of rewards paid for the apprehension of Criminals amounting in the aggregate to Rupees (8.018-7-5) eight thousand and eighteen annas seven and pice five.

17th July 1839.

(Signed) A. P. Forbes
Actg Sy. Actg to the Rr.

No.

To.

The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Tanjore Udalut to acknowledge the receipt of the order of Government dated the 26th March 1839 No. 277. referring for their opinion and with reference to parah 6 of the extract from the Minutes of consultation dated the 4th January last No. 6. a Communication from the Secretary to the Government of India dated 18th February 1839 on the question of the expediency as regards the Madras Presidency of paying Chapter XIII of the

the Penal Code into a Law in suspension of all previous regulation or practice upon the subject and on the several points connected with that question—

2.

The Judges direct me to observe that the suggestion of the Magistrate of Nellore, proposed by the Court of Joujdaree Udalut in paragraph 34 of their proceedings dated the 20th September 1838. to be referred to the Law Commission was that "the Heads of Police should be authorized to receive and try complaints for using false weights and measures and to punnish by fine within the limits they are now authorized by the Regulations to impose for other offences; referring the Case to the Magistrate for a heavier punishment under the Provisions of act XXXIII of 1837. should they deem it called for"

3.

The Judges observe that the enactment of chapter XIII of the Penal Code would not meet the object of the Magistrate in the above suggestion, and that the punishment adjudicable under its provisions is not competent to the Magistrate under the Regulations of this Presidency—

The

4. The Judges are of opinion that no necessity exists for specially enacting the said chapter of the Penal Code and that therefor it would be objectionable to promulgate such an enactment—

5. The Criminal Judge has full power to deal with the fraudulent practices in question under the general Regulations III either by punishment to the extent provided in Section VII Regulation X of 1816. or when that may appear to him not sufficient, by Committal for Trial by the Court of Circuit, who would apply to such cases the Provisions of Clause Seventh Section II Regulation XV of 1803.

6 With reference to the other questions in the letter from the Secretary to the Government of India, the Judges of the Joujdaree Udalut observe 1st That in their opinion the definition of a false balance, weight or measure, does not appear necessary 2ndly That the proof of intention referred to in the 255 Section of the Penal Code will be difficult if not impossible. 3rdly That Heads of Villages and Heads of District Police should be empowered (as by Sections XI and XXXVII Regulation XI of 1816) to search for false weights, and penalties be imposed for obstructing the search

4thly That the power of indefinite fine is, in the opinion on

opinion of the Judges objectionable,

5thly That it seems objectionable to subject the same offence to a greater or less penalty according to the Jurisdiction of Tribunals-

6thly That (supposing the power of indefinite fine not given) there does not appear to be any necessity for a Appellate Jurisdiction in those Cases-

I am directed, in Conclusion, to explain, that all decisions of subordinate Criminal Courts are under existing Rules, subjected to revision by the Court of Foujdaree Adalut

18th July 1839 (Signed) J. H. Davidson
A.R.

No. 132

No. To The Chief Secretary to Government.

Sir

With reference to the order of Government No. 534 dated the 8th July 1839. communicating for the information and guidance of the Court an extract from the Minutes of consultation in the Military Department under date the 4th July 1839 No. 2960. relative to the application by the officer commanding Cannanore for the services of a party of Convicts to be employed in repairing the

the roads &c. in that Cantonment, I am directed by the Judges of the Foujdaree Adalut to state that there are no Convicts now at Cannanore, but that the officers in charge of the Jails at Calicut and Tellicherry have been called upon to report whether any can be spared from those Stations for the purpose above mentioned, and the result will be communicated to Government.

18th July 1839 (Signed) J. H. Davidson
A.R.

No. To The Acting Criminal Judge of Malabar

Sir. It being the wish of Government that a party of Convicts should be placed at the disposal of the officer Commanding Cannanore for the purpose of being employed in repairing the roads in that Cantonment, the Judges of the Foujdaree Adalut direct me to desire that you will report whether any Convicts can be spared from the Jail under your charge without occasioning material impediment or Injury to any work which are at present being carried on at Calicut-

The number indicated by the officer commanding Cannanor is one hundred and fifty-(150)

18th July 1839 (Signed) J. H. Davidson
A.R. To

Tuijdarce Diary 18th and 19th July 1839.

No. To The 2nd Judge Presiding at the Court of Quarter Sessions Tellicherry

Sir

I am directed by the Judges of the Tuijdarce Adalut to acknowledge the receipt of your letter of the 6th Instant referring the question whether the Circular order of the 31st August 1833 was intended to supersede so much of thier Circular order of the 27th June 1831 as enjoined that Criminal Judges and the other officers therein mentioned "shall not sentence a prisoner convicted of a misdemeanour to be confined in Irons"

2. In reply I am directed to state that such was not the intention and that Misdemeanour is still a special exception from the general Rule of labour and Irons.

[Signed] J. H. Davidson
Actg Register

18th July 1839

No. 133.

No. To The Chief Secretary to Government

Sir

I am directed by the Judges of the Court of Tuijdarce Adalut to transmit to you to be laid before the Right Honorable

Tuijdarce Diary 19th July 1839.

Honorable the Governor in Council the accompanying bill received from the Office Commanding the Malgheries of the charge actually incurred in Constructing a Surrounding wall to the Jail at Cotacamund and for executing certain repairs and alterations in the same

2. In submitting this bill Collonel King states that in consequence of the Accountant general having informed the Principal Collector in Caimbatore that the further sanction of Government is required to the actual charges of expendeture incurred in the alterations and improvement to the Jail at Cotacamund beyond the authority already granted to his predecessor in Command. Conformably to the extract from the Minutes of Consultation under date the 16 November 1835 he requesting the accompanying bill may be submitted to the Court of Tuijdarce Adalut for the purpose of the requesting sanction of Government being obtained thereunto-

3. The order of Government of 16th November 1835. to which Collonel King refers No. 897 authorized the Disbursement by the Officer Commanding Cotacamund of Rupees 240-2 in the purchase of Materials to repair and alter the Jail and also the employment of a Mastry on the a Monthly Salary

Salary of Rupees 14 during the progress of the work for directing the labour of Convicts.

4. It does not appear that the sum sanctioned by Government has been exceeded. but the amount of the salary of the Maistry for the period of fifteen Months has been included in the Bill of Repairs.

5. The Judges of the Fouzdaree Adalut beg leave to recommend that sanction be granted for both charges Amounting in the aggregate to Rupees (450-2-) fourhundred and fifty and anas two.

19th July 1839

(Signed) J. H. Davidson
Acg. Register.

No. To

The Criminal Judge of Chinglepet

Sir.

With reference to your letter dated the 13th Instant. I am directed by the Judges of the Fouzdaree Adalut to transmit to you two Copies of the printed forms of the Half yearly Statement of Convicts for the use of your Court.

19th July 1839

(Signed) J. H. Davidson
Acg. Register

To

No. To

John Vaughan Esquire
and
G. L. Casamajor Esquire

Sir

With reference to the Circular Letter to the Provincial Courts of Circuit under date the 14th April 1838. I am directed by the Judges of the Fouzdaree Adalut to state that a Report from you on the subject of the Penal Code prepared by the Indian Law Commission is deemed to be indispensable and accordingly request that you will forward the same to this office at your earliest Convenience.

19th July 1839

(Signed) J. H. Davidson
Acting Register

To

No. To

J. D. Gleig Esquire
E. P. Thompson "
J. G. Pasko "
J. Baig "
E. Newberry "
J. F. Stonehouse "
Ed Bannerman "
J. Goldingham "

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will immediately state for the information of the Court when your Report upon the Penal Code prepared by the Indian Law Commission, will be ready: and if it be so now, that you will forward it to this Office without further delay.

19th July 1839.

(Signed) T. H. Davidson
Acting Register.

No. 134.

To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Foujdaree Adalut to state that the Criminal Judge of Chingleput has reported in a letter date the 17th Instant that he has received instructions from the Registrar of the Supreme Court to dispose of the property at Chingleput belonging to the deceased Jailor William Dogherty, and that "among the property are four Looms" which he requests permission to purchase "on account of Government." He adds that "the sale will take place in ten days."

2. The Judges of the Foujdaree Adalut beg leave to recommend that the Criminal Judge be authorized to purchase the looms in question on his satisfying himself that they are in good and serviceable condition.

20th July 1839.

(Signed) T. H. Davidson
Acg Register

No. To G. A. Smith Esqr
Magistrate of Rajahmundry.

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 9th

9th Instant forwarding a Copy of a Correspondence relative to the Forgery of your signature to a Draft for Rupees 1300 upon the house of Messrs Binny & Co and requesting instructions as to the proper Course to be pursued in bringing the Case to trial -

2 In reply I am directed to observe that according to the Descriptive Roll it would appear that Kishnasawmy Chitty is "a Natural born subject of the British Government and therefore under the Provisions of Section II Regulation XII of 1832. liable to be dealt with according to those of Regulation II of 1839.

3. From the Nature of the offence, the Judges of the Tanjdaree Adalut consider the provisions of Section III Regulation II of 1839 to apply, and they direct me accordingly to refer you to those provisions for your guidance in the Case under consideration -

4 It does not appears to the Judges that you have any "interest" in the case which disqualifies you from holding the preheminary proceedings. but since it is probable that you will be required to give evidence in regard to the Forgery of your signatures. it seems proper that the examination should be conducted by the Assistant Magistrate -

5. According to the papers which accompanied your letter there appears to be evidence of altering a forged document, only. if proof should eventually be obtained of the Commission of the Forgery by Kishnasawmy Chitty. the proceedings to be held will depend upon the place where the Forgery may appear to have been committed -

/Signed/ T. H. Davidson
Asst Register

20th July 1839

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

Gentlemen,

With reference to your letter dated the 13th Instant I am directed by the Judges of the Tanjdaree Adalut to transmit to you 10 Copies of the printed forms of the half yearly statement No. 2-

/Signed/ T. H. Davidson
Asst Register.

20th July 1839.

No. To The Joint Criminal Judge at Cochin.

Sir.

With reference to your letter date the 11th Instant I am directed by the Judges of the Tanjdaree Adalut to transmit to you 12 Copies of the printed form of the Monthly Statement shewing the total number of

prisoners

prisoners in Confinement and the manner in which they are employed for the use of your Court.

20th July 1839. /Signed/ J. H. Davidson
A.g. Register

No. 135

No. To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Toujdaree Adalut to state that the Magistrate of Cuddapah has brought to the notice of the Court "the Case of a Ryot of the name of Vencat Ramana who apprehended a notorious robber of the name of Vencatagaudoo in the Goorumcondah Talook, and in so doing, received a desperate wound on the Neck from which he was be long while in recover: :ing." The Magistrate adds that "the Prisoner was convic: :ted by the Circuit Court and sentenced to fourteen years imprisonment but as he was not considered a Sirdar, the reward payable for his apprehension by "the Magistrate," is only 20 Rupees which Considering the Meritorious Conduct of Vencat Ramayah and his subse: :quent suffering from his wound" he considers "an insufficient remuneration" and he therefore requests "the permission of the Court to present him with a further reward

reward of fifty Rupees"

2 Under the Circumstances recited by the Magistrate, the Judges of the Toujdaree Adalut beg leave to recommend that the Magistrate to authorized to pay to the said Vencut Ramana the sum of fifty (50) Rupees as a reward for his Meritorious Conduct on the occasion in question -

/Signed/ J. H. Davidson
A.g. Register

22d July 1839

No. To The Magistrate of Chingleput

Sir, With reference to your letter of the 5th Instant. I am directed by the Judges of the Toujdaree Adalut to state that the Right Honorable the Governor in Council was pleased by an order dated 16 July 1839. No. 566. to authorize the Prisoner Kalee therein mentioned, being made over to the Criminal Court at Chingleput -

22d July 1839. /Signed/ J. H. Davidson
A.g. Register

No. 136

No. To The Chief Secretary to Government.

Sir, I am directed by the Judges of the Toujdaree Adalut to submit to be laid before the Right Hono: :rable the Governor in Council the annexed Copies of letters received

received from the Provincial Court of Circuit in the Centre Division, relative to a proposition by the Joint Magistrate of North Arcot, to transfer the police duties of the Jaghier of Arnee from the Jaghiredar, to the establishment appointed by, and under the exclusive Control of the European Officers of Government.

2. The proposition of the Joint Magistrate is grounded as is also the recommendation of the Magistrate in support of it upon experience of the utterly insufficient and unsatisfactory state of the Police in that Jaghire, and of the Evils and abuses resulting therefrom, which are so clearly pointed out by those officers in their respective communications as to render it unnecessary for the Judges of the Tonjdaree Adalut to do more than record their concurrence in the opinion of the Provincial Court as to the expediency of the proposed Measure and to recommend that sanction be granted for Carrying it into effect.

3. I am directed to transmit to you for the Consideration and orders of Government the original List of the Proposed establishment for the Jaghire, submitted by the Magistrate, accord-

ing to which the annual charge involved by the contemplated transfer will be Rupees 238-12 per mensem.

4. The state of the Police, I am directed to add in the Jaghire of Arnee, has on former occasions been brought under the Consideration of Government. In parah 41 of the Extract from the Proceedings of the Court of Tonjdaree Adalut under date the 29th November 1834, reference was made to the Report on the subject of the Magistrate of North Arcot, wherein he described that Jaghire and the gemendaries and Pollams in the District as harbors for gangs who can at all times prepared for and effect depredations in the Government Talooks without the possibility of their being traced. "and pursuant to the instructions Conveyed in the Extract from the Minutes of Consultation under date the 7th April 1835. No 230 (parah 15) The Jaghiredar of Arnee, as well as the other Proprietors in the District of North arcot was warned that unless his Police Duties were more efficiently performed, they would be resumed into the hands of the Magistracy. It was shown however in the proceedings

5 of this Court under date the 26th February 1836, that "no improvement" had taken place "in the Management of the Zemindary

Zemindary Police" but that the Magistrate looked forward to some amelioration from the annual tours of Inspection which under orders received from Government, were therefore forward to be made throughout the zemindaries.

6. The present reference however abundantly shows that the Warning and the Tours of Inspection have been alike ineffectual to produce any improvement and the Circumstances pointed out in the letter from the Joint Magistrate, do in the opinion of the Judges of the Tondiaree Adalut, preclude any reasonable expectation that a repetition of either one or the other will be attended with beneficial results.

7. It will be observed that both the Magistrate and the Joint Magistrate recommend that the Jaghire of Colatoor be included in the proposed arrangement, and the Judges of the Tondiaree Adalut are of opinion that those officers have shown satisfactory Grounds for the suggestion.

23d. July 1839

[Signed] J. H. Davidson
Actg. Register

No. To The Acting Magistrate of Canara

Sir,

With reference to your letter of the 25th. Ultimo, forwarding a list of the exceptions made in the amnesty published by the orders of Government after the late insurrection in Cannara, I am directed by the Judges of the Tondiaree Adalut, pursuant to instructions received from Government, to desire that you will "restrict the Trials on account of the late insurrection in that province to the persons named in the accompanying "List" forwarded by the late Special Commission with their letter to this Court of the 8th. February 1838. and that you will without any delay report through this Court for the information of Government "whether any, besides the 3d. 5th. 8th. and 11th. individuals mentioned in that list, have as yet been apprehended and brought to Trial."

23d. July 1839

[Signed] J. H. Davidson
Actg. Register

No. To The Magistrate of Salem.

Sir,

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

of the 9th instant, forwarding a Copy of a Communication from the Medical Officer in charge of the Civil establishments at Salem, and requesting permission with reference to the Courts Circular letter of the 12th April last to recur to the use of Dry Grain instead of Rice for the diet of the Prisoners in the Zillah Jail.

2. In reply, I am desired to observe that Considering the sickness and Mortality which has so frequently prevailed in the Zillah Jail of Salem, as to become almost provential, the Judges of the Tonjdaree Adalut would not Consider themselves justified in authorizing you to take the proposed step in opposition to the opinion of the Medical officer, but there Can be no objection to your calling upon that officer to give a decided and definite opinion on the single question of whether, under existing Circumstances, recourse may be had, without danger in the Zillah Jail, to a Diet of Dry Grain which it appears he has not yet done.

3. The Case of the prisoners at Ahtoor is however different those prisoners it appears, having hitherto been fed and thrived upon Dry Grain, suddenly

suddenly refused their food on no better place than the reported receipt of this Courts Circular instructions above cited.

4. Those instructions obviously Contemplated no change of that nature. They merely prohibited, under certain specified Conditions, the sudden alteration of a system of long standing especially the sudden change from a highly nutritious to a less generous diet.

5. The Regulations vest officers in charge of Jails with ample powers to put down by the infliction of Summary punishment disobedience and contumacy such as that exhibited by the Ahtoor Prisoners though with reference to the Circumstances mentioned in your letter the Judges of the Tonjdaree Adalut will not assert that you did not exercise a sound discretion in permitting them temporarily to have their own way.

23rd July 1839. [Signed] J. H. Davidson
Asst Register

No. 137

To The Chief Secretary to Government.

For The Provincial Court of Circuit in the Southern Division have forwarded to this office Copies

Toujdaree Diary 24th July 1839

Copies of letters from the Superintending Surgeon in the Southern Division and the Senior Medical officer on the Neilgherries relative to a suggestion by the latter officer that the Convicts at Ootacamund shall be furnished with Lascars' Jackets Cloth and of a smart make would give them great protection from the inclemency of the weather while out at work without interfering with the free exercise of their limbs."

Doctor Bird observes that during

2.

the South west Monsoon the weather is very variable and that the early part of the morning is often [illegible] and even hot, and then at noon or shortly before it, the sky is overcast and rain falls in heavy showers, or a drizzling mist comes on which is very cold and constantly produces a phrenetical fever, even in these hardy men who have no protection but their Cumbly which they are forced to throw off while at work, which they are not allowed to stop unless there be rain, so that often their bare bodies are exposed to the bleak winds which would not be the case had they Lascars' jackets given them." Doctor Birch adds that he is "sure that this gift would be a great means of keeping them healthy as well as approximating their condition to that in which they were placed before they were sent" to

Ootacamund

Toujdaree Diary 24th July 1839

Ootacamund "which" he observes "is naturally considered by them a great addition to their punishment owing to the immense diminution of that in this climate compared with that of the plains."

3. In parah 69 of the Proceedings of the Court of Toujdaree Idalut under date the 29th February 1836. No. 49. A reference was made to the recommendation of the late Colonel Crewe then Commanding the Neilgherries, that one of the Cumblies furnished to the Convicts should be made into a jacket, and in parah 6 of the extract from the minutes of Consultation under date the 29th March 1836 No. 280. It was observed that it was competent to that officer to carry the measure into execution, if he deemed it necessary."

4 The Judges of the Toujdaree Idalut are of opinion that it will be objectionable to clothe the Convicts in Lascars jackets as in the event of Escape the circumstances of their wearing the dress of a very numerous class of Government servants would probably render it easy for them to elude detection and reapprehension but if any Coarse and cheap Material is procurable from the stores at Ootacamund, the Judges beg Leave to recommend that

that authority be granted for making from it the requisite number of jackets for the Convicts but if not, or if the measure should be deemed unnecessarily expensive recourse may be had to the expedient suggested by the late Colonel Crewe as above stated.

24th July 1839. /Signed/ T. H. Davidson
A.g Register

No. 138

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Foujdaree Adalut to submit to be laid before the Right Honorable the Governor in Council, the annexed Copies of a letter dated the 30th Ultimo and its accompaniments from the Officer Commanding the 43rd Regiment N. I. "to the Criminal Judge of Chicacole," relative to a prisoner named Ramasawmy recently sentenced to three months imprisonment by a Court Martial held at Berhampore and forwarded by Lieutenant Colonel Mc Farlane to the Criminal Court to have the said sentence carried into execution under the Prisoners of Regulation I of 1828.

2. The Provincial Court of Circuit in the Northern Division, by whom the Papers have been referred to

the Foujdaree Adalut after adverting to the opinion of the Head Assistant Magistrate in charge of the Zillah Court of Chicacole that the Regulation above cited "has reference solely to the sentences of Courts Martial for Criminal Offences Committed out of the Company's Territories and passed under the provisions of Article 6. Section XII Regulation V of 1827. and not to sentences of imprisonment for Military offences," submit their own opinion that "Section II Regulation I of 1828. has reference to sentences passed under the provisions of Article 6. Section XII Regulation V of 1827. alone, and Section XIX Regulation VII of 1832. which also provides for the sending of persons sentenced to imprisonment and hard labour to the Criminal Courts, refers only to sentences passed under the Provisions of that regulation".

3. The Judges of the Foujdaree Adalut direct me to submit their opinion that the Provisions of Regulation I of 1828. are not applicable either with reference to the offence of which the Prisoner is convicted or to the place where it was Committed and therefore do not authorize the Criminal Court to receive the prisoner.

4. As applicable to the present Case,

I am directed to point to the attention of Government to the opinion of the Court of Foujdaree Adalut recorded in

in their Registers letter to your address under date the
2d January 1839. No. 2.

/Signed/ T. H. Davidson
Asg. Register.

24th July 1839

No. To.
The Criminal Judge of Chingleput

Sir.

With reference to your letter of the
17th Instant. I am directed by the Judges of the Joujdaree
Adalut to state that the Right Honorable the Governor
in Council was pleased by an Order dated the 23d July
1839. No. 601 to authorize you to purchase the four looms
belonging to the deceased Jailor William Dogherty provi-
:ded they are in good and serviceable Condition of
which it will be proper that you previously satisfy
yourself.

/Signed/ T. H. Davidson
Asg. Register

24th July 1839.

No. 139

No. 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
the order of Government No. 543 under date 8th Instant and
of

of the papers therewith transmitted.

2. The Judges are of opinion that no ma-
terial objection exists to the adoption of the recommendation
in parah 16 of the letter from the Officiating Secretary to the
Indian Law Commissioners dated 30th May 1837. that
the reference required to be made to the Mohummedan
Law Officers of the Joujdaree Adalut in trails referred for
their final judgment should be dispensed with, and
it further appears to them that a provision to this effect
will be necessary in order to give effect to the intentions
of the Supreme Government in respect to the judicial
administration in certain parts of Ganjam and Vizaga-
:patam: because the provisions of Clause Second Section
II Regulation I of 1818 render a futwa indispensable
in Cases not specifically provided for by the Regulations.

3. Under the provisions of the Act, No. XXX
of 1836. the Court of Joujdaree Adalut considered them-
:selves competent to proceed in the manner prescribed
in Clause first Section II Regulation I of 1818.

4. The Judges have the honor to submit
the draft of an Act of which Sections I & II are intended
for the above purpose. in explanation of which it is to be
observed,

observed, that in the instance of any offence which may never have formed the subject of a trail by the Joujdaree Adalut, it would be open to the Court to ascertain from their Mohummedan Law Officers whether or not it were punishable by that law, and that cases of Abortion Rape Sodomy - Arson Conspiracy, embezzlement, Fraud, Kidnapping Children - and Wounding which comprize all offences ordinarily the subject of referred trails, and not expressly provided for by penalties prescribed in the Regulations of this Government, are at present punishable to the extent provided in Clause third Section VII Regulation XV of 1803.

5 As to the expediency of adopting the further suggestion of the Law Commissioners, that the requisition of a futwa by the Courts of Circuit should be dispensed with, the judges cannot pronounce with the same confidence. The measure is rather thrown out for consideration than positively recommended by the Law Commissioners: and the judges are not certain that the call upon them for the draft of an Act intended to include the preparation of the provisions necessary in order to its adoption -

6. The judges observe that the Court of

of Directors in the concluding para: of their letter No 5 dated 17th September 1834 insist upon there being "at least one Native assessors to assist the Judge of Circuit in the event of the discontinuance of the Mohummedan Law Officers, and advert to the provisions on the subject contained in Bengal Regulation VI of 1832.

7 The judges of the Joujdaree Adalut are not prepared to recommend the extension of these provisions to this Presidency and consider the Mohummedan Law Officers to be more competent as assessors, than other natives of the provisions, of whose services the Judge of Circuit would generally be able to avail himself -

8. Should the Government of India determine upon abolishing the present reference to the Mohummedan Law Officer by the Courts of Circuit, it appears to the Judges that the measure might be effected by adding to the Act for the Joujdaree Adalut the provisions of sections III IV & V of the annexed draft in explanation of which it appears sufficient to observe that under the existing rules punishment to the extent provided by Clause Seventh Section II Regulation XV of 1803 is adjudicable by the Court of Circuit for the offences mentioned above, and for theft exceeding the Jurisdiction of

Jurisdiction of the Criminal Judge, and that on any new case that might arise a reference could be made to the Foujdaree Adalut to ascertain whether or not the act charged were punishable under the Mohummedan Law.

/Signed/ T. H. Davidson
Asst. Register.

Act.

I It is hereby enacted that in trials refered by the Courts of Circuit the Court of Foujdaree Adalut at Madras shall not take a futwa from their Law Officers.

II And it is hereby enacted that in such trials the said Court shall be competent to sentence the prisoners on conviction to suffer the punishment prescribed by the Regulations of the Madras Code, in Cases specifically provided for, and in all other cases, punishable under the Mohummedan law, to pass sentence of punishment to the extent authorized by Clause third Section VII Regulation XV of 1803. of that Code.

III And it is hereby enacted that in trials before that Courts of Circuit under the Madras Presidency no futwa shall hereafter be taken.

IV And it is hereby enacted that in cases specifically provided for by the Regulations of the Madras Code

Code, the Courts of Circuit shall sentence the prisoners on conviction to suffer the punishment prescribed, if adjudicable by that Court, and in Cases not so provided for and punishable under the Mohummedan Law, shall be competent to pass sentence of punishment to the extent authorized by Clause Seventh Section II Regulation XV of 1803.

V And it is hereby enacted that in all Cases beyond the jurisdiction of the Court of Circuit under existing Regulations the trial shall be referred to the Court of Foujdaree Adalut for their final Judgement and that in Cases within the Jurisdiction of the Court of Circuit and specifically provided for by the Regulations, if the stated punishment appear to the Judge of Circuit too severe, he shall propose a mitigation of punishment according to the rules in force.

25th July 1839 /Signed/ T. H. Davidson.
Asst. Register.

No. 140

No. To The Chief Secretary to Government.

Sir, I am directed by the Judges of the Court of Foujdaree Adalut with reference to the Circular Order No. 65 of the 24 August 1835 to transmit to you the accompanying estatement of the disbursements

disbursements made by the Sillah Judge of Chicacole
in bringing up the Children of prisoners during the
quarter of the Current year ending on the 30th June
amounting to Rupees 9-4-2. Inne annas four and
pice two and to request that the same may be submit-
ted for the special sanction of Government.

25th July 1839

(Signed) J. H. Davidson
Actg Register.

(No 144)

No. To,

The Chief Secretary to Government

Sir,

With reference to the order of Government
of the 18th July 1839 No. 584 I am directed by the Judges of the
Foujdaree Udalut to state that they are unable to explain
the cause of Chittoor having been omitted in their Register
letter of the 8th April 1837 on the subject of the New Gallows
to be erected otherwise than on the supposition that
the name of that Station was accidentally passed
over when the communication in question was drafted
and that until the Recent application from the Criminal

Judge

Judge, nothing occurred to call the attention of the Court
to the omission.

26th July 1839

(Signed) J. H. Davidson
Acting Register

No. To The Acting Second Judge of the Provincial
Court of Circuit in the Center Division

Gentlemen,

With reference to your letter of the 5th Ulto
I am directed by the Judges of the Foujdaree Udalut to
state that the Right Honorable the Governor in Council
was pleased by an order dated the 18th July 1839 No. 584
to authorize the Criminal Judge of Chittoor to prepare
and submit for sanction through this Court an estimate
of the Cost of erecting at that Station a Gallows on the same
plan as that in use at Bangalore.

2. I am directed accordingly to transmit to you a Copy of
the Sketch of the Gallows in use at Bangalore, and to
request that you will issue the requisite instructions on the
subject to the Criminal Judge of Chittoor.

26th July 1839

(Signed) J. H. Davidson
Acting Register

No. 142

No. To. The Chief Secretary to Government.

Sir.

I am directed by the Judges of the Joujdaree Adalut to submit to be laid before the Right Honorable the Governor in Council the annexed Copy of a letter dated the 16th instant from the Magistrate of North Arcot, requesting sanction to disburse the Sum of (100) one hundred Rupees, as a reward for the meritorious conduct of two individuals, brothers named Ramasawmy and Venataramoodoo Ryots of Colour a village in the Sutwaid Talook - in exciting the attack of a Gang of Robbers of whom two were killed by Ramasawmy.

2.

The Case does not seem to fall within the Provisions of Sections XXIII Regulation IX of 1816 - in as much as it is not stated that the offenders have been apprehended.

3

The Judges of the Joujdaree Adalut therefore beg leave to recommend that sanction be granted for the payment by the Magistrate of the Sum of Rupees (100) One hundred to the parties above mentioned.

4

The present Case appears to the Judges

Judges to be a gratifying result of the proclamation encouraging assistance to robbers.

/Signed/ J. H. Davidson
Actg Register.

26th July 1839

No. 143

To. The Chief Secretary to Government.

Sir.

I am directed by the Judges of the Joujdaree Adalut to submit to be laid before Govern-ment the annexed Copy of a letter dated the 15th Instant from the Acting Criminal Judge of Cuddapah to the Provincial Court of Circuit in the Centre Division, wherein that Officer applies for sanction to employ an additional goomastah on a Salary of five Pagodas (Rupees (17-8) seventeen and a half per Mensem, to assist in taking Criminal Depositions, in consequence of the extreme press of business in the Criminal Court.

The Judges direct me to observe

2.

that the Records of this Office afford ample evidence of the heavy pressure of Criminal business in the Zillah Court of Cuddapah.

The Judges therefore beg leave to

3.

recommend that authority be granted for the temporary employment

employment of the extra Geomastah from the 15th Instant. on the salary above mentioned.

26th July 1839

Signed J. H. Davidson
Asst Register

No. To. The Acting Joint Criminal Judge at Guntoor.

Sir,

With reference to Mr Newbery's letter of the 18th April last. I am directed by the Judges of the Tonjdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an Order dated the 18th July 1839 No 561 to authorize the Joint Criminal Judge of Guntoor to remit annually to the Collector of the District the sum of Rupees (3-13) three and annas thirteen. being the last of a piece of Ground belonging to the Zemindar Contiguous to the Jail at that station which is Considered desirable to keep waste and uncultivated.

26th July 1839

Signed J. H. Davidson
Asst Register.

No. To. E. Newberry Esqre

No 145

No. To. The Chief Secretary to Government.

Sir.

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of the Order of Government dated the 16th July 1839 No 577 communicating a letter from the Acting Magistrate of Coimbator. and observing that it is the province of the Tonjdaree Udalut to suggest to Government if need be, one general Rule to be observed in the Province under this Presidency in the payment of Batta to Peons exorting prisoners and Witnesses beyond the limits of the Districts to which they may be permanently attached.

and

The Judges of the Foujdaree Udalut direct me to submit their opinion that it should be a general Rule that Peons escorting Prisoners and Witnesses beyond the limits of the District to which they are attached shall receive Batta at the rate of one And each per diem from and after the day on which they may quit the limits of their own District, until that of their Return within those limits.

29th July 1839 /Signed/ J. H. Davidson
A.g Register

No. 146

To.
The Chief Secretary to Government.

Sir.

With reference to the Order of Govern: ment dated the 22d July 1839. No. 596. forwarding for the Courts consideration and report a translation of an address from the Jaghiredar of Arnee. I am directed by the Judges of the Foujdaree Udalut to state that there is nothing in that representation to alter their opinion as submitted in my letter to your address of the 23d Instant in regard to the expediency of relieving the Jaghiredar from the Police Duties of his Jaghire.

29th July 1839 /Signed/ J. H. Davidson
A.g Register

No. 147

To.
The Chief Secretary to Government.

Sir.

With reference to the order of Govern: ment dated the 2d July 1839 No. 525. I am directed by the Judges of the Foujdaree Udalut to transmit to you to be laid before Government the accompanying Copy of a letter dated the 19th Instant from the Acting Magistrate of Canara and to state that in the event of higher rewards for the apprehension of the fugitive Convicts being sanctio: ned, the same will be Communicated to that officer in compliance with his request.

29th July 1839 /Signed/ J. H. Davidson
A.g Register

No.

To.
Captain R. Hall Supdt. Govt Roads at Guindy.

Sir.

With reference to your letters of the 6th Ultimo and 25th Instant. I am directed by the Judges of the Foujdaree Udalut to inform you that on the recommendation of this Court the Government was pleased in an extract from the Minutes of Consultation in the Public Department under date the 9th May 1836. No. 670. to authorize Batta to be paid to the Duffadars and Peons employed at Guindy at the rate of One Rupee and

and twelve annas (Rs. A. 1-12:) to the former and One Rupee (1) to the latter per Mensem, on the understanding, however, that the aggregate allowances of the Duffadars should in no Case exceed Rupees (8-12:) eight and anas twelve per Mensem, nor those of the Peons, Rupees (6) six per Mensem.

With reference to the concluding Remark in your letter of the 25th instant, I am directed by the Judges of the Foujdaree Adalut to observe that the Government decided in an Order dated 23d January 1838. No. 107. that the Peons and Duffadars employed with the Convicts at Guindy might be relieved after having been detached from their native places for a period of not less than two years.

29th July 1839

/Signed/ J. H. Davidson
Actg Register

No. To

The Criminal Judge of Bellary

Sir,

1

With reference to your letter of the 16th instant, I am directed by the Judges of the Foujdaree Adalut to forward to you the accompanying Translation of the opinion of the Mahomedan Law Officers of the Court on the Case therein reported.

2.

If the owner of the property sustained injury from the delay in Conveying it to its destenation, the prisoner is liable to Tadeeb, but if he did not sustain injury, the prisoner can only be required to refund the Cooly Hire he received in advance, but is liable to no punishment.

3.

I am directed to add that the goods being "recovered" and declared to be uninjured, the latter part of this opinion seems to apply: but even under the other Condition, the Judges are not of opinion that hard labour could be imposed, and, in Consideration of the Confinement he has already undergone they direct that under either went, the prisoner be discharged from Custody.

29th July 1839

/Signed/ J. H. Davidson
Actg Register

No. To

The Third Judge late on Circuit in the Western Division.

Sir,

In compliance with the request contained in your letter of the 17th Instant I am directed by the Judges of the Foujdaree Adalut to forward to you a Copy of parah. 50 of this Courts proceedings under date the 15th August 1836. and of parah 4 of the extract from the Minutes of Consultation under date the 15th November 1836. No. 959.

29th July 1839

/Signed/ J. H. Davidson
Actg Register

To

No. To The Acting Joint Criminal Judge at Tinnevelly

Sir,

1 With reference to your letters of which one is without date and the other dated the 12th April 1839. relative to the buildings in the Fort at Palamcottah in which the prisoners have been lately confined, I am directed by the Judges of the Tonjdaree Adalut, pursuant to instructions from Government conveyed in an extract from the Minutes of Consultation under date the 9th July 1839 No. 551 to desire that you will immediately call upon the Civil Engineer to prepare the necessary Plans and Estimates for the construction of a new Jail, capable of accommodating two hundred (200) prisoners on the site formerly selected for that purpose at the above station; and that you will report whether the construction of a new Jail on the site referred to above will involve the necessity of constructing also a new Court House either immediately or at any future period."

vide Mr. J. Pendergast's letter to the Provincial Court 24th September 1835

2 You will be pleased to take notice that the Plans is to be in accordance with those finally approved and adopted by Government finding the orders of the Honorable the Court of Directors on the subject of which

which plan I am directed to forward to you a Copy for the guidance of the Civil Engineer.

3 I am likewise directed to state that His Lordship in Council has been pleased to authorize "the Continuance in the Old Jail at Tinnivelly of the body of Convicts transferred thither until other accommodation can be either procured or provided for them but desires that the Acting Joint Criminal Judge may be instructed to see that they are regularly visited by the Medical Officer."

4 To these instructions you will be pleased to pay strict and undeviating attention.

5 Further the Right Honorable the Governor in Council has been pleased to record his opinion that "if as stated by" "you, in your letter without date the Old Court House and Jail at Tinnivelly "are of no use whatever at present, and are not likely to be found useful in the Revenue or any other Department" "it would be better to sell the buildings at once than to permit them to fall into ruin, more especially as" you are "of opinion that at present they would procure a sum more than sufficient to cover the expence of the new Jail for the construction of which plans

plans and estimates have now been ordered to be called for."

6 It seems proper that you should refer this subject for the final opinion of the Revenue authorities of the District, and act accordingly.

30th July 1839

/Signed/ T. H. Davidson
Asst Register

No

No

No 148.

To
The Chief Secretary to Government.

Sir

In obedience to the orders of Govern: ment contained in the extract from the Minutes of Council under date the 24th June 1834. I am directed by the Court of Joujdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Coun: cil the accompanying Copies in Triplicate of a Circular Order of this date.

31st July 1839

/Signed/ T. H. Davidson
Asst Register

No

No 149

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 29th January 1839. I am directed by the Court of Joujdaree Adalut to submit for transmission to the Supreme Government the accompanying Copy of a Circular Order of this date.

31st July 1839

/Signed/ T. H. Davidson
Asst Register

To

No. 150

No. To. The Chief Secretary to Government-

Sir.

1 With reference to the Order of Government- No. 1350. dated the 2d October 1838- I am directed by the Judges of the Toujdaree Adalut to submit to be laid before Government the annexed Copy of a communication addressed under date the 26th June 1839 to the Secretary to the Board of Revenue in the Department of Public Works by Lieutenant Worster Superintendant of the Greater Western Road and endorsed for the Court's Consideration and eventual submission to Government".

2. In that Communication Lieutenant Worster solicits "the recommendation of the Board in favour of "Convict Thaven (Calendar "No. 11 of the 2d Sessions 1834" of Combaconum Calendar) "under "his orders "for "a remittance of two "years of his sentence, he "having "been of assistance "to the Peons at Palcon on "the 12th "January 1838- and "also having conducted himself in "a correct manner since his arrival on the road".

3. The Judges of the Toujdaree Adalut direct me to observe that on the 9th September 1834. the prisoner in question was sentenced to fourteen years

years imprisonment and it appears to the Judges that this application in 1839 for the remission of two years of a sentence which will not expire till 1848- is premature and cannot be entertained-

4 But even if this objection did not exist, it is obvious that without more information than is contained in Lieutenant Worsters Letter, the Court of Toujdaree Adalut could not support it-

5. The Judges likewise direct me to submit their opinion that it is desirable that representations of this nature should be submitted direct to the Toujdaree Adalut-

31st July 1839

(Signed) T. H. Davidson
Acg Register.

1st To. The Third Judge on Circuit in the
Centre Division

Sir.

1 I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 27th Ultimo and the Communication which accompanied it from the Acting Joint Criminal Judge of Chingleput, and to state that, Considering the unusual delay which has occurred in bringing the Circuit of the First half of the present year to a close in the Centre Division, they cannot authorize you to receive the Supplemental Calendar now under preparation but desire that you will use all deligence to return to the Sudr Station and resume your Duties in the Collective Court.

2 I am likewise directed to forward to you the annexed Copy of an extract from the Minutes of Consultation under date the 30th July 1839 No. 626. and to desire that you will duly Conform to the instructions therein Contained.

/Signed/ T. H. Davidson
Actg Register

1st August 1839.

2nd To. The Criminal Judge of Chingleput.

Sir.

1 I am directed by the Judges of the Toujdaree Udalut to desire that you will immediately forward

forward to the Chief Magistrate and Superintendant of Police at Madras, all the Convicts now in the Jail at Chin-glepet under sentence of Transportation.

2. You will be pleased likewise to forward to this Office immediately the usual Calendar of the Convicts who may be sent to Madras, pursuant to these instructions.

3. A Passage for these Convicts is already taken on board of the Bark Carifa now in the Roads, and in readiness to receive the party immediately on their arrival. You will therefore be careful that no delay occurs in making the requisite arrangements.

2d. August 1839.

[Signed] T. H. Davidson
Act. Register.

No. 152

To
The Chief Secretary to Government.

Sir,

1. With reference to the orders of Govern-ment No. 912 of the 11th. September last, I am directed by the Judges of the Court of Foujdaree Adalut to state that from a communication received from the Acting Joint Criminal Judge at Guntoor it appears that in accordance with the authority conveyed in the concluding parah of the orders of Government above quoted the Comissary of Ordanance at Masulipatam ispired a ghurry on the 10th. November 1838.

on the indent of Mr. Newbery, for the use of the Jail at Guntoor and that this Ghurry having been broken the present Acting Joint Criminal Judge has again applied to the Comissary of Ordenance for a new Ghurry on returning the present one, an application which the Comissary of Ordenance does not consider himself authorized to accede to without the previous sanction of the Military Board.

2. The Acting Joint Criminal Judge has accordingly request the Court of Foujdaree Adalut to obtain the sanction of Government for the exchange of the Ghurry in question.

3. Under the Circumstances represented the Judges of the Foujdaree Adalut beg leave to recommend that the officer in charge of the Arsenal at Masulipatam be authorized to supply the Acting Joint Criminal Judge of Guntoor with a new Ghurry on the latter returning the Broken one into the stores.

[Signed] T. H. Davidson
Act. Register

3d. August 1839

No. 153

To
The Chief Secretary to Government.

Sir,

With reference to the Order of Govern-ment under date 13th. May 1839 No. 395. I am directed by the

the Judges of the Fonjdaree Udalut to state that the Criminal Judge of Canara, has reported that he has placed at the disposal of the Officer superintending the construction of Buildings at Mangalore, the services of 40 stone Cutters, and 6 Stone Masons, from amongst the Convicts at present in the Jail under his charge—

3d August 1839 /Signed/ T. H. Davidson
A.g Register

No 154

No To The Chief Secretary to Government.

Sir, I am directed by the Judges of the Fonjdaree Udalut to submit to be laid before Government the annexed Extract (para 1 & 7) from their proceedings under date the 3d instant, containing their observations on Case No 7 of the Rajahmundry Calendar of the first sessions of 1839.

2. The circumstances of that case appear to be sufficiently explained in the said extract. It may be observed however that on reviewing the calendar in which the case was entered, the Court of Fonjdaree Udalut saw Ground to consider the evidence sufficient for the conviction of the Prisoner Audum Khan and consequently resolved to call for an English Translation of the Record of the Trial.

3. It appears to the Judges of the Fonjdaree Udalut to be expedient that the atrocious conduct of the said prisoner who is described as a Sepoy of the 27th Regiment N. I. should be brought to the notice of His Excellency the Commander in Chief. The man has escaped condign punishment in the opinion of the Fonjdaree Udalut solely from the unaccountable conduct of Mr Hurg the Judge of Circuit in confirming the Futwa of acquittal.

5th August 1839 Sigd T. H. Davidson
A.g Reg.

No 155.

To The Chief Secretary to Government.

Sir, With reference to my letter to your address of the 18th Ultimo, No 132, I am directed by the Judges of the Fonjdaree Udalut to submit to be laid before Government the annexed Copies of Communications dated respectively the 23d and 24th Ultimo from the Joint Criminal Judge at Tellicherry and the Acting Criminal Judge of Malabar, and to state that, in the opinion of the Judges, the Circumstances represented by those Officers, render it inexpedient to transfer any of the Convicts from the Jail at Tellicherry and Calicut to the Officer commanding Cannanore,

5th August 1839 /Signed/ T. H. Davidson
A.g Register

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

Gentlemen, With reference to your letter of the 24th June 1839 forwarding a Communication from the Joint Criminal Judge of Vizagapatam, in which he applies for permission to continue for three months longer the extra establishment of two Gomastahs sanctioned by

by an Order of Government dated 19th March last No 246.
I am directed by the Judges of the Toujdaree Udalut
to inform you that the Right Honorable the Governor in
Council was pleased by an Order dated the 29th Ultimo,
No 613 to authorize the Joint Criminal Judge "to
employ the two extra Gomastahs alluded to on a Salary
"of Rupees (10-8) ten and annas eight per Mensem
"each, for a further period not exceeding three Months"-

5th August 1839.

/Signed/ A. P. Forbes.

No 156. Ag. Ho. A Joint to the Rr.

To. The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the
Toujdaree Udalut to submit to be laid before Government
the annexed Copies of an extract of a Letter from the Princi:
:pal Sudr Ameen of Sirsee to the Provincial Court of Circuit
in the Western Division and of the Reply thereto by
the Provincial Court-

2 It will be observed that the Princi:
:pal Sudr Ameen has requested sanction for the employ:
:ment of eight additional Peons in Consequence of thirty
five Prisoners having arrived at his Court charged in
seven cases, with Highway Robbery-

3 The Judges of the Provincial Court state

5th August 1839

state that the Principal Sudr Ameen has reported his having
discharged the three additional Peons, and they request
sanction "for the disbursement of the sum of Rupees (6-6-3)
Six, annas six and pice five, being the pay of the said Peon
from the 24th Ultimo* to the 9th instant* inclusive, at the rate
of Rupees (4) four per Mensem each, and for the employ:
:ment of the five additional Peons until the present emergen:
:cy shall cease, as it appears from the Principal Sudr Ameens
last communication that all the Prisoners are likely to be
committed for trial before the Court of Circuit."

* June
# July

4 The Judges of the Toujdaree Udalut
beg leave to recommend that sanction be granted as solici:
:ted by the Provincial Court-

6th August 1839.

/Signed/ T. H. Davidson
Ag. Register-

No 157

To. The Chief Secretary to Government.

1 Sir, With reference to the extract from the
Minutes of Consultation under date the 2d Instant, I am
directed by the Judges of the Toujdaree Udalut to report
that twenty five Convicts under Sentence of Transporta:
:tion were dispatched from Chinglepet on the 3d Instant
for Madras-

2 The usual Calendar accompanies
this communication-

/Signed/ T. H. Davidson
Ag. Rr.

To.

7th August 1839

No. To. The Magistrate of Cuddapah.

Sir,

With reference to your Letter of the 12th Ultimo bringing to the notice of this Court the Case of Vencat: Ramun, who in apprehending a notorious robber had receiv: ved a severe wound and requesting permission to present him with a further reward of 50 Rupees, I am directed by the Judges of the Tanjdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 30th July 1839. No. 631. to authorize you to pay to the said Vencat Ramun the sum of Rupees (50) fifty, as a reward for his Meritorious Conduct on the occasion refered to in your letter.

8th August 1839

/Signed/ A. P. Forbes
A. Sd. Asstt. to the Regr.

No. To. The Officer Commanding Neelgheries.

Sir,

With reference to your letter of the 4th Ultimo forwarding for the sanction of Government a bill of the expence incured in Constructing a surround: ing wall to the Jail at Ootacamund and for executing certain repairs on the same, I am directed by the Judges of the Tanjdaree Udalut to inform you that the Right Honorable

5th August 1839

Honorable the Governor in Council was pleased by an Order dated 29th July 1839 No. 611. to sanction the Charges in question amounting in the aggregate to Rupees (480. 2) four hundred and fifty and annas two.

/Signed/ T. H. Davidson
A. Sd. Register.

8th August 1839

No. To.

The Joint Criminal Judge at Trichinapoly.

Sir,

With reference to your letter of the 6th June, forwarding, for the sanction of Government a Model and estimate of the Cost of constructing a gallows, I am directed by the Judges of the Tanjdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased in an extract from the Minutes of Consultation under date the 29th July 1839 to grant sanction for the construction of a gallows at Trichinapoly, according to the model submitted with your letter, and at the estimated expence of Rupees (64-12) Sixty four and annas twelve.

8th August 1839.

/Signed/ A. P. Forbes
A. Sd. Asstt. to the Rr.

To.

No. To

G. I. Casamajor Esqre

Sir.

With reference to your letter dated respectively the 22d and 29th Ultimo. I am directed by the Judges of the Fouzdaree Udalut to inform you that they hope to receive at your earliest convenience your remarks on the remainder of the Penal Code.

8th August 1839

Signed T. H. Davidson
Actg Register

To. No. 159

The Chief Secretary to Government.

Sir,

1 With reference to my letter to your address under date the 13th Ultimo. No. 129 requesting sanction for the employment of Bombadier Collerat for one Month in the capacity of Jailor and Superintendant of the Looms at Chingleput. I am directed by the Judges of the Fouzdaree Udalut to state that the Criminal Judge of Chingleput has reported in a letter dated the 5th instant that "from what he has seen of the man, he appears steady, attentive and fully capable of superintending the Looms," and that he has "also made enquiries at St. Thomas's Mount and been informed that Collerat bears a very good character in his Regiment."

As

As Collerat still wishes to obtain the situation of Jailor and Superintendant of Looms in the Jail at Chingleput, and in the event of his being appointed will purchase his discharge, the Criminal Judge recommends him for the situation on the same allowances as were given to William Dogherty.

2 The Judges of the Fouzdaree Udalut beg leave to recommend that the arrangement suggested by the Criminal Judge receive the sanction of the Rt. Honble the Governor in Council.

3 The Criminal Judge further requests sanction to pay Collerat the sum of Rs. (30) Thirty for his services during the past Month; and the Judges of the Fouzdaree Udalut beg leave to recommend that sanction be granted accordingly.

Signed T. H. Davidson
Actg Regr

10th August 1839.

To, Major P. Montgomerie
Principal Commissary of Ordnance.

Sir,

I am directed by the Judges of the Fouzdaree Udalut to return you the Musket which accompanied your Official Memorandum of the 6th Instant, and which has been inspected by the Judges, and to suggest that on dispatching it to the Magistrate of Cuddapah, a few flints may accompany it.

Signed T. H. Davidson
Actg Register.

10th August 1839

To,

No. To

The Acting Magistrate of

Malabar

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 30th Ultimo, and with reference to your letter of the 1st April last reporting that you had caused Rumpa to be apprehended and sent to the Resident of Travancore and Cochin" to desire that you will explain under what circumstances that individual was confined in the Jail of the Auxiliary Court at Cochin, and the case disposed of by the Acting Joint Magistrate.

10th August 1839

(signed) P. H. Davidson

Acting Register

To

No. To No. 160.

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 16th Ultimo. No. 563, and to state for the information of Government that the Acting Magistrate of Canara has reported in a letter dated the 29th Ultimo. that "of the individuals mentioned in the list of the Special Commissioners, five only - namely the 1st 2d 4th 6th and 10th appear to be at large: and that "the 9th on the List. Goomaspa Shet: by - is - reported to be dead, though no strictly authentic intelligence on this point has been received."

2. The Acting Magistrate further states that "in Conformity with the instructions contained in your letter, he has issued orders that no persons are to be hereafter apprehended on account of their Offences against the Government, with the exception of the persons entered in the Special Commissioners List"; and "that the efforts of the Magistracy have been latterly Confined to the apprehension of these individuals, and that the only persons (3 in number)

(number) not named in the list, who have been committed for Trial on Charges Connected with the insurrection, subsequent to the close of the Special Commission in February 1838. had committed Offences which, when separated from rebellion, rendered them amenable to Justice.

12th August 1839. (Signed) T. H. Davidson
A.a Register.

No. To.

No. 161.

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 25th June 1834. I am directed by the Court of Foujdaree Udalut 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.

13th Augrust 1839. (Signed) T. H. Davidson
A.a Register.

To.

No. To.

No. 162.

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 29th January 1839. I am directed by the Court of Foujdaree Udalut to submit for transmission to the Supreme Government the accompanying Copy of a C. O. of this date.

13 August 1839 (Signed) T. H. Davidson
A.a Register.

No. To.

The Joint Criminal Judge of the
Auxiliary Court at Cochin.

Sir,

I am directed by the Judges of the Court of Foujdaree Udalut to return to you the statement which accompanied your letter of the 18th Ultimo in view to its Correction should other prisoners than "Convicts" have been included in Column 2.

It appears to the Courts of Foujdaree Udalut that 10 prisoners in Confinement in default of

of finding Security have been included in the Statement -

13th August 1839. /Signed/ T. H. Davidson
A.g Register,

No. To.

The Criminal Judge of Chinglepute.

Sir,

I am directed by the Court of Fouj-
-daree Udalut to return to you the statement which was
submitted by you under date the 1st Ultimo, in view to its
correction should other prisoners than "Convicts" have been
included in Column 2.

2 If appearing to the Court of Foujdaree
Udalut that all prisoners in confinement in default of finding
security have been included in the Statement -

/Signed/ T. H. Davidson
13th August 1839 Acting Regr.

To

No. To. No. 163.

The Chief Secretary to Government.

Sir,

The Provincial Court of Circuit in the Western Division have submitted a Copy of a Communication from the Principal Sudr Ameen of Hoogly wherein that officer reports that "one of the ten Peons" attached to his Court, "has been employed under the Circular Order of the Court of Foujdaree Udalut dated the 22d July 1834. upon the Extra duty of accompanying Syed Hoossain" a Convict under sentence of transportation," to Chinglepute and "as the present establishment of Peons is already inadequate to the various duties which the Peons of the Court have to perform" he requests "that the sanction of Government may be obtained for entertaining an additional Peon during the absence of the one who has already been employed on the Extra duty referred to, on the usual pay of Rupees (5-4-) five and a quarter." per Mensem.

The Judges of the Provincial
2. Court support the application.

The Judges of the Foujdaree
3. Udalut

Udalut beg leave to recommend that the request of the Principal Sudr Ameen of Honore be complied with.

/Signed/ T. H. Davidson
Actg Register.

14th August 1839.

No.

To

The Four Provincial Courts of Circuit.

Gentlemen,

The Court of Foujdaree Udalut having in obedience to a requisition from Government, submitted their opinion that it should be a General Rule that Peons escorting Prisoners and witnesses beyond the limits of the District to which they are attached, shall receive Batta at the rate of one and each per diem from and after the date on which they may quit the limits of their own District until that of their Return within those limits: and the Government having been pleased by an order dated the 6th August 1839. No. 639. to Approve and sanction the said proposed Rule and desire it to be Communicated to the officers concerned, I am directed by the Judges of the Foujdaree Udalut to desire that you will Communicate the same to the several Criminal Courts and the Magistrates within your Division, for their information and guidance respectively.

14th August 1839.

/Signed/ T. H. Davidson
Actg Register.

To.

No.

To.

The Acting Criminal Judge of
Salem.

Sir,

1. I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 7th Ultimo, requiring for their orders a Copy of a Communication from the Assistant Criminal Judge wherein that officer requests instructions in regard to the sentence to which the Convict santarany Raunien is liable for having effected his escape from custody while on his way to the Jail at Chingleput under a sentence of Transportation for Life.

2. The Judges of the Foujdaree Udalut are of opinion that the Convict in question is liable to a sentence of Lashes under Clause Second, Section V. Regulation VI of 1822.

3. But the Judges observe. Convicts under sentence of Transportation should be so guarded as to prevent the possibility of Escape on their road to Chingleput.

15th August 1839.

/Signed/ T. H. Davidson
Actg Register.

No.

To

The Magistrate of North Arcot.

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 11th Ultimo, and to state that the Right Honorable the Governor in Council was pleased by an order dated 6th August 1839. No. 644. to authorize you to make a disbursement of the sum of Rupees (100) One hundred as a Reward for the praiseworthy conduct displayed by Ramasawmy and Venkataramee: dos in resisting the attack of a gang of Robbers on the occasion mentioned in your letter.

2. I am directed to add that it was considered proper to refer the application for the orders of Government, as the case did not seem to the Judges to fall within the Provisions of Section XXIII Regulation IX of 1816-in as much as it is not stated in your letter that the offenders have been apprehended.

15th August 1839 (Signed) T. H. Davidson
Actg Register.

To.

No.

To.

The Acting Joint Criminal Judge of Vizagapatam

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 19th Ultimo and to inform you that on a consideration of the circumstances therein represented they authorize you to expend Monthly the sum of One Rupee and fourteen annas (Rs. 1-14) for the subsistence of the Children of the Prisoner in Case No. 106. of 1839 on the Criminal File of the Auxiliary Court.

2. In submitting through this Court for the sanction of Government the General Quarterly Statement prescribed by the Circular Order No. 50. dated 20th August 1835. for the Quarter ending the 30th September 1839. you will include in it the charge on account of the subsistance of these Children for the broken period of the second Quarter of the Current year.

15th August 1839 (Signed) T. H. Davidson
Actg Register.

To.

No.

To

No. 163.A

The Chief Secretary to Government.

Sir.

I am directed by the Judges of the Foujdaree Udalut to submit to be laid before Government the annexed Copy of a correspondence between the Provincial Court of Circuit in the Western Division and the Acting Joint Criminal Judge of Cochin relative to an application by the latter for sanction to make a permanent addition of four Peons to the Jail Guard of the Auxiliary Court on the ground that the present Guard is altogether inadequate.

2.

The present Guard it appears consists of Eight Peons: and there are now in the Jail twenty eight Criminal and eight Civil Prisoners, among whom are fourteen Convicts, seven security Prisoners, and five committed for Trial before the Court of Circuit at the present Sessions.

3.

The Judges of the Provincial Court have submitted their opinion that the present establishment of Peons is insufficient.

4.

And the Judges of the Foujdaree Udalut concurring in that opinion, beg leave to recommend that sanction be granted for the employment of four Peons in addition to the present establishment, each on a salary of Rupees (8) per mensem.

17th August 1839

(Signed) T. H. Davidson
Jr. Register

To

No.

To.

No. 164.

The Chief Secretary to Government.

Sir;

With reference to the Petition

1.

No. 335 addressed to Government by certain Petty Merchants of Rajahmundry, complaining of the inconvenience and loss they experience from being required to supply certain articles for the use of the Convicts and others at that station, which, with an endorsement dated the 4th June 1839, was referred to the Judges of the Foujdaree Udalut for such notice as they may consider necessary. I am directed by the Judges to state that the Provincial Court in the Northern Division were instructed to call upon the Criminal Judge of Rajahmundry to furnish an explanation in regard to the allegations setforth in that petition, and a Copy of the acting Criminal Judges Return is herewith submitted for the information of Government.

It appears to the Judges that

2

that Return shows that there is foundation for the complaints of the Petitioners: and that the

Proceeding.

Proceeding of Mr James Thomas therein described, was improper-

3. The Judges have issued instructions through the Provincial Court to the Criminal Judge of Rajahmundry strictly prohibiting any such proceeding in future, and directed a notification to the Petitioners that they are not compellable to supply the articles in question at all, or at any other than their own price-

4. The Petition is herewith returned,

17th August 1839 [Signed] T.H. Davidson
A.a Register.

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

Gentlemen,

I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt on the 10th Instant of your letter of 31st ultimo forwarding a Copy of a Return from the Acting Criminal Judge of Rajahmundry relative to the Petition addressed to Government by certain Petty Merchants of Rajahmundry complaining of their being compelled to furnish certain articles for the use of the Convicts-

With

2. With reference to the improper proceeding on the part of Mr Thomas as shown in that Return, the Judges direct me to desire that you will issue instructions to the Acting Criminal Judge of Rajahmundry, strictly prohibiting any such proceeding in future, and directing a notification to the Petitioners that they are not compellable to supply the articles in question at all, and if they be willing to supply them that it must be at their own price.

[Signed] T.H. Davidson
A.a Register.

17th August 1839.

No. To. Captain Hall Superintendant Government Roads.

Sir,

I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt of your letter of the 13th Instant, and, in Compliance with the request therein Contained to transmit to you the accompanying Copy of an Extract from the Minutes of Consultation in the Public Department under date the 9th May 1836. No. 670. authorizing the payment of Batta to the Duffadars and Peons employed at Guindy-

17th August 1839 [Signed] T.H. Davidson
A.a Register.

To,

No. To.

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

Gentlemen,

With reference to your letter of the 22nd Ultimo, I am directed by the Judges of the Foujdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 12th August 1839. No. 656, to sanction the charge incurred by the Principal Sudr Ameen of Sirsee Erraccaunt of the Peons referred to in that Communication Amounting to Rupees (6. 6. 5) Six, annas six, and pice five, and to authorize that Officer to continue the employment of the five additional Peons entertained by him, until the present emergency shall cease.

17th August 1839. (Signed) T. H. Davidson
Actg. Register.

No. To.

The Criminal Judge of Chingleput.

Sir,

With reference to your letter of the 1st Ultimo, I am directed by the Judges of the Foujdaree Udalut to state that by an Order of Government dated the 12th August 1839 No. 654. they are informed that His Excellency the Commander in Chief has permitted Bombardier John Cotteral "to remain under your Orders until further Orders with a view to his temporary employment as Sailor and Superintendant of Manufactories"

17th August 1839 (Signed) T. H. Davidson
Actg. Register.

No. To.

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

Gentlemen,

With reference to your letter of the 18th Ultimo, I am directed by the Judges of the Foujdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 12th August 1839 No. 655. to sanction the temporary employment from the 15th Ultimo of an additional Goomastah in the Criminal Court at Cuddapah, on a Salary of Rupees (17-8) Seventeen and annas eight per mensem.

17th August 1839. (Signed) T. H. Davidson
Actg. Register.

No. To.

The First Judge on Circuit in the Western Division

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 8th Instant and to state that, under the

the Circumstances therein represented, they authorize you to try at Calicut the Cases committed by the Joint Criminal Judge of Cochin.

17th August 1839

/Signed/ T. H. Davidson
Asst Register.

No. To,

The Criminal Judge of Chingleput

Sir,

With reference to your letter dated the 12th Instant I am directed by the Judges of the Fouzdaree Adalut to transmit to you the accompanying 12 Copies of the printed forms of the Supplemental Criminal Report for the use of your Court.

17th August 1839

/Signed/ T. H. Davidson
Asst Register.

No. To,

No. 165.

The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of the order of Government No. 996. dated the 12th August 1839. communicating a letter from the Collector and Magistrate of Vizagapatam dated the 23d ultimo. and the extract from the minutes of consultation therein adverted to, relative to one Kadaree Moortee. supposed to have been implicated in the Palecondah Rebellion: and instructing the Court, if they see no objection to the suggestions offered by Mr. Arbuthnot in the concluding paragraph of his letter, for the disposal of that individual, to direct the magistrate of North arcot, to whose custody he has been transferred from

from that of the officer commanding Bellore, to give effect to them;

In reply, I am desired to observe

2. that it appears to the Judges, with reference to the provisions of clause second, Section VI Regulation VI of 1827. that a Magistrate cannot require security for good behaviour without first taking and recording "the informations or evidence on which his proceeding is founded:" and the Judges are of opinion that the same Clause is intended to indicate the power of the Judge of Circuit to act in the Cases referred to, as he was empowered to do in Cases of security for assurance by clause second, Section III Regulation II of 1822.

3. The Magistrates original proceeding in both cases is required to be based upon evidence taken by him and the correction of any error or injustice in such proceedings is assigned to the Judge of Circuit.

4. The Judges are not, therefore, of opinion that the Court of Fouzdaree Adalut can "direct the Magistrate of North Arcot to give effect to" the suggestion offered by Mr. Arbuthnot that "Kadaree Moortee" should "be called upon to give security for his own good Conduct for the period of one year, or in default be confined in Jail."

5. Such an order would also, the Judges are of opinion, be inconsistent with the provisions of Clause first, Section VIII. Regulation VI of 1827. which leaves the period of detention to the discretion of the Magistrate requiring the security.

6. Kadaree Moortee having been transferred to the Custody of the Magistrate of North Arcot, the Judges of the Fouzdaree Adalut are of opinion that the only instructions competent to them to issue, would be that the said Magistrate do deal with him under the provisions of Section VI. Regulation VI of 1827. should it appear from "informations or evidence" before him, that the said person is of the description specified in Clause first, Section III Regulation II of 1822.

/Signed/ T. H. Davidson
Asst Register.

20th August 1839.

No. To

The Acting Criminal Judge in the

Zilla of Rajahmundry

Sir,

I am directed by the Judges of the Court of Tanjdaree Adalut to return to you the statement which accompanied your letter of the 7th Instant in view to its correction should other prisoners than "convicts" have been included in the statement.

2. It appears to the Court of Tanjdaree Adalut that 39 prisoners in Confinement in default of finding security have been included in the statement, because the number of persons employed on the several works as particularized in the statement exceeds those entered in Column 2 by 39.

20th August 1839 (Signed) J. H. Davidson
Actg Register.

No. To G. G. Waters Esqre

Acting First Judge on Circuit in the Southern Division

Sir,

I am directed by the Judges of the Tanjdaree Adalut to acknowledge the receipt of your letter of the 7th Instant reporting your having given notice to the Acting Joint Criminal Judge of Tinnivelly for opening the second sessions of the Current year

year at that station, on the 19th proximo.

The Judges are of opinion that the Sessions might have been opened at Madura earlier than the 22d Ultimo, but with reference to the state of the Calendar of that Zillah Court, they do not at all understand why the opening of the sessions at Tinnivelly should be delayed until the 19th proximo: and they direct me to request that you will submit an Explanation on the subject for their consideration.

21st August 1839 (Signed) J. H. Davidson
Actg Register.

No. 167.

No. To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Tanjdaree Adalut, pursuant to the instructions conveyed in the Extract from the minutes of Consultation in the Judicial Department, under date the 13th August 1839, No. 674, to submit to be laid before Government the english Translation of the Record of Case No. 7 of the Rajahmundry Calendar of the first Sessions of 1839, together with Copies of all the orders which have been recorded thereon

Tonjdaree Udalut proceedings 22d. April 1839 - parah — 1

Return of 2d. Judge of Provincial Court of Circuit in the Northern Division, dated 9th May 1839 - parah — 2

Tonjdaree Udalut proceedings 8th August 1839 - parah 1 @ 8.

22d. August 1839

No. To

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

Gentlemen,

With reference to your letter of the 10th Ultimo I am directed by the Judges of the Tonjdaree Udalut to forward to you for your information and that of the Criminal Judge of Chicacole, the annexed Copies of a letter addressed to the Chief Secretary to Government, dated the 24th and of the order of Government thereon dated the 30th Ultimo. No. 630. relative to the prisoner Ramasawmy convicted and sentenced by a Court Martial to three months imprisonment, and forwarded by the Officer Commanding the 43d Regiment N. I. to the Criminal Judge of Chicacole to have the sentence carried into Execution under the provisions of Regulations I of 1828.

/Signed/ T. H. Davidson
Actg. Register

22d. August 1839.

To

No. To

The Acting Criminal Judge of Salem.

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letters of the 10th Instant relative to the escape of the two Convicts Mootun and Naughee and to state that with reference to the mode in which the prisoners were employed, they are not of opinion that the Peon should be punished in this instance,

2. I am directed to add that the Judges accept your assurances that similar irregularities in respect of the employment of the prisoners shall not again occur, and do not wish further to advert to that subject.

/Signed/ T. H. Davidson
Actg. Register.

22d. August 1839.

No. To

The Criminal Judge of Chicacol.

Sir,

With reference to the Quarterly Statement of disbursements made for bringing up the Children of Prisoners in the Zillah of Chicacole, forwarded under date 30th June last, I am directed by the Judges of the Tonjdaree Udalut to inform you that

that the Right Honorable the Governor in Council was pleased by an Order under date 6th August 1839. No. 645. to sanction the Charges aforesaid Amounting to Rupees (9-4-2) Nine, Annas four and Pice two.

22nd August 1839. /Signed/ A. P. Forbes
Asst. to the Register.

No.

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

Gentlemen,

With reference to your letter of the 11th Ultimo, forwarding Copies of Communications from the Superintending Surgeon of the Division, and the Medical Officer on the Neilgherries, relative to a suggestion by the latter for clothing the Convicts employed at Ootacamund in Duccars Sackets. I am directed by the Judges of the Tonjdaree Udalut to forward to you for your information the annexed copies of a letter addressed to the Chief Secretary to Government under date the 24th Ultimo and of an Extract from the Minutes of Consultation under date the 13th August 1839. No. 672, relative to that proposition.

23d August 1839. /Signed/ T. H. Davidson
Asst. Register.

To,

No.

To. The Criminal Judge of Nellore.

Sir, I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 15th Instant forwarding for their consideration a Copy of a correspondence with the Magistrate of Nellore relative to a Case wherein the prisoner was charged with having in his possession Certain dies used for counterfeiting the Coin, and to desire with reference to the Circular Order of the 26th November 1822. that you will submit the question through the Provincial Court of Circuit.

24th August 1839. /Signed/ T. H. Davidson
Asst. Register.

No. 168.

No.

To. The Chief Secretary to Government.

Sir, I am directed by the Judges of the Tonjdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Statement of Contingent charges not exceeding twenty Rupees each, incurred in the 4th Quarter of fusly 1248. ending the 11th July 1839. in the district of Coimbatore, and to state that the Judges recommend that

that sanction be granted for the same amounting to Rupees (53-10-8) fifty three rupees ten and eight annas eight.

/Signed/ T. H. Davidson
Asst Register.

26th August 1839.

No. 169.

To
The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Tonjdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying statement of batta paid for the Children of Convicts in the Jail of Vizaga-patam during the 2d Quarter of 1839.

2. The Judges of the Tonjdaree Udalut beg leave to recommend that the sanction of Government be granted for the charge in question amounting to Rupees (5-11-0) five and annas eleven

26th August 1839. /Signed/ T. H. Davidson
Asst Register.

No.

To.
The Joint Criminal Judge of Guntoor,

Sir,

With reference to Mr Sellick's letter of the 20th Ultimo, I am directed by the Judges of

10

of the Tonjdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order under date 19th August 1839. No. 689 to direct the Military Board to cause the supply of a new Ghurry to the Auxiliary Court at Guntoor, in lieu of the one stated to be broken which will be returned by the Joint Criminal Judge to the Commissary of Ordnance at Masulipatam.

/Signed/ A. P. Forbes
Asst to the Regr

26th August 1839.

No. 170.

To
The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Tonjdaree Udalut to submit for the Consideration of Government the annexed Copy of a letter dated the 28th June last from the Acting Joint Criminal Judge of Masulipatam, relative to the escape of a Convict from the Jail of the auxiliary Court at that station,

Mr Rohde it will be observed attributes

2. "the great inducement to escape" to "the known laxity of the subordinates of the District Police in apprehending" the fugitives - "and the positive support received from the Village Police", and adds that he has "the best

Grounds

Grounds for knowing that escaped Convicts reside
canscious of their Protection in their own Villages"
and he suggests "as the Village Police inherit large
Roofsums for Government Service.... a provision
rendering them Criminally responsible or liable to
summary fine for any Grofs neglect of duty in Cases
where the escaped prisoner resides within the Village
of which they hold the hereditary Offices."

3. It was deemed proper to refer
this question for the Consideration and report of
the Provincial Court of Circuit in the Northern
Division and through that Court, to the Magis-
:trate of Masulipatam,

4. The latter Officer in a Return
of which the Provincial Court have submitted a
Copy, has recorded his opinion "that in every instance
where it can be established that an escaped prisoner
may reside in a Village with the knowledge or
permifsion of the Village Police, and provided it
be proved that the Village Police were Cognizant of
his escape, such Village Officers as may have delayed
to apprehend him, should be liable to fine and
imprisonment for Grofs Criminal neglect of duty."

5. The Magistrate adds that "in
Order

Order to give full effect to a Criminal Provision of this
discription it appears to be necefsary, on the occasion
of the escape of Prisoners, that due intimation of the
circumstances be afforded to the Heads of Village Police
together with a Descriptive Roll of his personal
appearance and other circumstances as may tend to his
identification."

6. The First Judge of the Provincial
Court in a Letter dated the 5th Instant states that he
"Concurs in opinion with the Magistrate as to the expedien-
:cy of making the Village Police Criminally responsible
or liable to summary fine for any grofs neglect of duty
where the escaped prisoner may reside within the Village
of which they hold the hereditary Offices referred to in cases where the officers
remuneration for the performance of the duties required
of them by the Regulations: but the First Judge
doubts the Justice of making those parties subject
to a penal enactment who receive no remuneration
for the performance of those duties."

7. The Judges of the Tonjdaree
Adalut concur in the opinion of the First Judge of
the Provincial Court as above stated: and they beg leave
accordingly to suggest that the question be referred for
the Consideration of the Indian Law Commifsion,

Signed J. H. Davidson
Actg Register.

28th August 1839.

Fo,

No.

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

Gentlemen,

I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt of your letter of the 5th Instant and to state that they concur in the opinion recorded by the First Judge of the Provincial Court both in regard to the escape of the Convict therein referred to, and the suggestion of the Acting Joint Criminal Judge of Masulipatam for rendering the Village Police Criminally responsible for any Gross neglect of duty in Cases of escape: and that the latter question has been brought to the notice of Government with a recommendation that it be referred for the Consideration of the Indian Law Commission.

28th August 1839.

/Signed/ T. H. Davidson
Asst Register.

No.

To The Judges of the Provincial Court in the Western Division

Gentlemen,

With reference to your letter of the 30th Ultimo submitting a Copy of a communication from the Principal Sudr Ameen at Honore, requesting that

that the sanction of Government might be obtained for the employment of an additional peon during the absence of one of the Peons on the fixed establishment upon extra duty. I am directed by the Judges of the Toujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 22nd August 1839. No. 702. to authorize "the Principal Sudr Ameen "at Honore to employ an additional peon at Rupees (5-4-0) "five and annas four, during the absence of the one "deputed to Chinglepute in charge of a Convict.

29th August 1839.

/Signed/ A. P. Forbes
Asst Regr.

No.

To. The Magistrate of Nellore.

Sir,

I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt of your letter of the 21st Instant, submitting an explanation relative to Certain Cases in the Nellore Criminal Reports for April 1839. and to request that you will state for their information whether the Sayer Revenue mentioned in para 3d of that letter is a Sub. Officer appointed under Section III Regulation IV of 1821.

29th August 1839

/Signed/ A. P. Forbes.
Asst Regr.

To

No. To The Officiating Joint Criminal Judge at Tinnevelly.

Sir

12. Copies of Suppl. Report
12. Do Criminal Report No. VI
12. Do Do ——— No. VIII
12. Do State of the Labour of the Prisoners
12. Do State shewing the instances in which the powers vested by Regulation X of 1832 have been exercised —

forms as noted in the margin for the use of your Office,

31st August 1839

With reference to your letter dated the 23d Instant, I am directed by the Judges of the Tondiarce Adalut to transmit to you the accompanying printed

/Signed/ J. H. Davidson
Ag. Register.

No. To The Acting Criminal Judge of Salem.

Sir

1 I am directed by the Judges of the Tondiarce Adalut to forward to you the accompanying Certificate of the state of health of a Convict named Chinnapien under sentence of transportation, lately forwarded from the Jail under your charge to the Depot at Chingleput: and to call your attention to the order of Government dated the 1st and the Circular Order of this Court dated the 22nd July 18th. which require that Convicts under sentence of Transportation be carried to

No.

the Sudr station in every Zillah between that from which they come and that of Chingleput where the Depot is, and inspected by the Criminal Judge and Surgeon of every such Zillah: and that the latter Officer in each case "shall examine the prisoners, and if he find them in a fit state to proceed on their Journey, he shall certify the same on the back of the original Certificate."

2. As those instructions appear, on the present occasion, to have been overlooked, the Judges direct me to request that you will, in future, issue strict orders to the Peon who shall accompany the Prisoners, to report his arrival to the Criminal Judge of each Zillah station - and apply to that Officer to obtain for him the prescribed Medical Certificate from the Zillah Surgeon, without which he should not proceed further with the prisoners.

3. I am directed to request that you will return the Certificate which accompanies this letter.

/Signed/ J. H. Davidson
Ag. Register.

31st August 1839.

Copy sent to the Criminal Judge of Chingleput.

/Signed/ J. H. Davidson
Ag. Register.

To.

No.

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

Gentlemen;

1 I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 21st Instant, forwarding a Copy of a Communication from the Acting Principal Collector and Magistrate of Malabar, dated the 19th Instant, wherein that Officer refers the question whether the words "any act heretofore passed" mentioned in act No. II of 1839. apply to the existing Regulations of Government.

2. The Judges of the Foujdaree Udalut. I am desired to observe Concur in opinion with the Judges of the Provincial Court that the words quoted do not apply to the existing Regulations of the Madras Codes.

3. The Judges of the Foujdaree Udalut likewise observe that the Regulations of the Government are for the most part enacted by this Government.

4. And they are not "Acts."

31st August 1839.

Signed T. H. Davidson
Actg Register.

No. 171

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 Right Honorable the Governor in Council the accompanying Extract from the retrenchments made by the Civil Auditor from the Indents of the Zillah Courts of Bellary from the 1st July 1837, to the 30th June 1838, on account of the expences of that Court for July 1837.

2 Mr Paternoster in explanation states that an increase of 1 Duffadar, 3 Naiques and 2 Peons was made to the Jail guard in consequence of a misapprehension on the part of his predecessor, of paragraphs 2 and 3 of the Proceedings of the Foujdaree Udalut under date the 22nd May 1837, and that the Court of Foujdaree Udalut in their Proceedings of the 16th September 1837 ruled that the order abovementioned was not applicable to the Jail guard of the Jail and directed the strength of the guard to be reduced which was done accordingly.

3 The charge objected to by the Civil Auditor was incurred by the employment of the additional Duffadar Naiques and Peons during the time mentioned in the memorandum.

4 The Judges of the Foujdaree Udalut beg to recommend that the special sanction of Government be granted for the charges in question amounting to Rupees (92-9-2) Ninety two Annas nine & pice two

3rd September 1839. Signed J. H. Davidson Actg Regr

No. 172.

To the Chief Secretary to Government

Sir, In obedience to the orders of Govt contained in the Extract from the Minutes of Council under date the 24th June 1834 I am directed by the Court of Foujdaree Udalut to transmit to you to be laid

laid before the Right Honorable the Governor in Council the accompanying Copies in triplicate of a Circular Order of this date -
3rd September 1839. (Signed) J. H. Davidson. Acting Register -

№ 173.

№ 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 29th Augt 1839. I am directed by the Court of Toujdaree Udalut to submit for transmission to the Supreme Government the accompanying Copy of a Circular Order of this date -
3rd September 1839. (Signed) J. H. Davidson. Acting Register

№ To the Magistrate of North Arcot.

Sir, Pursuant to instructions conveyed to this Court in an order of Government dated the 27th Ultimo No. 1078 I am directed by the Judges of the Toujdaree Udalut to transmit to you the annexed Copy of a letter addressed under date the 20th Ultimo to the Chief Secretary to Government relative to one Kadaree Moontee suspected to have been implicated in the Palcondah Rebellion, and recently transferred to your Custody from that of the Officer Commanding Vellore and to desire that you will deal with that individual under the provisions of Section VI Regulation VI of 1827 should it appear from information or evidence before you that the said person is of the description specified in Clause first, Section III Regulation II of 1822 -
4th September 1839. (Signed) J. H. Davidson - Actg Regr.

№ To the Acting Criminal Judge of Salem

Sir, With reference to your letter dated the 29th Ultimo I am directed by the Judges of the Toujdaree Udalut to transmit to you 6 Copies of the printed forms of the Statement of the labor of Convicts for the use of your Office
6th September 1839. (Signed) J. H. Davidson. Actg Regr

№ 174.

№ To the Chief Secretary to Government.

Sir, I am directed by the Judges of the Toujdaree Udalut to state that the Joint Criminal Judge of Guntoor has reported that a case has been forwarded to the Auxiliary Court in which "the 3rd prisoner is charged with having sold to the 1st and 2nd prisoners without permission 76 ½ Seers of Arrack which were kept under the Seal of the Collector at the said prisoner's house at Bauspetta in the Zillah of Guntoor under Clause 2nd Section XIII Regulation I of 1820" and "the 1st and 2nd prisoners are charged with having purchased the said Arrack and smuggled it into the Village of Chirala in the Nellore Zillah without a permit intending to sell it in that Village" -

2. As it seems expedient, in furtherence of the ends of Justice that the charge against the first and 2nd prisoners should be examined before the Auxiliary Court of Guntoor the Judges of the Toujdaree Udalut beg leave to recommend that under the provisions of Section III Regulation III of 1827 the Right Honorable the Governor in Council will be pleased to order the said prisoners named

Nullamole Kristna and
Nashanum Pooly -

to be tried by the said Auxiliary Court of Guntoor. -

3. With reference to parah 7 of the Proceedings of the Court of Toujdaree Udalut under date the 17th June 1839 and to parah 2 of the Extract from the Minutes of Consultation under date the 20th Augt 1839 № 691 I am directed to state that in the same communication Mr Newbery the Joint Criminal Judge of Guntoor has submitted his opinion that it would tend to the convenience of the people of Chirala Pinchoor and certain other isolated Villages belonging to Nellore which are situated within the limits of the District of Guntoor and ab

at no great distance from Tyentoor, were placed under the Jurisdiction of the Auxiliary Court. The Judges respectfully submit that on this point as well as on the former reference it seems desirable that an early decision should be passed. -

Signed / J.H. Davidson
Acting Register

7th September 1839.

№ 185.

№ To the Chief Secretary to Government

Sir I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of the order of Government dated the 20th August 1839 № 710 communicating a letter and its enclosure from the Deputy Adjutant General of the Army and requiring the Court to submit their opinion as to the legality of the proposed measure of giving to the Officer in charge of Police at St Thomas Mount authority to expel from the Military limits all women ascertained on Medical examination to be diseased and to furnish all such individuals if again apprehended in the Cantonment under the provisions of Section XIII Regulation VII of 1832. -

2 In reply I am desired to observe that with reference to the provisions of Section II Regulation I of 1802 the Judges of the Foujdaree Udalut are of opinion that the issue of the proposed order which would affect the persons of individuals amenable to the Provincial Courts of judicature would be illegal.

3 And it does not appear to the Judges that the women in question come within the description of persons punishable by Section XIII Regulation VII of 1832. -

7th September 1839. / Signed / J.H. Davidson Acting Regr. -

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

Sir I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 29th Ultimo forwarding the death warrant in Cases Nos 346 of the Coimbatore Calendar of the 1st Sessions of 1839 and the prescribed report from the Acting Joint Criminal Judge. -

2 With reference to the concluding parah of that report the Judges observe that they are not aware that the acting Joint Criminal Judge had any authority for taking depositions from the condemned at the foot of the gallows, and considering such a proceeding to be improper they direct me to request that you will enjoin that Officer to refrain from doing so in future. -

/ Signed / J.H. Davidson
Acting Register

9th September 1839

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

Gentlemen With reference to your letter of the 2nd Ultimo forwarding an application on the part of the Acting Joint Criminal Judge of Cochin to be allowed to entertain four additional peons for his Jail guard. I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased, by an order under date 27th August 1839 № 706, to "Sanction "subject to the confirmation of the Government of India the employment of four peons in the Auxiliary Court at Cochin in addition "to the present establishment each on a Salary of Rupees (5) five per "mensem. -

/ Signed / A.P. Forbes
Actg Head Asst to the Regr

9th September 1839. -

№ 176

№ To the Chief Secretary to Government

Sir With reference to the Extract from the Minutes of Consultation in the Judicial Department under date the 18th June 1839 № 494 desiring the Judges of the Foujdaree Udalut to instruct the Acting Magistrate of Malabar to ascertain and report for the information of Government the result of any proceedings that may be instituted against Rungyen in the Courts either of Her Highness the Rajah of Travancore or his Highness the Rajah of Cochin, I am directed to submit for the information of Government the annexed Copy of a correspondence with the Acting Magistrate as noted in the margin on that subject. -

From the first of these letters it appears that Rungyen after having been confined in the Custody of the Joint Magistrate of

Cochin

Foujdaree Diary 10th September 1839.

Cochin for upwards of two months, and released for want of evidence, the charge being that of having forged two letters in the name of Mr Baber to the Rajah of Travancore and Cochin.

3 An explanation of the reasons which led the Acting Magistrate to suggest that Rungyen should be tried by the Cummis Court at Cochin Vide is offered in Mr Underwood's letter of the 17th Ultimo.

4 The correspondence now submitted and especially the letter from the Acting Joint Magistrate dated the 26th Ultimo seems to show that Rungyen was detained in the Custody of that Officer in consequence of the Acting Magistrate's advice to the Resident of Cochin. /Signed/ J. H. Davidson

10th September 1839.

Acting Register

No To the Acting Magistrate of Coimbatore

Sir, With reference to your letter dated the 16th Ultimo submitting for the sanction of Government a Statement of contingent charges not exceeding 20 Rupees each incurred in the 4th Quarter of Fusly 1248. I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order under date 30th August 1839 No 715 to sanction the Charges in question amounting to Rupees (53. 10. 8) fifty three Annas ten and three eight.

(Signed) A. P. Forbes,

Ag. Hd Asst to the Regr

10th September 1839.

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

Gentlemen, With reference to your letter of the 9th Ultimo submitting for the sanction of Government the Statement of Batta paid to the children of Convicts in the Jail at Vizagapatam for the 2nd Quarter of 1839 I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 30th August 1839, No 714, to sanction the charge in question, amounting to Rupees (5-11-0) five and annas eleven.

10th September 1839. /Signed/ A. P. Forbes. Ag. Hd Asst to the Regr

No 177.

To the Chief Secretary to Government

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of the order of Government dated the 3rd September 1839. No 718 Communicating a letter and its enclosures from the Magistrate of Madura, and requiring the Court to state their opinion as to the measures which can legally be adopted for bringing the prisoners therein adverted to, to trial.

2 It appears that the prisoners in question having carried off some Sheep from the Village of Aranipatty, in the District of Madura, were pursued by the inhabitants and captured within the limits of the Country of His Excellency the Rajah Tondiman of whose territory they are inhabitants, but that a Scuffle having thereupon ensued, the prisoners were rescued by their friends, and one of the Captors, an inhabitant of the Village of Aranipatty, died, shortly afterwards, from the injuries he sustained in the affray.

The

3. The Judges of the Toujdaree Udalut observe that their is no provision in the Regulations of this Presidency for the trial by our Courts of forgiveness for crimes committed in foreign states.

4. But all subjects of foreign states are amenable to the established Criminal Courts the same as Native British subjects for all offences committed within the British territories.

5. This it appears from the Extract from his proceedings under date the 12th August 1839. Mr Waters the Acting 1st Judge on Circuit in the Southern Division, has not understood.

6. For the act committed in the British territories, therefore the prisoners can be tried by our Courts, for that committed in the Rajah Jondinam's Country only by his Country.

7 The original enclosures are herewith returned.

11th September 1839. (Signed) J. A. Davidson - Acting Register

No 178.

To the Chief Secretary to Government.

Sir Mr Haig the 2nd Judge late on Circuit in the Northern Division has requested the Court of Toujdaree Udalut to obtain the sanction of Government for his employing 3 additional English and 2 Persian Copyists at the fixed rate of compensation to assist in preparing the records of the trials, set down for reference to this Court which is necessary he observes "in consequence of the great number of trials referred from Vizagapatam and Chicacole namely nineteen" the very voluminous proceedings in some of them and the inability of the lower Courts to afford any assistance in transcribing the translations."

2 Mr Haig adds that his own Circuit establishment of writers is very small (two only) and they have frequently been suffering from sickness during their long and fatiguing journey of nearly 1000 miles.

3. The Judges of the Toujdaree Udalut observe that the number of Thug Cases

cases brought before the Court of Circuit during the 1st Sessions of 1839 has greatly augmented the average number of referred trials and being of opinion that the temporary extra establishment solicited by Mr Haig will materially contribute, if it be not absolutely necessary to the satisfactory dispatch of business they beg to recommend that he be authorized to entertain it the rate of payment being that prescribed by Clause 39 of the rules of the 22d Nov 1833 published in No 20½ of the Fort St Geo Gaz of that year.

12th Sept 1839. (Signed) J. A. Davidson - Acty Regr -

To the Provincial Court of Circuit in the Centre Division

Gentlemen, With reference to the letter dated the 2nd Instant from the Provincial Courts Registers Office, but not bearing any signature I am directed by the Judges of the Toujdaree Udalut to transmit to you 20 Copies of the printed forms of Statement No 1 for the use of the Magistrates in your Division and to send back the letter in question in order that the Signature of your Register may be affixed thereto.

(Signed) J. A. Davidson

12th September 1836. Acting Register -

No 179.

To the Chief Secretary to Government

Sir, I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of the order of Government dated the 9th September 1839 No 727 Communicating for their information and guidance a letter dated the 12th Ultimo from the Officiating Secretary to the Government of India relative to the proposed penal code submitted by the Indian Law Commissioners and to state that their report on the subject is under preparation and that the Judges will use all diligence in completing the same strict attention being paid in its preparation to the instructions conveyed in the letter from Mr H. D. Inangles dated 12th February and in that

from

from Mr. W. H. MacNaghten dated 13th April 1838.-
13th September 1839. /Signed/ J. H. Davidson. Acting Register

No. To John Vaughan Esqre.

Sir

With reference to my letter to your address under date the 19th July 1839. I am directed by the Judges of the Toujdaree Udalut to state that they have been called upon by the Supreme Government to expedite the preparation and Submission of their report on the proposed penal code prepared by the Indian Law Commission: and being very desirous of obtaining your report upon the subject previously to closing their review of that work they trust that the duties on which you are at present engaged (of the onerous nature of which they are fully aware) will admit of your forwarding your opinion to this Office at an early period.-
13th September 1839. /Signed/ J. H. Davidson. Actg Register.

No. 180.

No. To the Chief Secretary to Government.

Sir, I am directed by the Judges of the Toujdaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Statement of Batta paid to the children of prisoners in the Jail of the Zillah of Guntoor during the 2d Quarter of 1839.-

2 The Judges of the Toujdaree Udalut beg to recommend that the Sanction of Government be granted for the charge in question amounting to Rupees (3-14) three and Annas fourteen.-

14th September 1839.- /Signed/ J. H. Davidson. Actg Regr.

No. 181.

No. To the Chief Secretary to Government

Sir, I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of the order of Government dated the 2nd September 1839 No. 717 communicating with reference to my letter to your address of the 2nd July 1839 No. 133 and to the Extract from the Minutes of Consultation in the Judicial Department under date the 16th July 1839 No. 578. a letter from the Deputy Adjutant General of the Army dated the 14th August 1839. stating, that after communicating upon the subject with the Officer Commanding in Malabar and Canara, His Excellency the Commander in chief has directed the Cannanore Garrison order of the 23rd March 1824 to be amended by extending the period allowed for claims to fifteen days and by causing notice to be given to the Police Ameen of all stray cattle remaining unclaimed at the expiration of three days, "which His Excellency trusts will be found a satisfactory arrangement for all parties."-

2. The Judges of the Toujdaree Udalut beg leave respectfully to point out that the order in its modified form is not less illegal than it was before.-

3. Section XII of Regulation XV of 1816 provides that "heads of Villages shall take charge of all stray cattle of which the owners may not be known, and shall report each case to the Police Officer of the District" and Section LII of the same Regulation declares that "the strays referred to in Section XII of which the owners cannot be found, shall,

after

after the expiration of three months, be sold by public auction by order of the Magistrate, and if within six months more, no person shall appear to claim the proceeds, the amount thereof, after directing the expence incurred, shall be carried to the credit of Government."

4. It is obvious to remark that the garrison order in question even in its modified form, if carried into effect, must involve a violation of the above cited provisions.-

5. The Provincial Court in their letter of the 2nd June last, of which a Copy accompanied my letter to your address of the 2nd July 1839. suggested that the Officer Commanding should be recommended to instruct the Contonment Cutwal to send all strays to the Police Ameen who should be authorized to pay the expences of bringing them, and grant a receipt and that the receipts so granted should be numbered and transmitted by the Officer in charge of Contonment Police to the Joint Magistrate of Malabar at the end of each month for due check of the respective subordinates."

6. The Judges of the Foujdaree Udalut are not aware of any objection to the arrangement thus proposed by the Provincial Court. On the contrary, they beg leave to submit their opinion that it is calculated to afford more satisfaction to all parties than the existing illegal one - not only to those whose interests are involved in the disposal of their property, but also to those who are amenable to the Civil Courts for such of their Official acts as may be contrary to the existing Regulations -

16th September 1839. (Signed) J. H. Davidson
Acting Register

No

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

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your letter of the 16th Ultimo submitting a Copy of a communication from the Magistrate of Trichinopoly wherein that Officer refers the question "whether the sale of a child by its Mother is considered under the existing Regulations an offence cognizable by the Magistrate, and whether he is, in such a case, to be content as has hitherto been the practice in this District, with using his influence to arrest the sale, or to send the case for final adjudication to the Criminal Courts.-

2. The question having been referred to the Cazee-ool Coozat that authority has declared that in a season of Freedom from Scarcity, the sale of a Child by its Parents is prohibited by the Mohummudan Law, and render the Prisoner liable to Tazeer: and the Judges of the Foujdaree Udalut considering it desirable that the Law upon this point should be generally known, have resolved to communicate the same by a Circular order for the information and guidance of the authorities in the Provinces -

17th September 1839. (Signed) J. H. Davidson Acty Register -

No. 182.

No

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

21st June 1834. I am directed by the Court of Fouydaree Udalut 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. / Signed/ J. A. Davidson
17th September 1839.-

Acting Registar.

No 183.

No 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 29th January 1839. I am directed by the Court of Fouydaree Udalut to submit for transmission to the Supreme Government the accompanying Copy of a Circular Order of this date. / Signed/ J. A. Davidson,
17th September 1839.-

Actg Register.

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

Gentlemen,

I am directed by the Judges of the Fouydaree Udalut to forward to you to annexed copy of a Roll of a Convict named Kunjen who is reported by the Resident Councillor at Singapore to have been missing from that Colony since the 6th July last and to request that you will furnish transcripts of the same to the Sessional Magistrate within your Division, with instructions to give the requisite notice to their Police Officers

&c for their information and guidance.
17th September 1839.- / Signed/ J. A. Davidson. Acting Register.-

To the Acting Criminal Judge of Madura.

Sir, With reference to your letter of the 30th Ultimo in which you have requested that the Special Sanction of Government may be procured for the sum of Rupees 38-8 thirty eight and annas eight actually disbursed in the construction of 2 Trucks for the use of the prisoners in the Jail under your charge I am directed by the Judges of the Fouydaree Udalut to request you will explain the circumstances which induced you to deviate from the authority granted in the order of Government quoted in your letter and to substitute the construction of 2 Trucks for that of the 24 wheelbarrows sanctioned therein.-

2 I am further instructed to return you the enclosed bills which accompanied your letters of the 29th and 30th of August and to draw your attention to the order of Government of the 25th July 1836 published in the Fort St George Gazette No 502 which enjoined strict conformity to the 13th Clause of the orders of Government dated 22nd November 1833 by which it is required that the same total of Bills shall be invariably entered in words at length as well as in figures.-
17th September 1839.- / Signed/ J. Clark. Actg Sen. Deptg Regr.

To (No 184)

The Chief Secretary to Government

Sir

I am directed by the Judges of the Fouydaree Udalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Account Particulars submitted by the Acting Magistrate of Coimbatore of extra payments made to the Daroga and Peons watching over the Convicts employed

employed in repairing the High Roads on that Tillah, as per statement
Conveyed in an order of Government under date the 28th February 1834 No 185

2. The Judges of the Toujdaree Udalut beg to recommend
that the special sanction of Government be granted for the charges in
question amounting to Rupees (513-4-11) five hundred and thirteen
annas four and pice Eleven -

19th September 1839 - (Signed) J. H. Davidson
Acting Register

No 185

No. To the Chief Secretary to Government

Sir, I am directed by the Judges of the Toujdaree
Udalut to transmit to you to be laid before the Right Honorable the
Governor in Council the accompanying account particulars of Rewards
paid for the apprehension of Robberers and murderers in the Province
of Malabar, in Fusles 1247 and 1248 -

The Judges of the Toujdaree Udalut beg to
recommend that the Sanction of Government be granted for the
charges in question, amounting in the aggregate to Rs (634) Six
hundred and thirty four - (Signed) J. H. Davidson
19th September 1839 - Acting Register -

No 186.

No To the Chief Secretary to Government

Sir, I am directed by the Judges of the Toujdaree Udalut
to transmit to you to be laid before the Right Honorable the Governor
in Council the accompanying Statements submitted by the Acting
Magistrate of Coimbatore "of Contingent Charges incurred on account
of Convicts &c and of Rewards paid for the apprehension of
Pandarams

offenders for Fusly 1248 -

The Judges of the Toujdaree Udalut beg to
recommend that the sanction of Government be granted for the
charges in question amounting in the aggregate to Rupees (349-12-10)
Three hundred and forty nine, annas twelve, and pice ten -
19th September 1839 - (Signed) J. H. Davidson - Actg Register -

No. To the Joint Criminal Judge of Trichinopoly

Sir I am directed by the Judges of the Toujdaree Udalut
to acknowledge the receipt of your letter of the 27th Ultimo, and to
state that they consider it desirable that the executioner attached to the
Tillah Court of Combaconum should be required to attend at Trichinopoly
whenever occasion may require it at the latter station

Copy to the Criminal Judge of Combaconum -
19th September 1839 - (Signed) J. H. Davidson - Actg Regr

No 188

No To the Chief Secretary to Government

Sir, The Acting Criminal Judge of Malabar has brought
to the notice of the Court of Toujdaree Udalut, that a prisoner
named Kaiyaah alias Srambikal Cumby Chype who was tried
for theft and sentenced to 2 years imprisonment with hard labor in
irons and after undergoing an imprisonment of 5 months and 10
days, on the 11th January 1834 effected his escape while at work
on the public road and having been re-apprehended and forwarded
to the Criminal Court, was on the 11th June 1838 sentenced to 4
Months imprisonment with hard labor in irons - beyond the unexpired

time

time of his original sentence."

2. The Acting Criminal Judge further states that the abovementioned Prisoner on the 24th April last met with a serious accident while employed in sinking a well in the Court compound, a quantity of Earth falling upon him, his left thigh bone was fractured and he received several superficial wounds in various parts of the body and that the Medical Officer attached to the Court is of opinion that the prisoner will permanently have a halt in his gait. He walks at present in the hospital with the help of Crutches."

3. The Acting Criminal Judge has in consequence requested the Court of Toujdaree Udalut to apply to Government for permission to remit the unexpired portion of the punishment to which the prisoner has been sentenced, adding that "he has moreover to fear that he is of an abandoned character, or likely to abuse the act of mercy he asks for him."

4. Under the circumstances above recited, the Judges of the Toujdaree Udalut beg leave to recommend that the Right Honorable the Governor in Council will be pleased to remit the unexpired portion of the sentence awarded to the prisoner and to authorize his being immediately discharged out of Custody.

24th September 1839. (Signed) J. H. Davidson Actg Regr.

No. To the Criminal Judge of Tchingleput

Sir

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

letter of the 5th Ultimo and to state that the Right Honorable the Governor in Council was pleased in an Extract from the Minutes of Consultation under date the 17th Instant No 751 to authorize you to appoint Bombardier John Cotteral on his purchasing his discharge from the Army under the provisions of G. O. G. of the 15th February 1833 No 49 to be Sailor at Chingleput on the same allowances as were given to the late William Dogherty.

2. His Lordship in Council also authorizes you to pay Cotteral the Sum of Rupees (30) thirty for his Services during the month of July last.

24th September 1839. (Signed) J. H. Davidson Actg Register.

No. To the Acting Joint Criminal Judge of Cochin.

Sir. I am directed by the Judges of the Toujdaree Udalut to return to you the Plan and Estimate which accompanied your letter of the 3rd Instant and to request that you will call upon the Civil Engineer to prepare at his earliest convenience a Plan and estimate of an hospital which from former correspondence on the subject appear to be all that is at present required at Cochin.

24th September 1839. (Signed) J. H. Davidson

Acting Register

No. To the Joint Criminal Judge at Guntoor

Sir, I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 23rd Ultimo and to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 10th September 1839 No 746 under the provisions of Section III Regulation III of 1827 to grant authority for bringing Nullumole Kreshtiah and Hasteanum Poolly charged with having smuggled arack into the Village of Chircala in the Nellore Zillah, to trial before the Auxiliary Court at Guntoor

2 With reference to the last parah of your letter I am further directed to state that the same arrangement has been recommended in his Circuit report by the 1st Judge late in Circuit in the Northern Division and that the matter has been referred by Government for the consideration and report of the Board of Revenue -

Signed / A.P. Forbes
Actg 2d Asst to the Regr

24th September 1839.

No. 189

No. To the Chief Secretary to Government

Sir, I am directed by the Judges of the Toujdaree Udalut to submit for the consideration of Government the annexed Copy of a letter dated the 13th Instant and of its enclosures from the Criminal Judge of Bellaree relative to a case of a prisoner, the Servant of a Medical Officer in the Contonment of Bellaree, who has been tried by a Military Tribunal for a heinous offence of which he was fully convicted and sentenced to imprisonment with hard labour

for 1 Month in the Jail of the Zillah under Clause 1st Section XV Regulation VII of 1832

The case has been reported by the Criminal Judge as, because he considers the proceedings to be illegal and not authorized by any part of Regulation VII of 1832 under which the Officer commanding the Contonment and the Superintendent of Police have acted -

It appears to the Judges of the Toujdaree Udalut that the charge in question was not an offence included in the provisions of Section XIII and punishable under Section XV but falls within the provisions of Clause first, Section VI and should, under Section VII Regulation VII of 1832 have been remitted to the Civil authorities. -

25th September 1839. / Signed / J.H. Davidson Actg Regr

No. To the Criminal Judge of Chingleput

Sir With reference to your letter dated the 6th Instant I am directed by the Judges of the Toujdaree Udalut to transmit to you 15 Copies of the printed forms of the labor of the prisoners for the use of your Office -

25th September 1839. Signed / J.H. Davidson Acting Register

No. 190

To the Chief Secretary to Government

Sir I am directed by the Judges of the Toujdaree Udalut to submit for the orders of Government the annexed Copy of a letter dated the 19th Ultimo from the Joint Criminal Judge of Trichinopoly and of the correspondence which accompanied that communication relative to the question of the propriety of the garison Surgeon in Medical charge of the Jail bringing to the notice of the Magistrate, through the Superintending Surgeon and without reference to the Joint Criminal Judge cases in which Prisoners in the Joint Criminal Judge's Said allege that they have been tortured or maltreated by the Police authorities in the District -

2 In parah 2 of the letter addressed to the Zillah Judge of Chittoor under date the 28th June 1825 by the Secretary to Government

in

in the Judicial Department the Zillah Judge is recognized as the "immediate Superior" of the Officer in Medical charge of the Civil establishment at that station, and if therefore the garrison Surgeon at Trichinopoly be in Medical charge of the Jail of the Auxiliary Court at that Station, as would appear to be the case, it seems to the Judges of the Toujdaree Adalut with reference to the precident above cited, that he is consequently subject to the orders of the Joint Criminal Judge, so far as respects that charge, and that therefore his communication on the subject of the ill treatment experienced by the Prisoners in the Talooks should have been addressed to the Joint Criminal Judge instead of the Superintending Surgeon of the Division, who as it appears to the Judges can have no legitimate concern with matters connected with the conduct of the Native Police Officers.

3. The Circular Order of the Court of Toujdaree Adalut dated the 27th October 1830 requires the several Criminal Courts invariably to cause each prisoner to be brought before them, so soon as he arrives or within 12 hours afterwards, when any complaint he may make of maltreatment by the Police is to be recorded: and this with the view to "enable the Criminal Court instantly to obtain information and to communicate to the Magistracy any complaint of maltreatment made against the Police".

4. With reference to para 2 of the letter of the Superintending Surgeon to the Joint Criminal Judge dated the 16th August 1839 wherein he expresses his regret that the Joint Criminal Judge does not concur with him "in the propriety of the Medical Officer of the Jail reporting to "him (the Superintending Surgeon) whatever may be conducive to the well being of the Sick under his charge" the Judges of the Toujdaree Adalut observe that general suggestions for improving the salubrity of the Jail &c may undoubtedly in their opinion, be so offered but that appears to the Judges to be a totally deficient thing from the question immediately under discussion.

5. I am directed to add that the Judges have called upon the Magistrate to report on the subject of the "wooden legs" and handcuffs used in the Talooks which are alleged to occasion "great pain and serious swellings" and have instructed the Joint Criminal Judge to inquire into the case of the prisoner Mootoo Coomaren referred to in Paragraph 2 of the letter addressed by the Garrison Surgeon to the Superintending Surgeon under date the 15th August 1839 and that upon receiving the replies of those Officers, the Judges will issue orders as may then appear to be requisite.-

26th September 1839. / Signed / T. H. Davidson. Acting Register.-

To the Joint Criminal Judge of Trichinopoly

Sir, I am directed by the Judges of the Toujdaree Adalut to acknowledge the receipt of your letter of the 19th Ultimo, and to state that it as also the correspondence which accompanied it has been laid before Government for their consideration and orders.-

2. In the mean while the Judges direct me to desire that you will institute an enquiry into the case of the prisoner Mootoo Coomaren referred to in para 2 of the letter addressed under date the 15th Ultimo to the Superintending Surgeon of the Division by the Garrison Surgeon and submit a report on the subject for their consideration.-

3. You will also be pleased to report whether that individual was imputed by the Judicial Officer on his arrival at the Auxiliary Court as required by the Circular Order of the 27th October 1830.-

26th September 1839. / Signed / T. H. Davidson - Acting Register.-

To the Magistrate of Trichinopoly

Sir The Joint Criminal Judge of Trichinopoly having in a letter dated the 13th August 1839 addressed to the Superintending Surgeon of the Division, stated his belief "that the inconvenient shape of the wooden leg and handcuffs used in the Provinces" for the purpose of securing Prisoners while being conveyed to the Criminal Court invariably causes great pain and very often serious swelling" I am directed by the Judges of the Toujdaree Adalut to request that you will submit a report on the subject for their consideration.-

26th September 1839.- / Signed / T. H. Davidson - Acting Register

To the Criminal Judge of Bellary

Sir Mahomed Hoossain Acting Cazee of the Provincial Court in the Centre Division having been relieved temporarily from the duty on which he is immediately employed under instructions received

received from Government. I am directed by the Judges of the Fouzdaree Udalut to desire that upon the arrival of the Court of Circuit at Bellaree you will place the services of Ghoolam Kalum oollah the Acting Mooftee of the Zillah Court at the disposal of the Judge of Circuit in view to his performing the duties of Mahomedan Law Officer of the Court of Circuit during the Sessions of Jail delivery at that station under the provisions of Section XXIV Regulation VII of 1802.

26th September 1839. / Signed / T.A. Davidson. Acting. Register.

No. To the Acting Judge on Circuit in the Centre Division

Sir I am directed by the Judges of the Fouzdaree Udalut to forward to you the annexed Copy of a letter addressed under this date to the Provincial Court in the Cetre Division and to desire that on your arrival at Bellary you will administer the prescribed oath of Office to the Acting Mooftee of the Zillah Court.

26th September 1839. / Signed / T.A. Davidson Act. Regr.

No. To M. Lewin Esqr. Act. 2nd Judge of the Provincial Court of Circuit in the Centre Divn.

Sir I am directed by the Judges of the Fouzdaree Udalut to acknowledge the receipt of your letter of the 23rd Instant and its enclosures relative to the trial of Moulavee Mohiddeen Sahib under the provisions of Regn. XX of 1802.

You will have already been furnished with a Copy of an Extract from the Minutes of Consultation under date the 24th September 1839 No. 16 the orders contained in which will have removed the difficulties which led you to refer the matter for the orders of the Fouzdaree Udalut.

You will observe that it devolves upon you to try the case with the Acting Mooftee of the Provincial Court in the same manner as ordinary cases falling within the provisions of the general regulations.

I am likewise directed to forward to you for your information and guidance the annexed Copy of an Extract from the Proceedings of the Court of Fouzdaree Udalut under date the 25th Instt. 1833 relative to Preliminary Proceedings in cases of offences against the state.

26th September 1839. / Signed / T.A. Davidson. Acting. Register.

No. 191.

To the Chief Secretary to Government

Sir I am directed by the Judges of the Fouzdaree Udalut to transmit to you to be laid before

before the Right Honorable the Governor in Council the accompanying Statement of Contingent Charges not exceeding 20 Rupees each, incurred in the 3rd Quarter of Fasly 1248 in the District of Coimbatore and to state that the Judges recommend that Sanction be granted for the same amounting to Rupees (20-2) twenty and annas two.

27th September 1839. / Signed / T.A. Davidson

Acting. Register

No. To the 3rd Judge late on Circuit in the Centre Division

Sir I am directed by the Judges of the Court of Fouzdaree Udalut to acknowledge the receipt of your letter of the 27th June last submitting with reference to the letter from this office under date the 11th April 1839 the result of the investigation held by you relative to the escape of 16 prisoners under trial from the Bellaree Jail.

2. In reply I am directed by the Judges of the Court of Fouzdaree Udalut to state that they concur with you in considering that the punishment of six months suspension from employ and pay to be calculated from the date of the escape of the prisoners will be sufficient for the offence committed by the Peons Gungajee and Salal Mahomed.

3. With reference to the Peon Shaik Bundagee it does not appear to the Judges of the Fouzdaree Udalut that he has

has rendered himself liable to a more severe punishment than that inflicted on the 2 Peons alluded to in the preceding parah and they observe that it is rather the business of the Jailor than the Peons to examine personally the prisoners every morning and evening at the opening and shutting up of the Jail.

4. The Judges of the Foujdaree Udalut consider the necessity for the alteration proposed by you in the concluding parah of your letter so strong that they deem it proper to request you will issue instructions to the Zillah Judge of Bellaree to call on the Civil Engineer to prepare the necessary Estimates for submission to the Court of Sudr Udalut.

27th September 1839. (Signed) J. Clarke. Actg Sen. Deputy Regr

No. To the 2nd Judge late on circuit in the Northern Division.

Sir,

With reference to your letter of the 3rd Instant I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 21st September 1839 No 764, to sanction the employment of 3 additional English writers and two Persian Copyists at the regulated rate of compensation for the purpose of preparing the records of trials set down for reference to the Court of Foujdaree Udalut.

27th September 1839 - (Signed) A. P. Forbes

Acty Head Asst to the Regr

No. To the Criminal Judge of Bellaree -

Sir,

With reference to your letter of the 22nd Ultimo requesting that Special Sanction might be obtained for certain charges incurred during Fusly 1247 and retrenched by the Civil Auditor I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 16th September 1839 No 745. to grant special sanction for the charges in question amounting to Rupees (92-9-2) Ninety two annas Nine and pice two - (Signed) A. P. Forbes

27th September 1839 - Acty Hd Asst to the Regr

No. To the Joint Criminal Judge of Guntoor

Sir,

With reference to your letter of the 31st Ultimo submitting a Statement in Duplicate of batta paid for the Children of Convicts during the 2nd Quarter of 1839. I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 17th September 1839 No 758 to sanction the charges in question amounting to Rupees (3-14-11) three and annas fourteen (Signed) A. P. Forbes

27th September 1839 - Acty Hd Asst to the Regr

No. 192.

No. To R. Clerk Esqre Secretary to Government

Sir

Public Department

I am directed by the Judges of the Foujdaree Udalut

Udalut to acknowledge the receipt of your letter in the Political Department dated the 7th September 1839 No 266 forwarding for the opinion of the Court, a copy of a communication from the Magistrate of Vellore wherein that Officer refers the question whether he professes "a legal authority, as Magistrate to search dwelling house for the discovery of treasonable or seditious" pa-

2.

The Judges are of opinion that a wide distinction exists between treason, and sedition, the latter crime in many instances, being a bailable offence, and therefore the Judges do not consider that the Magistrate can legally exercise the power described in his letter.-

3.

But the Judges are of opinion that in cases when the Magistrate proceeds according to the Regulation to the issue of a warrant for the apprehension of a person on a charge of treason, rebellion or other crime against the State, he may at the same time directing the Seizure of his papers.-

4.

Under such circumstances, the entry into the dwelling house takes place with full sanction of law and the Seizure may be regarded as anecologous to that of implements for housebreaking, or the weapon supposed to have been used in a murder.-

5.

In England where there is information that the papers of a person charged with treason are in the custody of another, the practice is to apprehend the latter with the papers in his possession and the Judges of the Foujdaree Udalut

are of opinion that the same proceedings is lawful in this Country in offences not bailable, such as are specified on the ground of the presumption that the party entrusted with the papers is implicated in the crime.-

28th September 1839. (Signed) J. A. Davidson. Acting Register.-

To the Magistrate of North Arcot.

Sir,

I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of your of the 16th Instant, forwarding a Copy of one to your address from the Officer Commanding Vellore and requesting the opinion of the Court as to how far you would be justified in committing "Kadaree Moorlee" to jail upon the evidence indicated in that communication and in the letter from the Magistrate of Vizagapatam to the Chief Secretary to Government, under date the 23rd July 1839.-

2

It appears from paragraph 3 of your letter that you "possess no information to commit this individual to the custody of the Criminal Judge or to take Security for his appearance under Clause first, Section III Regulation II of 1822" and that you have "no evidence to prove that he is a person of the description therein specified".

3.

Adverting to these observations, the Judges direct me to refer you to my letter to your address under date the 4th Instant which seems to the Judges sufficiently to point out that if it does not appear from evidence or information before you that the said person is of the description specified in Clause first, Section III of Regulation II of 1822 you cannot deal with him under the provisions of Section VI Regulation VI of 1827.-

30th September 1839.- (Signed) J. A. Davidson

Acting Register.-

Foujdaree Diary 30th September 1839.

No

To the Acting Criminal Judge of Madura

Sir The Joint Criminal Judge of Trichinopoly has submitted for the orders of the Foujdaree Udalut a Copy of a correspondence which has passed between yourself and that Officer relative to a person calling himself "Caroopen son of Veerabooren" who has been recently apprehended as an escaped Convict and in his declaration before the Joint Criminal Judge himself admits that about a year and a half ago he effected his escape from the Custody of some Peons attached to the Zillah Court of Madura, while employed with a working party in the Jungle in the vicinity of that Town.

2 The Judges of the Foujdaree Udalut observe that you have not stated in any of your letters to the Joint Criminal Judge whether or not "Caroopen son of Veerabooren" was a Convict at Madura or escaped from that Jail, and they direct me to desire that you will now supply the omission for the information of this Court.

Signed/ J. A. Davidson
Acting Register

30th September 1839.

No

Copy to the Joint Criminal Judge of Trichinopoly

Soydaree Diary 1st. October 1839.

To
The Acting Criminal Judge of
Rajamundry

Sir.

I am directed by the Judges of the Foujdaree Adawlut to desire that immediately upon the receipt of this letter you will instruct the Moofflee of the Zillah Court Hajee Mahomed Yaccoob ally to proceed without any delay to Masulipatam for the purpose of officiating as Mahomedan Law officer of the Court of Quarter Sessions at that station

Dated 1st. October 1839.

Signed J. H. Cavendish
Acting Register
Copy

Copy to the Provincial C[illegible] of
Circuit in the Northern Division
for their information with refe-
rence to their letter of the 19 Ultimo
1st October 1839 Signed J. H. Davidson
Acting Register

To
The Secretary to the
Medical Board.

Sir.

I am directed by the
Judges of the Toujdaree Adalut to reque
that you will lay before the Medical Board
the annexed Copies of the papers noted in
Tellicherry 3d additional Calendar 1st Quarter 1839 Margin relative to the
Case No 1.
Medical Report of Assistt Surgeon Imrey of mind of a pri-
dated 12th June 1839.
soner
named

named Kunnan Coorikul who was tried in
Case No 1 of the Tellicherry Third additional
Calendar of the First Quarter Session of 1839
for wilful Murder and was acquitted on the
ground of Insanity but is still detained in
Confinement under the Surveillance of the
Medical Officer in Charge of the Civil Esta-
blishments at Tellicherry.

2 The Judges beg to be favored
with the sentiments of the Medical Board in
regard to the prisoner's State of mind with reference
to the Report dated the 12th June 1839 of
Assistant Surgeon Imrey, upon that
subject.

1st October 1839. Signed J. H. Davidson
Acting Register

To

No.

To,

The Third Judge on Circuit in the
Northern Division.

Sir,

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 12th Ultimo and to request that you will inform the Joint Criminal Judge of Guntoor with reference to his letter to your address under date the 9th Ultimo that he is at liberty to take immediate measures for constructing the Gallows for which sanction was granted in 1837 the Court having long since overruled the objections raised by Mr. Boileau.

Signed J. H. Davidson
Acting Register

2nd October 1839.

No.

To

The Acting Joint Criminal Judge
of Vizagapatam

Sir,

Returning the Summon which accompanied his letter of the 21st Ultimo with an endorsement thereon by the Nazir of this Court.

Signed J. H. Davidson
Acting Regr.

5th October 1839.

To

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 18th Ultimo and to state that this Court decided under date the 7th April 1836 that the Circular Order of the Sudr Udalut of the 25th August 1828 though in its letter it is applicable only to the Civil Courts, in principle applies equally to the Criminal Tribunals.

Signed J. H. Davidson
Acting Register

8th October 1839.

No. 193

To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Toujdaree Udalut to submit for the Orders of Government the annexed extract (Paras 4 and 5) from a letter dated the 5th Instant from Mr. Lewin Special Commissioner at Chittoor requesting the assistance of two or three College Moonshees in the translation of the Proceedings on the trial of Moalvee Moideen Saib Mecaudar of Nellore.

If there be in the College or in the Office of the Persian Translator to Government a

Persian

Persian or Hindustani moonshee possessing a Competent knowledge of English and able to translate into that language: The Judges beg leave to recommend that he, or if there be two or three such persons, they be sent to Chittoor to assist the Special Court in the duty above mentioned.

9th October 1839

(Signed) T. H. Davidson
Actg Register.

No. To Mr. Levin Esqre
Special Commissioner at
Chittoor

Sir,

I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of your letter of the 5th Instant relative to the Case under trial before the Special Court.

The Judges do not consider it to be competent to this Court to set aside the Provisions of Clause the first Section XVIII and Clause first Section XLI Regulation VII of 1802 which require that Persian translations of the examinations therein referred to shall be transmitted to the Tonjdaree Udalut.

I am directed to add that an application has been made to Government for the services of some competent Persian or Hindustani

Hindustani moonshee to assist in translating the records of the Case in question.

9th October 1839

(Signed) A. P. Forbes.
Asst to the Register

No. To.
The Acting Magistrate of
Malabar,

Sir,

With reference to your letter of the 27th August, transmitting account particulars of rewards paid in fasslies 1247 and 1248 for the apprehension of robbers. I am directed by the Judges of the Tonjdaree Udalut to inform you, that the Right Honorable the Governor in Council was pleased by an order dated the 1st October 1839 No. 793, to grant special sanction for the charges in question Amounting in the aggregate to Rupees, (634-4) six hundred and thirty four

9th October 1839

(Signed) A. P. Forbes.
Asst to the Register

To.

No.

To. The Acting Magistrate of Coimbatore

Sir, With reference to your letter of the 5th Ultimo. Submitting for the special Sanction of Government the account Particulars of extra payments made to the Darogah and Peons watching over the Convicts employed on the roads in Coimbature. I am directed by the Judges of the Fouzdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 1st October 1839 No. 787. to grant special sanction for the Charges in question, amounting to Rupees (513-4-11) five hundred and thirteen, annas four and Pice eleven,

9th October 1839. /Signed/ A. D. Forbes.
Actg. Regr. to the Rs.

No.

To. The Magistrate of Tanjore,

Sir,

1 I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 25 Ultimo submitting a Copy of a Communication from the Joint Magistrate of

of Tanjore relative to a person named Ramasawmy whom he has called upon to give security for his good Conduct and requesting the sanction of this Court to the proposition of the Joint Magistrate that in the event of that individual failing to produce the required security, he shall be Confined in the Jail at Myaveram instead of in that of the Zillah Court of Combaconum,

This Court I am directed to

2. observe Can not authorize a departure from the provisions of Clause first. Section III Regulation II of 1822.

Confined at Myaveram, the

3. Prisoner would not have the means of Petitioning the Judge on Circuit.

4. There Can be no doubt that it is in the power of the Criminal Judge to prevent Mischief: and that Officer should be apprized of the necessity for precaution and preventing any Communication between Ramasawmy and Tumboo Nauck,

/Signed/ T. H. Davidson
Actg. Register.

9th October 1839,

To,

No 1

To

The Acting Magistrate of

Sir,

Bellary

I am directed by the Judges of the Foujdaree Adalut to forward to you the annexed Copy of a Reference of Sundry Charges from the Accounts of the Principal Collector of Bellary from 12th July 1836, to 11th July 1837, on account of Expences for Fusly 1246," received from the Civil Auditor - and to request that you will furnish this Court with the requisite vouchers and explanations in regard to Item No: 39, and with an account Particulars of Item No: 40 being a Reward of Rupees 50. paid "for apprehending offenders."

[Signed] T. H. Davidson
Acting Register

11th October 1839.

No 2

To

The Magistrate of Ganjam,

Sir.

I am directed by the Judges of the Foujdaree Adalut to forward to you the accompanying Copy of a "Reference of Sundry Charges from the accounts

accounts of the Collector of Ganjam from 12th July 1836, to 11th July 1837, on account of expences for Fusly 1246," and to request that you will explain the Cause of the apparent excess of expenditure of Rupees 5-1-7- beyond the sum authorized by Government, in Item No. 64. and that you will furnish this Court with a Copy of the order of Govt authorizing the expenditure of Rupees 1000, as a Reward for apprehending Ramarawze and Jaerungee Besoye, to enable the Court to dispose of the Reference made to them by the Civil Auditor,

[Signed] T. H. Davidson
Acting Register

11th October 1839.

To

The Acting Magistrate of Canara,

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will report under what Circumstances and authority the ankola District Moonsiff's Cutcherry was rented from the 1st July 1834. to 30th June 1837. at eight annas per Mensem: that information being requisite to enable the Judges to dispose of a Reference made to them on the subject by the Civil auditor,

[Signed] T. H. Davidson
Acting Register

11th October 1839

To

No.

To

The Acting Magistrate of

Coimbatore

Sir,

With reference to your letter of the 5th Ultimo, I am directed by the Judges of the Fouzdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an Order dated 1st October 1839. No. 794 "to sanction the statements of "Contingent "charges, incurred on account of Convict & "and of rewards paid for the apprehension of offenders "during Fusly 1248" amounting in the aggregate to Rupees (349-12-10) three hundred and forty nine, annas twelve and pice ten.

I Signed J. P. Forbes.

11th October 1839.

A. W. Asstt to the Rr.

No.

To

The Second Judge of the Provincial Court of Circuit in the Western Division

Sir,

1. I am directed by the Judges of the Fouzdaree Adalut to acknowledge the receipt of your letter of the 14th Ultimo and its enclosures having reference to the Case

Case of Dumman Coonhul Prisoner in No 1 of the Tellicherry Third additional Calendar of the First Quarter Sessions of 1839, and requesting the instructions of this Courtin regard to the future disposal of that prisoner.

2. The Judges deemed it proper to transmit the enclosures of your letter to the Medical Board with a request to be furnished with their sentiments on the subject and the Medical Board have signified their Concurrence in the view taken of the Case by Mr. Assistant Surgeon Mayer, and their opinion that it would be unsafe to permit the prisoner to be again set at liberty.

3. Under the peculiar Circumstances of the Case and with reference to the opinion of the Medical Board, the Judges of the Fouzdaree Adalut are of opinion that the public safety requires that the prisoner in question shall not be delivered over to his friends and you will be pleased therefore to direct the Joint Criminal Judge at Tellicherry to detain him in Custody, under the Care of the European Medical Officer.

4- It will be the duty of the Judge presiding.

presiding at the Quarter Sessions to submit a Report upon the subject to the Court of Toujdaree Udalut on the evaporation of the period of six Months from the present date.

12th October 1839

/Signed/ T. H. Davidson
Acting Register

No. 194.

No. To
The Chief Secretary to Government

Sir,

1 With reference to the orders of Government dated respectively the 17th September 1839 No. 756 and 10th October 1839, No. 816, relative to the prisoner Hakeem Irzam Khan I am directed by the Judges of the Toujdaree Udalut to state that the Criminal Sessions were closed at Cuddapah on the 24th Ultimo and to submit their suggestion that in the event of the commitment of Hakeem Irzam Khan taking place during the present Sessions of the Court of Circuit at Bellary, they be authorized to direct the Acting Criminal Judge of Cuddapah to report that circumstances to Mr. James Thomas the Acting Judge on Circuit in the Centre Division, and to instruct the latter Gentleman in that event, to return by way of Cuddapah and hold a special Sessions at that station for the trial.

2 Should

2 Should the commitment of the prisoner not take place until after the close of the present Sessions at Bellary, the Judges of the Toujdaree Udalut will be prepared to submit for the consideration of Government, another arrangement.

14th October 1839

/Signed/ T. H. Davidson
Acting Register,

No. To
The Acting Magistrate
of Canara,

Sir,

1 With reference to the Acting Register's letter to your address under date the 20th June 1839, I am directed by the Judges of the Toujdaree Udalut to transmit to you the accompanying Copy of a letter from the Officiating Secretary to the Government of India, and to inform you that the Right Honorable the Governor in Council, was pleased, in an Extract from the Minutes of Consultation, under date the 7th October 1839, to direct you "to inform "Cheekamajie the Mother of the late Lutchmun "Bungar, with reference to her petition of the 2nd July "last, that no pension can be conferred upon the "family of the late Lutchmun Bungar by the British Government.

14th October 1839

/Signed/ A. P. Forbes
Asst. to the Pr.

To.

No. To

The Acting Joint Criminal Judge

of Vizagapatam

Sir,

1 I am directed by the Judges of the Foujdaree Adalut, to acknowledge the receipt of your letters of the 8th and 11th Ultimo, reporting for the information of this Court the escape and subsequent recapprehension of the prisoner in Criminal Case No. 120 of 1839, named Gorlay Chinna Sunniasy,

2 I am further directed to call your attention to the Circular Orders of the Foujdaree Adalut, of the 23rd of January the 28th of March and 19th November 1832, and to observe that your report should have been forwarded through the Provincial Court in the Northern Division, and that a report of all the circumstances of the Case with translations of the depositions of the Peons and other Witnesses should have been submitted therewith.

Signed A. P. Forbes

14th October 1839 Asstt. to the Register

No. To

The Joint Criminal Judge of

Guntoor

Sir,

1 With reference to your letter of the 3d August last, I am directed by the Judges of the Foujdaree Adalut

Adalut to state that since the cook rooms therein referred to have been removed and Sentry Boxes have been erected, they are not of opinion that it is necessary now to construct door for the wards: trusting that the adoption of the Measures above mentioned will prevent the recurrence of future escapes.

2. But should circumstances occur to indicate the necessity of Modifying the plan of the Jail as already approved, by the addition of doors to the Wards, you will be at liberty again to address the Court on the subject.

Signed T. H. Davidson

14th October 1839 Acting Register.

No. To

The Acting Joint Criminal Judge

of Vizagapatam

Sir,

With reference to Mr. Forbes letter of yesterday's date to your address, I am directed by the Judges of the Foujdaree Adalut to observe that under the Circular Order of the 27th April 1835, No. 42, the Report and Depositions therein referred to, should be submitted direct to this Court, and not through the Provincial Court of Circuit.

Signed T. H. Davidson

15th October 1839 Acting Register

To

No

To

No 195

The Chief Secretary to

Government,

Sir,

With reference to paragraph 2 of the extract from the minutes of consultation in the Judicial Department under date the 6th December 1836, No. 1022, I am directed by the Judges of the Tonjdaree Adaulut to transmit to you to be laid before the Right Honorable the Governor in Council, the accompanying Copy of a letter dated the 2d instant from the Acting Criminal Judge of Malabar requesting to be furnished with fifty Hoes of the Ceylon pattern for the use of the Prisoners in his Jail.

2. The Judges beg leave to recommend that the request of the Acting Criminal Judge be complied with, or that as many hoes of the required pattern, within the number mentioned in his letter, as can be prepared in the Arsenal of Fort St. George, be supplied to the Zillah Court.

16th October 1839

Signed T. H. Davidson

Acting Register.

No

To

No

To

The Acting Magistrate

of Coimbatore

Sir,

With reference of your letter of the 17th ultimo, I am directed by the Judges of the Tonjdaree Adaulut, to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 8th October 1839, No. 802, to sanction the statement of Contingent charges incurred in the 3d Quarter of Fusly 1248, amounting to Rupees (20-2-0) twenty, and annas two-

The delay in obtaining sanction for these charges was occasioned by your addressing your explanation regarding the batta paid to peons, direct to the Chief Secretary, instead of to this Court,

16th October 1839.

Signed T. H. Davidson

Acting Register

To

No 197

The Chief Secretary

to Government,

Sir,

I am directed by the Judges of the Tonjdaree Adaulut to acknowledge the receipt of the order of Government dated the 10th October 1839, No. 815, Communicating

communicating for their opinion a letter from the Judge advocate General of the Army dated the 23d September 1839, wherein is referred the question whether a prisoner being "arraigned under act VI Section XII of the Native Articles of War convicted of a Crime punishable under some other Regulation than No. VII of 1832 and sentenced to imprisonment with hard labour, Can be made over to the Civil authorities without the frontier for the infliction of his punishment"?

2 In reply I am desired to observe that the case stated by the Judge Advocate General appears to the Court of Foujdaree Adalut to be precisely that provided for by Regulation I of 1828, of which Section II declares that "whenever any person subject to the rules and articles contained in Regulation V of 1827, shall have been sentenced by a Court Martial under the sixth article of Section XII of that Regulation, it shall be competent to the Officer commanding the troops with which such person was serving, where sentenced, to send him to the nearest Zillah Criminal or Joint Criminal Court within the territories subject to the presidency of Fort St. George, to have the whole or part of his sentence carried into execution"

17th October 1839. /Signed/ T. H. Davidson
Actg Register

To

No. 198.

To

The Chief Secretary
to Government.

Sir,

1 With reference to the extract from the Minutes of Consultation in the Judicial Department under date the 17th September 1839. No. 751. authorizing the Criminal Judge of Chingleput to appoint Bombardier John Cottoral to be Jailor at that Station on the same allowances as were given to the late William Dogherty, and to pay the Sum of Rupees (30) thirty to that individual for his services during the month of July last, I am directed by the Judges of the Foujdaree Adalut to state that the Criminal Judge has requested, in a letter dated the 2d instant, sanction to pay to Cottoral the sum of Rupees (48) forty eight, as his remuneration at the rate of one Rupees per diem from the 31st July to 16th September 1839.

2. The Judges beg leave to recommend that sanction be granted accordingly.

17th October 1839. /Signed/ T. H. Davidson
Acting Register.

To

Tonjdaree Diary 18th October 1839.

No.

To

The Acting Magistrate

of Malabar

Sir,

I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your letter of the 3d Instant transmitting Copies of two Communications dated respectively the 9th and 27th ultimo from the Head Assistant Magistrate relative to the murder of three persons named Hydros, Achumy Viatoond, and requesting the Court to authorize the offer of a conditional pardon to any person, not being a principal in the murder, who will make such disclosures as shall lead to the discovery of the actual murderers.

2.

In reply, I am desired to observe that this Court has ruled that the supposed accessaries for whom a Conditional pardon is recommended shall be named in the application, and that a gene- ral permission such as is solicited in your letter to tender such pardon cannot be given.

3.

You will therefore be pleased to name the parties to whom you may consider it advi- sable to offer such conditional pardon,

I am

Tonjdaree Diary 18th and 19th October 1839.

I am likewise directed to request that you will transmit to this Court a Copy of the proceedings of the First Judge on Circuit, refered to in paragh 7 of Mr. Silver's Letter of the 27th ultimo, authorizing the proclamation of a Reward of five hundred Rupees for the conviction of the murderers.

18th October 1839.

(Signed) J. H. Davidson
Acting Register.

No. 199.

No.

To The Chief Secretary to Government

Sir,

1. The Criminal Judge of Bellaree has reported that the Prisoners Chendregadoo and Soobaniah, who are charged in Case No 143 of the Criminal File of that Zillah Court for 1839, with receiving stolen property knowing it to have been stolen are residents of the Village of Peddacottah in the Zillah of Cuddapah, and requested the Court to obtain the sanction of the Right Honorable the Governor in Council for their being brought to trial at the Sessions now being held at Bellaree,

2. "The Robbery" the Criminal Judge observes, was committed in the Zillah of Bellaree by the

the first prisoner in the Case, but the stolen property was found in the possession of the before mentioned two prisoners at Peddacottah in the Zillah of Cuddapah, but in which Zillah they received the property doesnot appear. It may be presumed "he adds" in order to fix the venue, that it was received at the place where they were found."

3. The Judges of the Foujdaree Adalut beg leave to recommend that Sanction be granted, under the Provisions of Section III Regulation III of 1827, for the trial of the said prisoners by the Court of Circuit during the present Sessions at Bellaree,

19th October 1839 /Signed/ T. H. Davidson
Acting Register.

No. No. 200.

To,
The Chief Secretary
to Government.

Sir,

With reference to the order of Government dated the 8th October 1839 No. 803, (parah: 2). I am directed by the Judges of the Foujdaree Adalut to submit for the information of Government the accompanying Copies of a letter addressed to this Court under date the 1st instant by the Magistrate at Trichinapolly relative to the use by the native Police Officers of that District

District of the Wooden Handcuff and Stocks, and of the orders issued to that Officer on the subject by this Court through the Provincial Court of Circuit.

21st. October 1839 /Signed/ T. H. Davidson
Acting Register.

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

Gentlemen,

I am directed by the Judges of the Foujdaree Adalut to transmit to you the annexed Copies of a letter addressed to Government under date the 26th. Ultimo, and of the order of Government thereon dated the 8th. October 1839, No. 803. and to request that you will furnish transcripts of the same to the Officer in Medical charge of the Jail at Trichinapolly for his information and guidance: and to the Joint Criminal Judge of Trichinapolly for his information,

2. I am likewise directed to transmit to you the annexed Extract (parah 6) of a letter addressed under date the 13th. August last to the Superintending Surgeon of the Southern Division by the Joint Criminal Judge of Trichinapoly and Copy of a letter dated the 1st. instant to this Court from the Magistrate of Trichinopoly, relative to the use by the

the Native Police Officers of the Talooks of that District, of the wooden handcuff &c. to secure the prisoners while detained in the Talook or during their transmission to the Cutcherry of the Magistrate or the Joint Criminal Court at Trichinopoly.-

3. The Judges concur with Mr. Onslow in considering it "unaccountable that under a Civilized Government, such a clumsy miserable contrivance" the wooden Handcuff - "operating as it does as an instrument of cruelty should not long ago have attracted notice", but they see too much reason to apprehend that although his attention has been attracted to it, and although a period of upwards of three years has elapsed since the promulgation of the Circular order of the 29th April 1836 N.66 no efficient measures at least in the District of Trichinopoly have been adopted to check the illegal practice of confining parties in the stocks for the security of their persons, or to abolish the use of the barbarous instrument abovementioned of which Mr. Onslow observes that "it is hardly possible to conceive a more efficient instrument of torture".-

You

4. You will be pleased to instruct the Magistrate to issue immediate and positive instructions to his Native Police subordinates to abandon the use of the wooden handcuffs and in the strictest terms to prohibit their having recourse again to that instrument on any pretence whatever.-

5. And as the Magistrate "has reason to believe" that the practice of illegally detaining persons in the stocks, though prohibited by the Circular Order above cited, "is by no means abolished". You will be pleased to instruct that Officer again to call the attention of the Native Police of the District to the subject, and warn them that any infraction of that order will be visited with the most serious notice.-

6. You will also call upon the Magistrate to report what steps he has taken to put an end to a practice of the cruelty of which he appears from parah 4 of his letter to be so fully convinced and submit for the consideration of this Court translations of any orders which he may from time to time have issued

to

to his Police Officers on the subject.

7 With reference to paras 3 and 5 of the Magistrate's letter, the Judges direct me to observe that they do not understand how any difficulty can be experienced in procuring handcuffs &c. of the proper kind, or getting them made at a large Military station like Trichinopoly: but should he fail in his efforts, he will consider himself at liberty to send up to the Court a plan of such as he may deem proper to be used, and the Judges will in that case apply to Government for sanction for their being made in the arsenal at Fort St. George.—

(Signed) T. H. Davidson
Acting Regr.

21st October 1839.—

No. To The Joint Criminal Judge of Trichinopoly.

Sir,

With reference to your letter of the 5th Ultimo and to mine of the 30th Ultimo to the Acting Criminal Judge of Madura of which a copy was forwarded to you on the same date, I am directed by the Judges of the Tanjore Udalut to transmit to

to you the annexed copy of a communication dated the 2nd instant from the Acting Criminal Judge of Madura relative to the person representing himself to be "Carapen son of Veerabadren" and an escaped convict and to desire that you will now make over that individual to the Magistrate to whom it appears to the Judges he should have been sent in the first instance, in order that that officer may make such enquiry into the matter as may appear to him expedient.—

21st October 1839.—

(Signed) T. H. Davidson
Acting Regr.

No. 201.

To The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Court of Tanjore Udalut to submit, to be laid before the Government, the accompanying communication dated the 16th Instant and its enclosures, from Mr. Lewin Special Commissioner at Chittoor.

2 It is not stated in this letter for what purpose this reference to the Court of Tanjore Udalut is made; but as on the 14th Instant Mr. Lewin laid before the Government a copy of his proceedings of the 13th adjourning the special Court, the Judges are of opinion that the Government

Government ought to have before them all the papers submitted by him to the Toujdaree Udalut including his letter of the 15th Instant to a person of whose name or Official designation the Toujdaree Udalut possess no information, and which does not appear to be referred to in Mr Lewin's letter to the Government. The Judges are not therefore aware, whether, or not, it was laid by Mr Lewin before the Government on the occasion of his reference to them on the 14th Instant.

3. Section III Regulation XX of 1802 leaves it to the "Government, or the Court of Toujdaree Udalut to issue orders regarding all "particulars not provided for in the Regulations."

4. Mr Lewin first refers to the Government and then sends a copy of his reference for the consideration "of the Toujdaree Udalut and as any orders which this Court might issue, under such circumstances, might clash with orders issued by the Government under the above provision, they refrain for the present from issuing any orders to Mr Lewin.

5. Had Mr Lewin not referred to the Government in the first instance, the Toujdaree Udalut would have proposed that the name of the person addressed in the letter dated 15th Instant should be supplied: and would have stated to Mr Lewin 1st that the circumstance of the apprehension of a person, called by the Special Court, as a witness, (as a conspirator formed no ground for the protest which he has recorded; for supposing a Magistrate to possess evidence, & that a person called by a Court of Circuit to give evidence, had committed murder, or any other unbailable offence, it would be his duty to seize that person, notwithstanding his having been so "called:" and 2nd that the other circumstance of the Summons of a witness called before the Special Court to appear "before "a Board of Officers at Vellore," does not warrant the strong remarks made by Mr Lewin.—

6. There may be good and sufficient reasons for the detention of the said witness by the said "Board" found it did not appear that the attendance

attendance of either before the Special Court could not be postponed without inconvenience. It is presumed that Eventually one if not both will be forthcoming to give Evidence before the Commissioner.

7. The above seem to be the only two points, brought to notice, affecting the proceedings of the Special Court, but the rest of Mr. Lewins letter of the 5th Instant (to whatsoever end addressed) appears very ill judged, and to afford indication of considerable irregularity.

8. The Judge Presiding at the Special Court was certainly not warranted in holding conversation with individuals (see paras 3) on the subject of the proceedings of the trial pending before him and it is quite irregular for such Judge to notice or listen to the complaint of any such individual of the proceedings.

9. What is stated in para 6 might have properly formed the subject of a representation to this Court on referring the trial, or before; but without knowing to what authority this communication is addressed it appears impossible to Estimate the degree of its irregularity.

22nd October 1839. Signed J. H. Davidson
Acting Register

No. 202.

No. To, The Chief Secretary to Government.

Sir,

1. I am directed by the Judges of the Fouzdaree Adalut to state for the information of the Right Honorable the Governor in Council that a communication has been received from the Judge of Combaconum in which he requests sanction "for the disbursement of Rupees 25/twenty five/ for "being the value of 50/fifty/ mamatties for the "use of the Convicts the old ones having been "in use nearly for 2 years, and being quite "worn out." also, "for the sum of Rupees 254-6-3 "for the plastering and repairs of the outer wall "of the Jail which" he states "has not been repaired "for 28 Years, and all round the bottom there is "about 3 feet of the wall worn away by the action "of Salt petre in the earth it is built upon, and by "the course of time, so that if not repaired the upper "part of the wall will be too heavy for the lower part, "and endanger its stability."

2. He further requests sanction for

for the disbursement of Rupees 24-15-9" for the repair
"of 2 watchtowers on the top of the wall of the Jail
"at the corners, which are very much out of repair
"and the peons on duty in them are not safe, as
"the roof is delapidated in each." He states that as
"they have not been repaired for 10 years."

Under the explanations above
3. stated, the Judges of the Tongdaree Udalut beg to
recommend that the sanction of Government be
granted for the charges in question amounting
in the aggregate to Rupees 304-6-" three hundred
and four and Annas six.

4. I am directed herewith submit
the estimate and to state that the above amount
is the balance after deducting the value of the
work performed by Convicts.

22nd October 1839. (Signed) J. H. Davidson
Acting Regr.

No. 203.

To
The Chief Secretary to
Government

Sir,

1. The Judges of the Tongdaree Udalut

direct me to obtain for the consideration of Government,
the following observations which have been suggested
by a perusal of the Letter from the Government of India No. XXIV
of 1839 passed by the Honorable the President of the Council
of India in Council on the 2nd October 1839 and repub-
lished in the Extraordinary Gazette of the 22nd instant
entitled "An Act for the administration of Justice and Collection of
the Revenue in certain parts of the Districts of Gangam
and Cuttack."

2. On the letter from this Court to Government
dated 25th July 1839 No. 130 it is stated to be the
opinion of the Court that a provision for dispensing
with the services of the Law Officers in Cases referred
to the Tongdaree Udalut would be necessary in order to
give effect to the intentions of the Supreme Government
in regard to the proposed Administration in certain
parts of Gangam and Cuttack because the provi-
sions of Clause second Section II Regulation I of 1818.
"that no Clause second Section II Regulation I of 1818,
under a further investigation in Cases not specifically
provided for by the Regulations".

3. It was at the same time observed that
"under the Act No. XXX of 1836, the Court of Tongdaree Udal.
had considered themselves competent to proceed in the
manner prescribed in Clause first Section II Regu-
lation I of 1818.

4. And in the letter from this Court dated

dated 20th July 1839 it was Ruled, with reference
to the foregoing remarks that it appeared to the Judges
parah 2 "that the Concluding words of Section V" of the Draft of
the proposed Act were irreconcilable with the provi-
sions of Section II Regulation I of 1818 which pres-
cribe the manner in which the Foujdaree Udalut
are to proceed on Trials referred by a Judge on Circuit"

5. The third Section V of the proposed Act
was worded as follows:—

"And it is hereby Enacted that upon the
receipt of any Criminal Trials referred by either of
the Agents under the Rules which may be hereafter
prescribed by the Governor in Council the Foujdaree
Udalut shall by warrant directing the proceedings
fulwa of their Law Officers, proceed to pass a final
Judgment or such other order, as may after mature
Consideration, seem to the Court requisite and proper,
in the same manner as if the trial had been sent up
in ordinary course from a Judge on Circuit"

6. Section V of the Act which has been
passed and is now Law, it was for ward the same
as Section V of the Draft with the important omission
of the passages which in the preceding paragraph
has been underlined.

7. The Effect of this omission appears to the
Judges to be that in these trials the Foujdaree

Udalut must take no fulwa and proceed in all res-
pects as if the trial had been sent up in ordinary Course
from a Judge on Circuit"

8. The Judges though they cannot think
that there is the intention of the Supreme Government, and
are unable to account for this alteration of the provision
in question, have Considered it their duty to lose no time
in making known their Views of the Effect of the Act, as pass-
ed, to the Government, who are empowered by section IV to prescribe
rules "for the guidance of the Agents mentioned in section III, and to
define the authority to be exercised by the Agents in Criminal Trials
and what Orders he (they?) shall submit for the decision of Foujdara Udalut.

9. It appears to the Judges that either the said Agents must
send the original proceedings in all referred trials with translations thereof
in English, and from such original proceedings Persian Translations must,
the Judges conceive, be made here for the use of the Law officers of the Foujdaree
Udalut here, if the said Agents are to hold trials of the highest Class of Crimes with
a Mohammedan Law officer which will be required by Section XII Regulation XIII
of 1832 is clearly understood to be the course of proceeding in trials coming before the
Foujdaree Udalut from the Courts of Circuit, they will prepare a Persian Verdict
for his use and submit the same to this Court "in the same manner" as a Judge
of Circuit.

10. That neither of these modes of proceeding is intended, is the Judges
conceive, clearly inferrible from former Correspondence on this subject, but the
Act, as passed appears to them to require the adoption of one or the other,
and if that be not intended, it [illegible] must in their opinion be
modified, unless provisions should be enacted for discontinuing
the requisition for fulwa by the Foujdaree Udalut in all Cases,
as lately proposed.

28th October 1839. [Signed] J. H. Dorin Dou
Acting Registr

To

No. 204.

To
The Chief Secretary
to Government.

Sir

With reference to the order of Government dated the 11th April 1839 No. 330. I am directed by the Judges of the Court of Tonjdaree Adalut to state for the information of Government that the Officer Commanding Samulcottah has reported to this Court in a communication dated the 9th Instant that the Gang of Prisoners under his Command at that station proceeded to join the Jail at Rajah-mundry on that date

I have &c
(Signed) T. H. Davidson
Actg Register.

28th October 1839.

To
The Chief Secretary
to Government.

Sir,

I am directed by the Judges of the Tonjdaree Adalut to state that the acting Joint Criminal Judge of Vizagapatam has submitted an application through the Provincial Court of Circuit for permission to entertain for the further period of three months the two additional Goomastahs whose employment was sanctioned by the order of Government dated 29th July 1839. No. 613,

The acting Joint Criminal Judge explains that the increase of the Criminal business &c. and the total inadequacy of the servants in the Auxiliary Court, "renders it necessary to employ these additional servants."

The Second Judge of the Provincial Court "observes that from what he has seen of the business in the Auxiliary Court at Vizagapatam, he has no hesitation in declaring his opinion that the native establishment of Ministerial servants in it, is inadequate."

And the Provincial Court collectively support the application.

The Judges of the Tonjdaree Adalut beg leave to recommend that sanction be granted for the employment at the same rate of remuneration of the additional servants in question for the further period of three months.

I have &c
(Signed) T. H. Davidson
Acting Regr.

28th October 1839

To
The Acting Criminal Judge in the
Zillah of Madura

Sir,

With reference to your letter dated 29th

Toungdaree Diary 28th and 29th October 1839

29th August last I am directed by the Judge of the Court of Toungdaree Udalut to forward to you for the use of your Court 2 Copies of the printed form of the statement shewing the manner in which the services of the Convicts are disposed of.—

28th October 1839.

Signed J. H. Davidson
Acting Regr.

No. 206

To
The Chief Secretary to Government

Sir,

1. I am directed by the Judges of the Toungdaree Udalut to submit to be laid before Government the annexed copy of a letter dated the 5th instant from the Acting Criminal Judge of Cuddapah and the original enclosures of that communication relative to the present dilapidated state of the Jail at that station.

2. The Judges, I am directed to observe are not aware of the cause of the delay in acting upon the sanction long since granted for the erection of a new Jail, but in consideration of the circumstances represented by the Acting

Toungdaree Diary 29th October 1839.—

Acting Criminal Judge, they beg leave respectfully to suggest that peremptory instructions be issued to the proper authorities to commence the work without further delay.—

3. The Judges further beg leave to recommend that sanction be granted for the sum of Rupees eight, anas five and pice four (8—5—4) already disbursed by the Acting Criminal Judge, and for the estimate of the cost of constructing a Verandah for the Civil Debtors, amounting to Rupees (58—12—0) fifty eight and anas twelve.—

29th October 1839.

Signed J. H. Davidson
Acting Regr.

No. 207.

To,
The Chief Secretary to
Government

Sir,

1. With reference to the Orders of Government dated the 24th October 1837 No. 936 and 15th February 1838 No. 768 I am directed by the Judges of the Toungdaree Udalut to submit to be laid before Government the annexed copy of a letter dated the 5th Instant from the (late) Acting Criminal

Criminal Judge of Malabar and the originals Indent which accompanied that communication upon the Deputy Commissary of Ordnance at Cannanore for three Carts or Waggons for the use of the Convicts in the Jail at Calicut.

2 Under the explanation afforded by the Acting Criminal Judge, the Judges of the Tovjdaree Adalut beg leave to Recommend that the Deputy Commissary of ordnance at Cannanore be authorized to comply with the Indent.-

29th October 1839.- /Signed/ T. H. Davidson
Acting Regr.

To,
M. Lewin Esqr. Special Commissioner
at Chittoor

Sir,

With reference to your letter of the 16th instant I am directed by the Judges of the Tovjdaree Adalut to forward to you for your information and guidance the annexed extract of a letter from this Court to Government under date the 22nd October 1839.-

29th October 1839.- /Signed/ T. H. Davidson
Acting Regr.

To,

To,
The Criminal Judge of Chittoor

Sir,

The Government having been pleased to desire that thirty convicts may be sent to Arnee for the purpose of being employed in putting that Cantonment in order -- I am directed by the Judges of the Tovjdaree Adalut to desire that you will, on the receipt of these instructions transfer that number of convicts from the Jail under your charge to the Officer Commanding Arnee, accompanied by the prescribed guard.-

29th October, 1839.- /Signed/ T. H. Davidson
Acting Regr.

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

Gentlemen,

1 With reference to your letters of the 5th of April and the 9th of May last requesting that the sanction of Government might be obtained for the sum of Rupees 398-3-9 charged in the indent of the Criminal Court of Chittoor as salary for the Peons and as subsistence for the prisoners employed in repairing the roads between Chittoor Vellore and Arcot and retrenched by the Civil Auditor

I

Foujdaree Diary 29th October 1839

I am directed by the Judges of the Court of Foujdaree Adalut under instructions received from Government to request you will obtain and furnish them with more full and detailed information on the several points hereunder noticed –

2. The charges in question were it appears incurred on account of the prisoners transferred from the Zillah Jail to the Magistrate under the authority conveyed in the order of Government of the 29th March 1836 and employed in repairing the roads between Chittoor Vellore and Arcot and also on account of the prisoners subsequently employed under the directions and controul of the late Criminal Judge in repairing the roads between Chittoor and Palamanair –

3. In the statement now returned one of the items entered is a charge for guarding the prisoners this charge the Court of Foujdaree Adalut are unable to understand since it appears that the Magistrate in his application for the party of convicts intimated that he was able to furnish a few extra Peons from his own establishment to guard the prisoners and it is observed that this charge is not incurred for the whole period embraced in the abstract statement but only for a portion viz.t from June to November 1836 –

4. The Court also remark that in the returns of the Magistrate of North Arcot and of the late

Criminal

Foujdaree Diary 29th October 1839 –

Criminal Judge dated respectively the 5th of April and the 16th March 1836 it is certified that in consequence of the prisoners employed on the Vellore and Chittoor roads having been reduced to 10 in number they were on the 19th of September 1836 returned to the Zillah Jail by the Magistrate and that on the 11th of January following all the prisoners who had been placed under the Magistrate by order of the Foujdaree Adalut were returned to the Criminal Judge whereas in the abstract statement now under review subsistence to the prisoners working on the Chittoor Vellore and Arcot roads is only charged to the 30th November 1836 –

5. In parah 4 of the late Criminal Judge's return of the 16th March 1838 it is stated that the prisoners were not removed from the Vellore road and employed in repairing the roads leading to Palamanair until the 25th of February whereas it appears from the abstract statement that they were so employed on the 18th of February –

6 Lastly it is observed that the late Criminal Judge has certified in his return of the 4th of June 1838 that the prisoners transferred to the Magistrate under the orders of the Court of Foujdaree Adalut

"had

had been placed in the Jail "at Chittoor" as directed in the Proceedings of the Court of Tonjdaree Adalut of the 28th of May previous which it would seem from the statement that the 31st of March was the date on which the prisoner had been received in the Zillah Jail under the orders of the Criminal Judge.

29th October 1839.

/Signed/ T. Clarke
Asst Sen. Deputy Register

To.

The Criminal Judge of Combaconum.

Sir,

The Government having been pleased to instruct this Court to take measures for transferring one hundred Convicts from other Jails to that of Trichinopoly for the exclusive purpose of clearing away the Prickly Pear Plant in that Cantonment, I am directed by the Judges of the Tonjdaree Adalut to desire that immediately upon the receipt of this letter, you will transfer, under a suitable guard, as many within that number of able bodied convicts (not being desperate characters) as can without great inconvenience be spared from the Jail under your charge to that at Trichinopoly

Trichinopoly for the purpose abovementioned,

You will be pleased to report to this

2.

Court what number of convicts you may forward to Trichinopoly under these instructions, and transmit a List of them at the same time

30th October 1839.

/Signed/ T. H. Davidson
Acting Register

No.

To.

The Criminal Judge of Canara.

Sir,

With reference to your letter of the 27th of May last, reporting that you had received into your Jail 62 prisoners from the Acting Magistrate of Canara, I am directed by the Judges of the Tonjdaree Adalut to transmit to you the accompanying Copy of an extract from the Minutes of consultation under date the 18th October 1839, and to request that in conformity thereto you will replace at the disposal of the Officer in charge of the Murcana road, all the convicts who were withdrawn on account of the Setting in of the Monsoon and report you having done so, to this Court. /Signed/ A. P. Forbes
Asst to the Register

31st October 1839.

To,

No.

To,
The Criminal Judge of Malabar

Sir,

With reference to Mr. Walter's letter of the 2nd instant, I am directed by the Judges of the Foujdaree Udalut, to inform you that the Right Honorable the Governor in Council was pleased by an order dated 24th October 1839 No. 850, to instruct the Military Board, to cause fifty hoes of the required pattern to be prepared in the Arsenal of Fort St. George and transmitted to you for the use of the Convicts in your Jail.—

31st October 1839.— (Signed) A. D. Forbes
Asst. to the Regr.

No.

To,
The Criminal Judge of Chingleput

Sir,

With reference to your letter of the 2nd instant I am directed by the Judges of the Foujdaree Udalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 24th October 1839 No. 851 to authorize you to pay to John Cotteral the further sum of Rupees [48] forty eight, in remuneration for his services to the 16th September inclusive.—

31st October 1839.— (Signed) A. D. Forbes.
Asst. to the Regr.

No.

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

Gentlemen,

I am directed by the Judges of the Foujdaree Udalut to request that you will call the attention of the Provincial Cuzs Ameens of Sirsy to the Circular letter from this Office of the 25th July 1838, and desire that Officer to submit without further delay, the Statement due for the 1st half of 1839, according to the Form which accompanied that Communication.

2d November 1839. (Signed) J. H. Davidson
acting Register

No.

To The Joint Criminal Judge of
Masulipatam
Trichinopoly
Vizagapatam
Magistrate of
Vizagapatam

Sir,

I am directed by the Judges of the Foujdaree Udalut to call your attention to the Circular letter from this Office of the 25th July 1838 and to desire that you will send up without any further delay, the Statement due for the 1st half of 1839, according to the Form which accompanied that communication.

2d November 1839. (Signed) J. H. Davidson
Acting Register

No.

To The Acting Chief Magistrate and
Superintendent of Police

Sir,

The attention of the Court of Foujdaree Udalut having been called to the inconvenient shape &c. of the hand

hand cuff ordinarily used by the Native Police in parts of the Provinces under this Presidency, I am directed to request that you will have the goodness to forward to this office for the inspection of the Judges, a hand cuff such as is used by the Police at Madras

6th November 1839. (Signed) J. H. Davidson
Acting Register

No.

To

Lieutenant H. K. Worster Superintendent
Great Western Road

Sir

I am directed by the Judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 22d Ultimo and to state that in accordance with the rule suggested in parah 3. of this Courts proceedings under date the 6th October 1838. and approved by Government under date the 16th October 1838 the convicts in question of altogether unfit for road labour should be sent to Chingleput, after which it will rest with the Medical Officer in charge of the Court establishment at that Station to determine whether or not they shall be returned to their own Zillahs,

2 I am directed to request that you will have the goodness in future cases, to forward to this Office the opinion of the Medical Board or Medical Officer in regard to the State of health of such convicts.

9th November 1839. (Signed) J. H. Davidson
Acting Register

(No. 209)

To.

The Chief Secretary to Government

Sir

I am directed by the Judges of the Toujdaree Udalut to transmit to you, to be laid before the Right Honorable the Governor in Council the accompanying statements of batta paid for the children of Convicts in the Jails of Vizagapatam and Chicacole during the Third Quarter of 1839.

The Judges of the Toujdaree Udalut beg 2. to recommend that the Sanction of Government be granted for the charges in question, Amounting in the aggregal to Rupees 20-8-4 twenty, Annas Eight and pice four.

11th November 1839 (Signed) J. H. Davidson
Acting Register

(No. 210)

No.

To The Chief Secretary to Government

No

To

The Criminal Judge of Chingleput.

Sir.

I am directed by the Judges of the Toundaree Adalut to forward to you the annexed Copy of a Roll of a convict named Irungen who is reported by the Resident Councillor at Singapore to have been missing from that Colony since the 6th July last and to request that you will furnish this Court with information as to the age and personal marks of the said convict at the time of his reaching the Depot at Chingleput should the Records of your Office enable you to do so.

11th November 1839. (Signed) T. H. Davidson

Acting Register

(No. 211)

No

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 21st June 1834 I am directed by the Court of Toundaree 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.

12th November 1839 (Signed) T. H. Davidson

Acting Register

To

(No. 212)

No 1 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 29th January 1839. I am directed by the Court of Toundaree Adalut to submit for transmission to the Supreme Government the accompanying Copy of a Circular Order of this date.

12 November 1839. (Signed) T. H. Davidson

Acting Register

No To The Acting Joint Criminal Judge of Vizagapatam

Sir

1 I am directed by the Judges of the Toundaree Adalut to acknowledge the receipt of your letter of the 30th Ultimo and to state that they do not comprehend the purport of that Communication

2 By the Proceedings of the Third Judge on Circuit of which a copy accompanies your letter, you are instructed to "keep the Sessions Room and the Third Judges private room as it is at present furnished," to enable the Third Judge to hold Court during a part of the ensuing Months and in your letter under reply you request to be informed how you are to act with reference to those instructions "for the third Judge requires the Court Bazir, the three persons who administers oaths and the Government Vakeel to be in constant attendance besides the occasional

occasional attendance of the Criminal Jawabnavis or his
assistant"

3 No instructions of this kind are contained
in the proceedings of the Third Judge: and as stated above
the Judges do not understand the grounds of your present
reference -

12th November 1839 (Signed) T. H. Davidson
Acting Register

No 213

To,

The Chief Secretary to Government -

Sir,

With reference to the Draft: republished
at page 756 of the Fort St. George Gazette of the 5th instant
of a proposed Act "for regulating the Proceedure in Trial
referred to the Court of Tondaree Adalut at Madras in cases
determinable by the Mahomedan Law" which is ordered to be
reconsidered at the first Meeting of the Legislative Committee
of India, after the 21st day of January 1840 - I am directed by
the Judges of the Tondaree Adalut to observe that in
the interval between the 1st proximo the date on which
the Act No: XXIV of 1839 will be brought into operation, and
the promulgation of the proposed New Law - it will be
necessary for this Court to take Futwas in Cases referred
for their final Judgement by the Agents of the Governor
of Fort St. George, and in order thereto, to prepare a Persian

Translations

Translations of the Proceedings -

2. It will be sometimes perhaps before any such
reference is made: but to obviate the inconvenience of such a case,
the Judges beg leave respectfully to suggest that it be recommended
to the Supreme Government to pass the proposed new Law
as soon as possible -

3. It appears however to the Tondaree Adalut that,
before the proposed draft is passed into a law, the words "in cases
determinable by the Mahomedan law," contained in its title, and
the words, in the enacting clause, determinable by the Mahomedan
law and "following Futwa," as well as the words "by the Court
of Circuit" should be omitted from it altogether -

4. The object of the proposed Act is to do away
Futwas altogether, whether in cases determinable by the Mogul-
tahomedan law, and it should apply to all
trials referable to the Tondaree Adalut whether from the Circuit
Courts, Special Commissioner or Courts, Agents of the Governor,
or others, who now or hereafter may be empowered to refer such trials -

5. The Act, as proposed by the Judges would
run as follows - An Act for regulating the proceedure in trials
referred to the Court of Tondaree Adalut at Madras -

Whereas the dispensing with a Futwa in cases

6. referred to the Court of Tondaree Adalut at Madras will be
attended with great convenience, and the Futwas may be dispensed
with

within that Court without altering or empowering the authority of the Mahomedan Law, this therefore truly enacted that in trials referred to the said Court of Tuyjdaree Adalut at Madras, that Court shall not be required to take a fatwa from their Law Officers. Provided always that nothing in this Act contained shall authorize the said Court to dispense with the Mahomedan Law in any case, which before the passing of this Act would have been determinable according to that Law by the said Court.—

14th November 1839.— (Signed) T. H. Davidson
Acting Register.

No

To

The Judges of the Provincial Court of Circuit
in the
Northern Centre Southern Western Division

Gentlemen

With reference to the Draft republished at page 756 of the Fort St. George Gazette of the 5th instant of a proposed Act "for regulating the Proceedings on Trials referred" to the Court of Tuyjdaree Adalut at Madras" under which it is intended to dispense with fatwas in the Tuyjdaree Adalut altogether and consequently with the transmission to them of all Canarese translations of Criminal trials I am directed by the Judges, to request that you will report whether, or not Persian Translations of the proceedings on trials before the Court of Circuit may not also be dispensed with hereafter by the Mohumedan Law officers of your Court.—

14th November 1839. (Signed) T. H. Davidson
Acting Register

No

To

The Acting First Judge on Circuit
in the
Southern Division

Sir,

I am directed by the Judges of the Tuyjdaree Adalut to acknowledge the receipt of your letter of the 6th instant and to state that as you are sufficiently recovered from your late indisposition to be able to open Court at Coimbatore and with reference to the circumstance that the next Circuit in the Southern Division will devolve upon Mr. Harington, they are of opinion that you should proceed to deliver the Jail at that station, which, as the number of cases on the Calendar appears to be very small, the ex Judges trust may be effected within a short period and without prejudice to your health.—

(Signed) T. H. Davidson
Ag. Register

14th November 1839.—

To

Tanjore Diary 14th November 1839

No

To

The Acting Criminal Judge of Salem

Sir,

The Government having been pleased to instruct this Court to take measures for transferring one hundred Convicts from other Jails to that of Trichinopoly for the exclusive purpose of clearing away the Prickly Pear Plant in that Cantonment and the Criminal Judge of Combaconum having reported his inability to furnish any I am directed by the Judges of the Tanjore Adalut to desire that immediately upon the receipt of this letter you will transfer under a suitable guard, as many within that number of able bodied Convicts (not being desperate characters) as can be spared from the Jail under your charge to that at Trichinopoly for the purpose abovementioned.

2. Should you be unable to send the entire number required you will be pleased immediately to report the same to the Acting Joint Criminal Judge of Combatore, to whom a copy of this letter has been forwarded from this Office with instructions, in that event, to make up the Complement of Convicts from the Jail under his charge.

3. And you will be pleased to report immediately to this Court what you may do in pursuance of these instructions and likewise transmit a List and Descriptive Roll of the Convicts you may send to Trichinopoly.

14th November 1839.

(Signed) T. H. Davidson
Acting Register

To

No

To

The Acting Joint Criminal Judge of Coimbatore

Sir,

I am directed by the Judges of the Tanjore Adalut to transmit to you the annexed copy of a letter addressed under this date to the Acting Criminal Judge of Salem.

On receiving from that Officer the report indicated in parah 2 of that communication you will be pleased immediately to forward to Trichinopoly the number of Convicts requisite to complete the Gang to One hundred.

In the (improbable) event of the Acting Criminal Judge being unable to furnish any Convicts, you will be pleased to dispatch the required number, or as many within it as can without great inconvenience be spared from the Jail under your charge.

And you will report to this Court what you may do pursuant to these instructions, forwarding at the same time a List of such Convicts as you may send to Trichinopoly.

14th November 1839.

(Signed) T. H. Davidson
Acting Register

To The Criminal Judge of Malabar

No

Sir,

With reference to Mr Walkers letter of the 5th

5th Ultimo, submitting for the sanction of Government, an Indent on the Deputy Commissary of Ordnance at Cananore, for 3 four wheeled Carts or Waggons for the use of the Prisoners in the Jail at Calicut. I am directed by the Judges of the Fouzdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 6th November 1839. No 875, to direct the Military Board to issue the necessary instructions to the Deputy Commissary of Ordnance to comply with the Indent.—

14th November 1839.— (Signed) T. H. Davidson
Acting Registr.

No

To

The Acting Criminal Judge in the Zillah of Cuddapah.—

Sir,

1. I am directed by the Judges of the Fouzdaree Adalut, to acknowledge the receipt of your letter, of the 5th Ultimo, representing the necessity of repairing the Jail at your station and to inform you that the Right Honorable the Governor in Council was pleased by an order dated November 5th 1839, No 876, to direct the proper authorities to ascertain and report for the information of Government the cause of the delay which occurred in acting upon the sanction granted, so far back as the 18th December last, No 1172 for the construction of the Jail and to issue peremptory instructions to the Civil Engineer to commence the work immediately, if he has not already done so.—

The

Fouzdaree Diary 14th November 1839

The Right Honorable the Governor in Council

2. has been further pleased to sanction the disbursements reported in your letter amounting to Rupees (Rs. 5.4.) Eight Annas Five and Pice Four, and the estimate submitted with it for constructing a Verandah for the Civil Debtors amounting to Rupees (Rs. 58.12.0) Fifty eight and Annas twelve.—

14th November 1839.— (Signed) T. H. Davidson
Acting Registr.

No

To

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

Gentlemen,

With reference to your letter of the 2nd Ultimo submitting copy of an application from the Joint Criminal Judge of Vizagapatam for permission to continue for a further period the two additional Gomastahs employed under sanction of Government of the 29th July last, I am directed by the Judges of the Fouzdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated 4th November 1839 No 870 to authorize the Joint Criminal Judge of Vizagapatam to continue the employment of the two extra Gomastahs referred to, in your letter, on their present allowances, until the introduction of the arrangement ordered on the 25 Ultimo No 857 for providing for the judicial wants of those parts of the Ganjam and Vizagapatam Districts, which are to continue under the

operation

operation of the Ordinary Regulations.—

14th November 1839.— (Signed) T. H. Davidson
Acting Register

No. To

Mr Lescun Esqr Special Commissioner
at Cuttack

Sir,

I am directed by the Judges of the Tanjdaree Udalut to acknowledge the receipt of your letter of the 1st Instant and with reference to the 7th paragraph of that Communication, to state that the supposition of the Government of the 22d Ultimo was stated with reference to the concluding words of paragraph 5 of your letter of the 13th October 1839 wherein, speaking of the witnesses produced by Captain Audry, you observe that it was not until by cross Examination that the infamy of their Character was exposed, nor until this (Captain Audry's) proceedings in regard to them had been observed upon by myself and the Magistrate and Complained against by the prisoner, that he found reason to Complain.

15th November 1839.— (Signed) T. H. Davidson
Acting Register

To

The Joint Criminal Judge
of Trichinopoly.

Sir

I am directed by the Judges of the Tanjdaree Udalut to acknowledge the receipt of your letter of the 4th instant and to request that you will call upon the Surgeon in Medical Charge of the Jail at Trichinopoly to state his opinion whether or not the death of the prisoner Moolloo Coomaren was occasioned by the ill-treatment he suffered and submit a Copy of that Officer's report on the subject for the Consideration of this Court.—

(Signed) T. H. Davidson
Acting Register

16th November 1839.—

(No. 215.)

To

The Chief Secretary to Government.

Sir,

With reference to the Extract from the Minutes of Consultation under date the 6th December 1836. No 1022. I am directed by the Judges of the Fonjdaree Adalut to submit to be laid before Government, the accompanying Indent on the Commissary of Ordnance at Bangalore for ten Wheel-barrows and ten Ceylon Hoes for the use of the Convicts under the Criminal Judge of Salem.—

The Judges beg leave to recommend that the Commissary of Ordnance at Bangalore be authorized to comply with the Indent.—

18th November 1839.— (Signed) J. S. Davidson
Acting Register

(No. 216.)

To The Chief Secretary to Government.—

Sir,

I am directed by the Judges of the Fonjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Statements submitted by the Joint Criminal Judge of Guntoor of batta paid to the children of Convicts in the jail at that station, during the 3d Quarter of 1839.—

The

The Judges of the Fonjdaree Adalut beg to recommend that Sanction of Government be granted for the Charge in question amounting to Rupees 4-12-1 four Annas twelve and Pice one.—

18th November 1839. (Signed) J. S. Davidson
Acting Register

(No. 217.)

To The Chief Secretary to Government

Sir,

I am directed by the Judges of the Fonjdaree Adalut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying Statement submitted by the Criminal Judge of Chingleput from the Provincial Court of Circuit in the Centre Division applying for Sanction to refund the sum of Rupees 18 Eighteen in the purchase of twelve pairs of new Briches and a dozen of Sanjors for the use of the looms in his Jail.—

18th November 1839. (Signed) J. S. Davidson
Acting Register

(No. 218)

To The Chief Secretary to Government.

Sir, I am directed by the Judges of the Fonjdaree Adalut to

to transmit to you to be laid before the Right Honorable the Governor in Council, the annexed Copy of a letter dated the 12th instant from the Major General Commanding Army in Chief and to suggest that the Superintendant of Police may be instructed to receive the Convict Lall Mahommud therein referred to, and to transfer him to the Custody of the Criminal Judge of Chingleput, in view to his transportation beyond Sea agreeably to the Crimes of his Sentence

19th November 1839.

(Signed) T. C. Davidson
Acting Register

(No. 219.)

To

The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Tonjdaree Udalut to acknowledge the receipt of the order of Government dated 8th November 1839. No. 887. Under date the 21st Ultimo from the officiating Secretary to the Government of India, and requiring the Court to report the Circumstances under which the issue of their Circular Order No. III regarding the sale of children by their parents, was thought advisable and to submit the following explanation on that point.-

2 During several years past references have from time to time been made to the Tonjdaree Udalut by the Judicial Officers in the Provinces for instructions in regard to the disposal of Cases wherein persons were charged with the Sale and purchase of Children for different purposes.

3 On the 24th May 1817. the Magistrate of Vizagapatam reported

reported that a Native woman had made a Verbal Complaint before him that a police peon of the same Caste had failed in his engagement with her in the purchase as a Slave, of her infant son aged seven Months. The child was sold for eight rupees but the peon refusing the Mother access to her infant, and not having procured her eldest son an employment as dispersalled, the Mother entreated permission to return the purchase Money and to receive her infant again."

"This most extraordinary purchase and sale"

4 the Magistrate observed "was Cancelled at his particular desire, for he Could not satisfy himself as to the manner in which the complaint should be judicially determined, both parties being in his opinion, equally culpable;" but, on being informed by the Judge of the Zillah that the case was Cognizable only by the Civil Court, he referred the matter for the Consideration of the Tonjdaree Udalut, observing that of the opinion of the Zillah Judge that under the existing Regulations the parties were not liable to a criminal prosecution, were Correct it was high time that "the defect in the Law" was rectified and that slave dealing "was declared to be abolished in India".

In reply to this reference, the Court of Tonjdaree

5 Udalut in their proceedings under date the 20th June 1817, observed that "the matter - is connected with the religious usages and institutions of the Native subjects of this Government, and is Cognizable, as a Civil action, under the Provisions of section XVII, Regulation III of 1802." and that the Magistrate

is not authorized to take cognizance of the matter in question"

On the 5th December 1825 the Collector of
6 Tinnevelly brought to the Notice of the Foujdaree Udalut through
the Provincial Court for the Southern Division, "a custom"
which the Collector observed "is I believe more or less prevalent
throughout the Madras territories, and as far as my own observation
has gone is more frequent in the District of Tinnevelly. the
practice I allude to" Continued the Collector "is the sale and
purchase of female children by dancing women for the avowed
purpose of bringing them up to a life of immorality The
custom is so notorious, and its abominable tendency so evident
that no comment can be necessary; but I am apprehensive
that unless it be specifically excepted from those purchases
of children which are now (under some circumstances) legal,
an opinion may be entertained that such dealings are countenanced
by Law. A prohibition of such transactions could not be complained
of as an infringement of any acknowledged rights; it would
serve as a check upon child stealing which is occasionally
practiced under the pretence of purchase, and the public
expression of the will of the Government could not but have
a beneficial tendency to promote morality."

In conclusion the Collector recommended
7 that the practice in question should be prohibited by Law.

The Judges of the Provincial Court submitted
8 their opinion that there was not any occasion for the interference
of Government or for any special authority to be given to the
Magistracy

Magistracy to prevent the sale of children to persons described
in the Collectors letter. The sale of a child" the Provincial Court
observed except in very particular circumstances, is
punishable under the Mahommedan Law, and if the Magistrate
is of opinion that the people are not aware of the fact, he
has full authority in virtue of his office, to issue a Notification
declaring that the crime of child selling is punishable by Law"

In laying the papers before Government,
9 the Foujdaree Udalut recorded their Concurrence in the opinion
of the Provincial Court.

By a letter dated the 13th January 1826 from
10 the Secretary to Government, the Court of Foujdaree Udalut
were informed that the Governor in Council entirely concurred
with the Judges in deeming any enactment unnecessary and
with reference to its connexion with the ceremonies and observances
both civil and religious of the great body of the people remarks
were added in regard to the necessity for caution in conducting
any interference at all with the view of preventing parents or
Guardians from assigning children, in the customary Modes
to be brought up to the profession of dancing women.

On the 16th August 1839 the same Provincial
11 Court (Southern) submitted a Communication from the
Magistrate of Trichinopoly in which that officer requested to
be informed "whether the Sale of a child by its Mother is
considered, under the existing Regulations, an offence cognizable
by the Magistrate, and whether he is, in such a case, to be

Cautioned

Content as has hitherto been the practice in this District will using his influence to annul the sale, or to send the case for final adjudication to the Criminal Court."

and on this occation, the Judges of the Provincial Court submitted their opinion "that some specific penalty should be promulgated for the purpose of checking an offence so revolting to humanity, and that it should not be left at the discretion of the Magistrate, merely to use his influence to annul a sale of this discription."

12 On receiving this Reference, the Court of Fouzdaree Udalut called upon their Mohummudan Law Officers to state whether, under that Law, the Mother, in the Case reported by the Magistrate of Trichinopoly, would be liable to punishment: and in their answer those officers declared that she was liable to Tazeer or Discretionary punishment.—

13 It being found on reference to the Records of this Court that in Case No. 7 of the Malabar Calendar for the Fourth Quarter Sessions of 1839 the Mochummudan Law Officers had delivered in a Futwa declaring of the non liability to punishment of a party selling his or her child, the Court called upon their Law officers to submit their reasons for dissenting from the Futwa of their Predecessors in the Case abovementioned, and those officers then repeated the opinion already given: observing that it was accordant with the decisions recorded in the Books of Muniefah that at

a time when scarcely does not prevail, the people of this Country are forbidden to sell their children, and that it do so, renders them liable to Tazeer.—

14 Of the correctness of this last opinion, there could be no doubt: and the Court of Fouzdaree Udalut adverting to the different references made to them on the subject, the discordant opinions which had been given, and the doubts generally entertained by the Officers in the Provinces as to the Course they were authorized to pursue in such Cases, deemed it proper, as stated in the Circular Order under consideration, to promulgate that opinion, with reference to the provisions of Section VII. Regulation X of 1816 for the information and future guidance of the Judicial of them subject to their control.

19th November 1839. (Signed) J. H. Davidson
Acting Register

(No. 220.)

To The Chief Secretary to Government.—

Sir

1 With reference to my letter to your address under date the 14th October 1839 No. 194. I am directed by the Judges of the Fouzdaree Udalut to state that Mr. James Thomas the acting Judge on Circuit in the Centre Division has reported that he has instructed the Acting Criminal Judge of Cuddapah to cause the attendance of the witnesses for the prosecution and defence of the Prisoner Hakeem Nizam Khan at that Station on the 13th precing December which will reference to the present state of the Calendar

ab.

Bellaree he states is the earliest date he can fix.

2 The Judges observe that if Mr. Thomas be required to return to Cuddapah for the Trial of the said prisoner, it will be compracticable to hold the Second Sessions of 1839 at Cuddalore and Chingleput during the present year, and there will Consequently be much delay in delivering the Jails at those Stations, The Judges have therefore instructed Mr. Lewin the Acting Second Judge of the Provincial Court of Circuit in the Centre Division on whom will devolve the Circuit for the First Sessions of 1840 to try the Case in question, on his arrival at Cuddapah which will be early in the Month of January next.—

20th November 1839. (Signed) J. H. Davidson
Acting Register

To Mr. Lewin Esqre. acting 2d. Judge
Provincial Court
in the Centre Division

Sir,

1 A prisoner named Hakeem Nizam Khan has been Committed by the Criminal Judge of Cuddapah for trial before the Court of Circuit on the Charge of being Concerned in the Murder of Mr. McDonald at that Station in 1832.—

2 It is considered desirable that the Trial should be Commenced upon without unnecessary delay and I am therefore directed to request that you will as soon as possible notify to the Acting Criminal Judge the date on which You purpose opening the First Sessions of 1840 at Cuddapah, to enable that Officer to make the requisite arrangements for the appearance of the witnesses of whom it is understated many are resident at Hydrabad.—

20th November 1839. (Signed) J. H. Davidson
Acting Register

To the Acting Criminal Judge of Cuddapah

Sir

I am directed by the Judges of the Foujdaree Adalut to transmit to you for your information and Guidance the accompanying Copies of letters addressed under this date to the Chief Secretary to Government and the Acting Second Judge of the Provincial Court of Circuit in the Centre Division relative to the Trial of the Prisoner Hakeem Nizam Khan.—

20th November 1839. (Signed) J. H. Davidson
Acting Register

To J. Thomas Esqre. Acting Judge on Circuit
in the Centre Division

Sir,

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 11th instant and to state that as your returning to Cuddapah to try the Prisoner Hakeem Nizam Khan will prevent the Jails at Cuddalore and Chingleput being delivered this year the Judges have determined to relieve You from that duty, and have instructed Mr. M. Lewin to try the prisoner on his opening the first Sessions of 1840 at Cuddapah.—

The Judges desire that you will use your

2 best

best Exertions to open the Second Sessions of 1839 at Chingleput at an early a date as possible.—

20th November 1839 (Signed) T. H. Davidson
Acting Register

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

Gentlemen

1 I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of your letter of the 30th Ultimo and to transmit to you the annexed Copy of a Discription Roll of the convict Purjen escaped from Singapore.—

2 It seems desirable that a Copy of the Roll should be sent to the Magistrate of Coimbatore of which District the Convict in question appears to be an inhabitant.—

21st November 1839. (Signed) T. H. Davidson
Acting Register

No. To The Criminal Judge of Combaconum.

Sir,

With reference to your letter dated the 10th Ultimo I am directed by the Judges of the Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order under date the 11th Instant Rs. 906 to authorize you to disburse the Sum of Rs. 125 being the value of 50 Gromatics for the use of the Convicts also the Sum of Rs. 254-6-3 for the plastering & repairs of the outer wall of the Jail

Jail, & Rs. 24-15-9 for the repair of two Watch towers on the top of the wall of the Jail Amounting together to Rs. 304-6-

21st November (Signed) T. H. Davidson
Acting Register

To The Acting Magistrate of Coimbatore.

Sir,

With reference to your letter dated the 29th Ultimo I am directed by the Judges of the Tonjdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order under date the 15th Instant No. 910 to sanction the Statement of Contingent Charges not exceeding 20 Rupees each incurred in the District of Coimbatore in the 4th Quarter of Fasly 1249 Amounting to Rupees 12-3-11.—

21st November 1839. (Signed) T. H. Davidson
Acting Register

No. To The Criminal Judge of Chingleput.

Sir,

I am directed by the Judges of the Tonjdaree Adalut to return to you the Statement which accompanied your letter of the 14th August last, and to request that one of the Clerks may compare with that made in Column 2. may be made in the other Column, and the Statement then sent back to this Office without delay.—

23rd November 1839. Signed T. H. Davidson
Acting Register

J.

No.

To

The Magistrate of Vizagapatam.

Sir,

With reference to your letter dated the 9th Instant I am directed by the Judges of the Tonjdaree Udalut to transmit to you the accompanying Copy of their Circular Letter dated the 25th July 1838 and two Copies of the printed forms of the Statement and to Request that one of the printed forms may be filled up for the 1st Half of 1839 and retransmitted to this Court with the least practicable delay.—

25th November 1839.

(Signed) T. H. Davidson
Acting Registr

(No 221)

To The Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Tonjdaree Udalut to submit for the consideration and orders of the Right Honorable the Governor in Council the accompanying translation of an address from Mohummud Yakoob ally (late Mooftee Sudr Ameen of the Zillah Court of Rajahmundry who officiated as Mohummudan Law officer and accompanied the second Judge of the Provincial Court of Circuit in the Northern Division during the first Circuit of 1839 applying for Batta at the rate of thirty Pagodas per mensem during the period he so officiated or from the 5th March until the 20th August last the date on which he rejoined his Station: the

the Sessions of the Court of Circuit having been brought to a close at Chicacole in the 8th of the latter Month.—

The Second Judge of the Provincial

2 Court by whom the application is forwarded "recommends that Sanction may be obtained for the same as he "the Law officer" was subjected to great Expence and inconvenience in travelling with the Court during the hottest season of the year"

The Judges direct me to observe that —

3 Sanction for the same rate of Batta as that now solicited, and under similar Circumstances, was granted to Mohummudan Law officers in the Northern Division in the letters from Government to this Court dated respectively 19th April 1837 and 27th August and 6th September 1838 Nos 230 679 and 720. In that instance a deduction of one half was made from the salary of Abdool Cader Koosamiee the Cazee of the Provincial Court for the Northern Division for whom this applicant was appointed to act: which, as no one was appointed to act for the latter in the Zillah Court, no additional Expenditure was occasioned to the State on that account by his temporary transfer to the Provincial Court.—

The Judges beg leave to recommended

4 that Sanction be granted for the payment of Batta at the rate of one hundred and five Rupees per mensem to Mahommad Yacoob ally for the period above mentioned.—

(Signed) T. H. Davidson
Acting Registr

26th November 1839.

To

Foujdaree Diary 26th November 1839

To

The Criminal Judge of Chittoor.

Sir,

I am directed by the Judges of the Foujdaree Adalut to request that you will Cause the accompanying Enclosures of a Petition received in this office by Tassipa from Raghavacharey of Nellore to be returned to that Individual with an intimation that this Court can take no Notice of representations addressed to them through the channel of the Public Post: and that if he wish to Make any Complained &c he must do so by Petition presented in person Court either in person on by his duly Constituted Vakeel.

26th November 1839.

(Signed) T. H. Davidson
Acting Register

To

The Provincial Court of Circuit in the Centre Division.

Gentlemen,

With reference to your letter dated the 7th Instant I am deducted by the Judges of the Foujdaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 20th Instant No. 917 to Sanction the disbursement of (18) eighteen by the Criminal Judge of Chingleput in the purchase of 12 pecies of new Bushes and a Dozen of Loiposs for the use of the Soons in his Cutcherry.

26th November 1839.

(Signed) T. H. Davidson
Acting Register

Foujdaree Diary 26th and 28th November 1839

To

The Joint Criminal Judge at Trichonopoly

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to return to you the Statement which accompanied your letter of the 11th Instant in view to its correction, as it is intended that Column 2 of the Statement should Shew the number of Convicts (exclusive of the prisoners in Confinement in default of finding Security) on the last day of each half year.—

26th November 1839

/Signed/ T. H. Davidson
Acting Registar

To The Acting Joint Criminal Judge at Masulipatam

Sir,

I am directed by the Judges of the Court of Foujdaree Adalut to return to you the Statement which accompanied your letter of the 8th Instant, in view to its correction Should other prisoners than "Convicts" have been included in Column 2.—

It appears to the Court of Foujdaree Adalut that 2. of prisoners in Confinement in default of finding Security have been included in the Statement.—

(Signed) T. H. Davidson
Acting Register

28th November 1839.

(No. 223)

To The Chief Secretary to Government.—

Sir,

I am directed by the Judges of the Foujdaree Adalut

Fouzdaree Diary 28th November 1839.

Udalut to submit for the consideration and orders of the Right Honorable the Governor in Council the annexed Copy of a letter dated 15th instant from the Magistrate of Trichinopoly who Solicits the Grant of an allowance of one Rupee and a half per mensem to a female named Veerayee whose husband named Ranganoottoo, which employed in his publick duty in watching a stack of Corn was cast by robbers and Murdered

2. The sixth of the Pension Rules expressly provides that pensions shall be given to publick Servants killed in the execution of their duty - and though this person was one of the very lowest of this class, whose poor emoluments and peculiar situation render them as the Magistrate states too often in league "with robbers", and generally made ready "to desert their post in" the "power of danger; "their it offers "resistance" this seems to be an reasonable exception from such conduct, deserving of encouragement by Government the Judges doubt not but there is force in the remark of the Magistrate that the Exercise of the bounty of Government "would operate as an inducement to them to do their duty" and with reference to the advanced age of the party for whom the pension is solicited, namely fifty five years they have no hesitation in recommending that the small pension Solicited be granted.-

28th November 1839.-

(Signed) T. H. Davidson
Acting Register

Fouzdaree Diary 29th November 1839.

To
The Acting Criminal Judge in the Zillah of Salem

Sir,

With reference to your letter of the 8th Instant submitting for the sanction of Government an Indent for ten wheelborrows and ten Ceylon hoes for the use of the Convicts, I am directed by the Judges of the Fouzdaree Udalut to Inform you that the Right Honorable the Governor in Council was pleased by an order dated the 20th November 1839 to direct the Military Board to issue Instructions to the proper officers to Comply as far as is practicable with the instant in question.-

(Signed) T. H. Davidson
Senior Dy Registar

29th November 1839

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

Gentlemen,

With reference to your letter of the 30th ultimo I am directed by the Judges of the Fouzdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated 21st November 1839. No. 919. to sanction the statement of Batta paid to the Children of Convicts in the Jail of the Auxiliary Court at Vizagapatam during the Third Quarter of 1839 amounting to Rupees (3 - 12) five and Anas twelve -

2 You will be pleased to inform the Criminal Judge of Chicacole that by the same order was sanctioned the statement forwarded by that officer with the Criminal Report for the Month of September. for the same Quarter Amounting to Rupees (14 - 12 - 4) fourteen anas twelve and five four -

3 Government having been pleased to call upon the Fouzdaree Udalut to report "under what circumstances a boy of 10 and a girl of 11 years of age, as appears from the lists, are subsisted at the Expence of Government" and to observe that it is presumable that "there are old enough to Earn a Livelihood" I am directed to request that you will upon the acting Joint Criminal Judge of Vizagapatam to furnish the required information in regard to the child Camachee / and upon the Criminal Judge of Chicacole, to state whether or no the boy Lauradeegandoo whose case was reported in your letter of the 22nd may last can now Earn his livelihood.-

To The Judges Provincial Court Northern Circuit

I am directed to desire that you will instruct all officers in charge of Jail under your Controul, to submit the Periodical Statement required by the Circular orders dated 30th June and 6th July to the Provincial Court, who will at the Expiration of each Quarter forward them all together as a General Statement prepared from them to the Fouzdaree Udalut, for the Sanction of Government.-

(Signed) T. H. Davidson
Senior Deputy Register

29th November 1839.

(No. 224)

To

The Chief Secretary to Government.

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to submit to be laid before Government the accompanying Plan and Estimate prepared by the Civil Engineers in Malabar and Canara of a Jail Hospital proposed to be built at Cochin; pursuant to a recommendation to that effect from Doctor Curne the Superintending Surjeon.—

2 The acting Joint Criminal Judge on submitting a Copy of Dr Curnes letter on the subject, observed that "as Matters now stand there is no first class place in the Government House, nor can it be deemed desirable that the sick should be placed in fact a position with the Auxiliary and Fiscals Court and more particularly the Jails."—

3 The Court, upon this representation authorized that officer to call upon the Civil Engineer for a Plan and an Estimate of the proposed building which have been, in consequence, prepared by Major Lurne.—

4 The acting Joint Criminal Judge in his letter to this Court dated the 18th instant, states that "from the facility of obtaining stone from the old ramparts of the Fort, an additional room to keeps the Convalescent, or persons brought in Wounded, separate from the Sick with small Cook room &c might be added to the Hospital without Exceeding the estimate, should the Amount be Sanctioned;" and the Judges Consider this suggestion worthy of a doption.—

The Judges beg leave to recommend

5 that Sanction be granted for building the Hospital at the estimated Expence of Rupees (4924-8) four hundred and four and anas eight

(Signed) J. H. Davidson
Acting Register

30th November 1839.

(No. 225)

To

The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the Foujdaree Udalut to acknowledge the receipt of the order of Government dated 14th November 1839. No. 903, communicating for their information and guidance a letter dated 30th September 1839 from the officiating Secretary to the Government of India relative to the proposal to make the Village Officers under this Presidency Criminally responsible and liable to Summary fine, for any gross neglect of duty in the cases of escaped convicts

Submitted

submitted in my to your address under date the 28th augusts 1839

2 In reply I am desired to observe that the Regulations of the Madras Presidency contain no provision for the punishment of the Village of Police for neglect of duty, otherwise than by dismissal but have reconsidered the subject the Judges of the Foujdaree Adalut are of opinion that the power of dismission duty Exercised by the Contracting authorities is for the present sufficient, and that no immediate necessity Exists for a New Enactment

30th November 1839 (Signed) T. H. Davidson
Acting Register

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

Gentlemen.

1 I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 30th instant and in reply to state that the Court require information as to whether or not Persian Translations are required by the Mohummedan Law officers of the Court of Circuit.-

2 Those officers cannot give Fatwas without understanding the preliminary proceedings, as well as those held by the Court of Circuit.-

30th November 1839. (Signed) T. H. Davidson
Acting Register

To
The Acting Joint Criminal Judge of Coimbatore

Sir

1 With reference to my letter to your address under date the 14th instant I am directed by the Judges of the Foujdaree Adalut to desire that you will immediately report what steps you had taken towards fulfilling the instructions therein contained for the forwarding of a party of convicts to Trichinopoly.-

2 The Criminal Judge of Salem has reported that on the 18th instant he addressed you on the subject apprizing you that he could spare only fifty Convicts and requesting you to make Number from the Jail under your charge.-

3 Your delay in reporting what you have done pursuant to the orders issued by the Foujdaree Adalut has occasioned embarrassment and is considered very unsatisfactory.-

4 You will now be pleased immediately to report whether you have sent the required Number fifty- and if, in consequence of any difficulty the Gang have not yet left Coimbatore you will detain them under your charge until you receive further instructions from this Court.-

30th November 1839. (Signed) T. H. Davidson
Senior Deputy Register

(No. 226)

To The Chief Secretary to Government.-

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of the order of Government dated

Foujdaree Diary 30th November 1839.

dated the 25 November 1839 No. 934 and to State that (10) ten
Hundred and ten Convicts have been sent from the Jails of
Salem and Combaconum to Trichinopoly the ten in excess of the
Number mentioned in the Extract from the Minute of Consultation
in the Military Department under date 18th October 1839 No 49
being by mistake; which can be rectified if desired.—

30th November 1839.

(Signed) T. Sh. Dawson
Senior Deputy Register

Tonjdaree Diary 3d December 1839

No. 227

To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Tonjdaree Adalut to acknowledge the receipt of the Extract from the Minutes of Consultation in the Revenue Department under date the 18th October 1839 No. 1516 and to state that the Criminal Judge of Canara has reported that of the sixty two Convicts who were with-drawn from the Mercara Road on account of the setting in of the Monsoon fifty six were made over to the charge of the Acting Magistrate of Canara of the 21st Ultimo: one having in the mean time died and five been released.—

Signed J. W. Davidson
Acting Regr.

3d December 1839.—

To

The Provincial Court of Circuit
in the
Southern Division

Gentlemen,

I am directed by the Judges of the Court of Tonjdaree Adalut to return the statements hereinundermentioned

hereinundermentioned, which were submitted in your letter of the 8th Ultimo, and to request that you will cause the necessary corrections to be made or to furnish explanations of the discrepancies in them.—

2. In the Statement No 1 forwarded by the Magistrate of Madura, 30 persons in Column 6 and 2 in Column 16 are entered as having been charged with petty theft, while there were only 24 entered in Column 15 and none in Column 24 of the Statement for the preceding half year as under examination.—

3. In the Statement No 2 furnished by the same office 1 Case containing 3 persons is entered in Column 5 charged with the crime of theft, but nothing was entered in Column 12 of the statement for the preceding half year as not disposed of at the close of it.—

4. In the same statement the total of the entries in the crimes of Murder and Theft under the Columns 15-7-and 3 do not correspond with the entry in Column 1 exhibiting the total number of cases ascertained to have occurred during the period

period for which the report is prepared.—

In the statement No 2 submitted by the

5 Magistrate of Trichinopoly, only 1 Case containing 9 persons charged with House breaking by night is entered in Column 5 while there were 2 Cases containing 11 persons entered in Column 12 of the statement for the preceding half year as not disposed of

3. December 1839 (Signed) T. H. Davidson
Acting Register

To
The Joint Criminal Judge of Guntore.

Sir

With reference to your letter dated the 6th Ultimo I am directed by the Judges of the Foujdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 27th November 1839 No 937 to sanction the Statement of Batta paid to the Children of Convicts in the Jail of the Auxiliary Court at Guntore during the 3rd Quarter of 1839 amounting to Rupees (4-12-1) four Annas twelve and Pice one.

4th December 1839 (Signed) T. H. Davidson
Acting Register

(No 228.)

To
The Chief Secretary to Government

Sir

With reference to my letter to your address under date 12th August 1839 No 160. I am directed by the Judges of

Sowjdaree Diary 6th and 7th December 1839.

of the Sowjdaree Udalut to state that the Acting Magistrate of Canara has reported in a letter to this Court dated 25th Ultimo the apprehension in Coorg of Baidyas Timmoo the second on the List of Notorious Rebels laid before Government with this Court's letter of the 17th February 1838. No. 68.

6th December 1839.

(Signed) J. H. Davidson
Acting Register

No. To
The Criminal Judge of Chingleput.

Returning the two Summonses sent up in his letter dated the 2d Instant which has been duly served.

6th December 1839 (Signed) J. H. Davidson
Acting Register

No. To,
The Acting Joint Criminal Judge of Coimbatore

Sir,

With reference to my letter to your address under date the 30th Ultimo and to yours to this Court of the 29th Ultimo I am directed by the Judges of the Sowjdaree Udalut to desire that the thirty five Convicts referred to in the latter Communication, if they have not already left Coimbatore, may be forthwith dispatched to Trichinopoly: and that you will report to this Court the date of their departure.

7th December 1839. (Signed) J. H. Davidson
Acting Register

To

Sowjdaree Diary 9th December 1839.

No. 229

To
The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Sowjdaree Udalut to state that having completed their review of the Penal Code prepared by the Indian Law Commissioners, it now becomes necessary to transcribe for the purpose of their being laid before Government the numerous and some of them long reports on the same subject submitted by the subordinate Judicial Officers - and as the employment of that work of the limited establishment of the Court will almost seriously interfere with and impede the regular discharge of the current business of the office and consiederably delay the report which the Bengal Government have before them as soon as possible, the Judges beg leave to recommend that their Register be authorized to entertain eight Extra Copyists for the purpose, to be remunerated at the prescribed rate for the number of words copied

(Signed) J. H. Davidson
Acting Register.

To

9th December 1839.

No. 250

To,

The Chief Secretary to Government.

Sir,

I am directed by the judges of the Foujdaree Udalut to submit to be laid before Government the annexed Copy of a letter dated 8th instant from the Criminal Judge of Chingleput, and to state that under the Circumstances mentioned in that Communication, the judges recommend that sanction be granted for the trial of the Prisoner Paramasevum by the Criminal Court at Chingleput under the Provision of Section III. Regulation 1 of 1833.

9th December 1839.

/ Signed / T. H. Davidson
Acting Register.

No.

To

The Acting Criminal Judge of Cuddapah.

Sir,

1. I am directed by the judges of the Foujdaree Udalut to acknowledge the receipt of Mr. Davis's letter of the 25th Ultimo and to state that under the Circumstances represented in that Communication, they approve of the charge which, in accordance with the recommendation of the European Judicial Officer, has been made in the Dust of the Convicts.

2. You will be pleased to procure to the ordinary

Ordinary rules so soon as the judicial Officer may be of opinion that it can be done without danger

/ Signed / T. H. Davidson
Acting Register.

9th December 1839.

To

The Acting Criminal Judge of Cuddapah.

Sir

I am directed by the judges of the Foujdaree Udalut to acknowledge the receipt of Mr. Davis's letter of the 25th Ultimo applying for sanction to admit the 2nd 3rd 4th 5th and 6th prisoner in Case No. 314 of the Criminal File of the Zillah Court of Cuddapah for 1839 as witnesses on the Trial of the 1st prisoner in the same case before the Court of Circuit for Embezzlement.

2. The judges observe that Section XI. Regulation VIII of 1802 is not applicable to this case; but the Criminal Judge can acquit and discharge such of the accused as may not appear to have taken part in the Embezzlement, and then examine them as witnesses.

/ Signed / T. H. Davidson
Acting Register.

9th December 1839

To

The Acting Chief Magte and Superte of Police.

Sir,

I am directed by the judges of the Foujdaree Udalut

Udalut to acknowledge the receipt of your letter of the
3d instant transmitting the Reports of cases tried und
act XXII of 1837 during the month of November.

2. The Judges observe that these Reports
are in the nature of the monthly Reports furnished to
this Court by the Criminal Courts in the Provinces and
should contain similar information.

3. But as in these cases the evidence, it is
presumed, is almost always of the same description a
note showing in which cases evidence described in a pre
ceding case, was the ground of conviction, will suffice.

4. And the Judges direct me to request that
the substance of the evidence may accordingly be recorded in
the future Reports.

9th December, 1839.

/Signed/ T. H. Davidson
Acting Regr.

No. 231.

To
The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Toujdaree
Udalut to state that the (late) acting Criminal Judge
of Cuddapah has reported that Lieutenant Lawford
the Civil Engenier of the Division has received orders
from Government to repair the road between the civil
and Military Lines at that Station which is now so m
broken up as to be scarcely passable and in order that
the labour of the prisoners who are to aid in this work
may be rendered of more advantage he suggests an

early application to the Military Board for 10 or 20 Carts
and also for a suitable number of Bullocks to draw
them."

2. The acting Criminal Judge understands that their
are now a considerable number of Bullocks in the Bellary
District quite unemployed that would answer very well
for this purpose.

3. The Judges beg leave to suggest that a reference
may be made to the proper Department to ascertain
whether the application of the Acting Criminal Judge
can be Complied with.

Signed/ T. H. Davidson
Acting Register

10th December 1839.

To
The Criminal Judge of Bellaree.

Sir,

The Acting Criminal Judge of Cuddapah
having applied for the services of one hundred or one
hundred and fifty convicts to assist in the building
of the new jail at that station, I am directed by the
Judges of the Toujdaree Udalut to request that you
will immediately report how many Convicts Can with
out material inconvenience or detriment to public
works now being Carried on under your orders be spared
from your jail, and that you will send as many as
you can spare within the number above specified under

a suitable guard, to Cuddapah.

2. The Convicts who may be transferred to Cuddapah must be able bodied men, and not desperate Characters.

10th December 1839. /Signed/ T. H. Davidson
Acting Register

No. (No. 232)

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 Sunjdaree Adaulut 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.

11th December 1839. /Signed/ T. H. Davidson
Acting Register

No. (No. 233)

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 29th January 1839 I am directed by the Court of Sunjdaree Adaulut to submit for transmission to the Supreme Government the accompanying Copy of a Circular Order

of this date.

11th December 1839. /Signed/ T. H. Davidson
Acting Regr.

(No. 234)

To
The Chief Secretary to Government.

Sir

1. I am directed by the Judges of the Sunjdaree Adaulut to submit to be laid before Government the annexed Copy of a Statement of the charges incurred under the orders of Government dated 12th August 1839 No. 650 by the Principal Sudr Ameen of Salem on account of the five Coolies deputed to Coimbatore in my letter to your address under date the 6th August 1839 No. 150.

2. The Principal Sudr Ameen in a letter to the Provincial Court for the western division dated 18th December 1839 reports that of the thirty five Prisoners for whose safe custody the Peons in question were employed, four were released and thirty one were committed and farwarded on the 7th Ultimo to the Principal Sudr Ameens Court at Nemore - and that the five Extra Peons have been discharged.

3. The Judges of the Sunjdaree Adaulut beg leave to recommend that sanction be granted for the charges actually incurred amounting to Rupees (95 " 5 " 4) Ninety five, five and five four

13th December 1839. /Signed/ T. H. Davidson
Acting Register

No.

To

The (late) Criminal judge of Chicacole

Sir

1. I am directed by the judges of the Tondaree Adalut to acknowledge the receipt of your letter of the 22d Ultimo accompanied by the Rupee sent by the Head Assistant Magistrate of ganjam in a Criminal case wherein the party charged with uttering it pleads in his defence that such Rupees are issued from the Mint & are in circulation in the District.

2. The Rupee having been forwarded to the Assay Master, that officer has furnished the Court with an official Report upon it from which it appears that it is of the Legal Fineness, being "Standard" and only 1 7/16 of a grain lighter than the legal weight of 180 grains, which small deficiency in weight the Assay Master observes, is occasioned apparently from it's having been long in Circulation, and makes the small difference of two pice in its value, which is 15 annas and 10 pice instead of 16 annas.

3. The weight and fineness being as they ought to be, the Assay Master is unable to account for the impression which the Rupee bears but with the permission of this Court has retained the Coin in his possession with the intention of sending it to the Assay Master at Calcutta for examination & has furnished a good Rupee in exchange which I am directed to forward to you in order that it may be given to the individual upon whom the damaged Rupee was passed.

4. The Circumstances being as above stated - the judges are of opinion that the prisoner - so far as the case reported in your letter, is concerned, must be acquitted.

5. It will be proper that you furnish the Magistrate of Ganjam with a Copy of this letter for his information and that of his assistants.

Signed J. W. Davidson
Acting Regr

15th December 1839.

No.

To

The Acting joint Criminal judge at Cochin

Sir

1. With reference to your letter dated the 18th Ultimo I am directed by the judges of the Tondaree Adalut to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 4th Instant to sanction the Estimate for the construction of a jail Hospital at Cochin amounting to Rupees Cochin-5-four hundred and four annas eight -

It

2. It is the pleasure of the Government that your suggestion for the Erection of an additional room for convalescent and wounded persons, shall be attended to no extra outlay being thereby incurred.

3. The Estimate is herewith transmitted.

13th December 1839

Signed J. H. Davidson

Acting Regr

No. To

The Acting Joint Criminal Judge of Chingleput

Sir,

1. I am directed by the judges of the Toujdaree Udalut to acknowledge the receipt of your letter of the 2d instant reporting that a female has been sent to the Criminal Court charged with having, with the intent to cause the death, exposed in an open space, an infant to which she had just previously given birth: and requesting to be informed whether the act charged is punishable under the Mahomedan Law, and in what manner the case should be dealt with.

2. In reply I am desired to observe that the act in question is undoubtedly punishable under the Mahummudan Law and that the prisoner in question should

should be committed to take her trial before the Court of Circuit.

13th December 1839.

Signed J. H. Davidson

Acting Regr

No. To

The 2d Judge late on Circuit in the Northern Division

Sir,

With reference to your letter dated the 12th Instant I am directed by the Judges of the Toujdaree Udalut to inform you that the Right Honorable the Governor in Council has been pleased by an order dated the 6th Instant No 962 to authorize the grant of Batta to Mahomed Yacoob Ally (late) Mooftee Sudr Ameen of the Tillah Court of Rajahmundry for the period he officiated as Mahomedan Law Officer to the Court of Circuit during the 1st Sessions of 1839 or from the 5th March until the 20th August last at the rate of Rupees (105) one hundred and five per Mensem.

Signed J. H. Davidson

Acting Regr

16th December 1839

No 235

No. To

The Chief Secretary to Government

Sir,

I am directed by the Judges of the Toujdaree Udalut

Udalut to state that the Criminal Judge of Malabar in a letter addressed to this Court under date 7th Instant has reported that he has been "under the necessity from that date of employing two Extra English Translators on a pay of twenty five (25) Rupees each as without this assistance it will be quite impracticable to prepare translations of all the Criminal Cases for the ensuing Sessions"

2. The Criminal Judge adds that the services of these translators shall be dispensed with as soon as the business of the Sessions will permit" and requests that sanction may be obtained to defray the charge &c.

3. Under the circumstances above represented the Judges of the Tonydaree Udalut beg leave to recommend that sanction be granted to the Criminal Judge to employ the Extra Translators in question on the pay abovementioned for the purpose of preparing the Criminal Cases for the Court of Circuit to be discharged immediately upon that business being performed.

Signed J. H. Davidson
Acting Regr

16th December 1839.

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

Gentlemen,

I am directed by the Judges of the Tonydaree

Udalut to acknowledge the receipt of your letter of the 30th Ultimo and to state that they authorize you Concel the warrant for the requisition of security from the prisoner Ponnen in Case No 26 of the Chingleput Calendar of the second Sessions of 1825.

Signed J. H. Davidson
Acting Regr

16th December 1839

No. To The Criminal Judge of Malabar.

Sir,

With reference to the letter from this Office under date the 31st October last I am directed by the Judges of the Tonydaree Udalut to inform you that the Military Board has under date the 6th Instant notified to this Court that 50 Ceylon pattern Hoes are ready for dispatch by Sea from the Arsenal of Fort St. George to Calicut and will be dispatched as soon as tonnage can be procured.

Signed J. H. Davidson
Acting Regr

16th December 1839

No. To The Criminal Judge of Vizagapatam.

Sir

I am directed by the Judges of the Tonydaree Udalut to acknowledge the receipt of your letter of the 5th instant, requesting instructions in regard to the disposal of a case of Burglary

Burglary sent up to the Court by Captain Vallancey of whose power to commit the parties your citation dated 16th and in reply to state that this Court having submitted the Government its opinion that no legal objection exists to Captain Vallancey undertaking the duties of Magistrate in the Town of Vizagapatam and its vicinity, provided he acts subordinate to the authority of the Collector as Magistrate as declared by Clause third Section V. Regulation II of 1827 the Government was pleased by an order dated 2nd January 1837 to desire that its sanctions to the said arrangement under the above reservation, might be communicated to the Magistrate for his guidance, which was done by a letter from this Office dated 19th June 1837.

16th December 1839.

Signed J. H. Davidson
Acting Regr

No. J
To
The Criminal Judge of Chingleput
Sir,

I am directed by the Judges of the Sudder Adalut to acknowledge the receipt of your letter dated 3rd Instant and to inform you that the Right Honorable the Governor in Council was pleased by an order dated the 10th

10th Instant No 977, to authorize under the provisions of Section III Regulation I of 1833, the trial of the Prisoner Paramasevan by the Criminal Court at Chinglepute.

Signed J. H. Davidson
16th December 1839.

To The 3rd Judge of the Provincial Court of Circuit
in the Centre Division
Sir,

No

To

The Criminal Judge of
Vizagapatam

Sir,

I am directed by the Judges of the Foujdaree Adalut to acknowledge the receipt of your letter of the 5th instant and to inform you that before deciding on the request therein made for permission to transfer some of the Convicts to Vizianagarum the Judges require to be informed how many prisoners the Jail at Vizagapatam is calculated to hold - and how many there will be altogether to provide accommodation for including those from Chicacole -

Signed/ J. H. Davidson

Acting Register

17th December 1839 -

To

No 237

To

The Chief Secretary to Government

Sir

With reference to parah: 5 of my letter
1
to your address under date 26th September 1839 No 190 and to
parah 2 of the order of Government dated 8th October
1839 No 803 I am directed by the Judges of the Foujdaree
Adalut to transmit to you to be laid before Government
the annexed Copies of the Communications noted in
the margin from the Joint Criminal Judge of Trichinopoly
and of their enclosures relative to the case of the Prisoner
Nroolloo Coomaren -

2. Parah: 4 of the letter from the Joint
Criminal Judge dated 4th November 1839 is considered ...
unsatisfactory and any inquiring in regard to the circumstances
of his ill treatment from Nroolloo Coomaren himself is
rendered impossible by the death of that individual,
which is reported to have occurred on the 28th October last -
It will be observed by the garrison Surgeons
3 letter of the 21st Ultimo of which a Copy accompanies
that from the Joint Criminal Judge of the 23rd Ultimo that
that officer hesitates to impute the death of the Prisoner
solely

solely to the ill treatment he received from the Native Police
To "assert" this positively "he observes would be rashness" and
he concludes his letter by stating his opinion that the ill
treatment he received previous to his coming into Jail the
Dispondency of mind in consequence of that and of being
imprisoned, together with the impure air breathed by the
men during the hours they are locked up, all combined
in a greater or less degree in bringing on the complaint
Diarrhea, which in the 4th parah of the same letter,
the garrison Surgeon observes "one of the most Common and
most fatal diseases in this, and (he believes) all
Indian Jails") which ended in his Death.-

4 It appears by the Joint Criminal Judges letter of
the 23d Ultimo that the Prisoner was not observed to be suffering
under any particular dispondency of mind" and that his
appetite was good.-

5 The Judges of the Foujdaree Udalut observe that
there can be no doubt from the garrison Surgeons Report
that the man was much injured, but as he entered the
Jail on the 18th March and did not die until the 26th
October following it would not seem probable that his was
death was induced by the ill treatment he suffered.-

6 The Judges trust that the orders issued by the
Magistrate

Magistrate of Trichinopoly under instructions from this
Court already communicated to Government will have the
effect of preventing further irregularities on the part of the
Native Police officer.-

19th December 1839 (Signed) T. H. Davidson
Acting Register

(No 238)

To The Chief Secretary to Government.

Sir,

I am directed by the Judges of the Foujdaree
Udalut to state that the Acting Joint Criminal Judge
of Trichinopoly has represented in a letter addressed to
this Court under date the 29th Ultimo that the services of
the Smith whose employment was sanctioned by the
order of Government dated 12th March 1839 No 235 are
still required and requested "that the sanction for his
continuance with the limitation before made may
be obtained from Government six Months having
elapsed from the date of his entertainment.-

2 The Judges of the Foujdaree Udalut beg leave to
recommend that sanction be granted for the employment of the
Smith on the establishment of the auxiliary Court for
the further period of six Months.-

[Signed] T. H. Davidson
Acting Register

20th December 1839.

To

Foujdaree Diary 20th December 1839

1

No.

To

The Joint Criminal Judge at

Trichinopoly

Sir,

1 I am directed by the Judges of the Fou-
daree Udaulut to acknowledge the receipt of your letter
of the 4th instant requesting sanction to entertain
a Peopaty Peada in addition to the Existing Jail
Establishment and to declare that you will repair
for this information whether or not a Darogah
is employed on the Jail Establishment of the
Auxiliary Court, and if so on what Salary

2 In the Statement annexed to the
letter from this Court to the Provincial Court for
the Southern Division dated 25th June 1834
it is mentioned that with the Exception of the
Jails placed under charge of the Magistrates of
Vizagapatam and Salem Each Jail is to have an
Havildar on a Salary of Rupees 14 per Mensem

20th December 1839. (Signed) T. H. Davidson

Acting Registr

To

Foujdaree Adaulut 20th and 21st December 1839.

No.

To

The Criminal Judge of Vizagapatam

Sir,

1 I am directed by the Judges of the Foujdaree
Udaulut to acknowledge the receipt of Lt. Storys letter of
the 23d Ultimo, submitting a Copy of a Commutation
and of a Discriptive Roll from the Officer Commanding
the 50th Regiment Native Infantry Stationed at Vizana-
garam relative to a Sepoy Sentenced by a Court Martial
to imprisonment with hard labour and forwarded to
the Criminal Court, agreeably to Regulation I of 1828 to
have the Sentence carried into effect.

2. The Judges observe that Regulation I of
1828 does not apply to this Case, in which the Regiment
to which the Convict belonged, is employed within the
Company's territories and if it would seem to be the
case the Sentence was passed under act XXIII of 1839 that
act contains no authority for the imprisonment of
native Soldiers in the Zillah Jail.

20th December 1839. (Signed) T. H. Davidson

(No. 239) Acting Registr

No.

To

The Chief Secretary to Government

Sir,

1 I am directed by the Judges of the
Foujdaree Udaulut to transmit to you to be laid

before

before Government the accompanying Extract from the Statement of Charges incurred without estimate by the Magistrate of Salem in Fasle 1249.

2 The Statement does not appear to need remark and the Judges beg leave to recommend that sanction be granted for the same suspended by the Magistrate as rewards for the apprehension of offenders amounting in the aggregate to Rupees (70) seventy.

21st December 1839. (Signed) J. H. Davidson
Acting Registr

(No 240)

No To
The Chief Secretary to Government
Sir,

I am directed by the Judges of the Foujdaree Adawlut to transmit to you to be laid before the Right Honorable the Governor in Council the accompanying incident forwarded by the Acting Joint Criminal Judge at Madulipatam

2 That officer suggests that the incident in question should be sanctioned every three years as the wood work of the Jail and Court exposed to the weather is decaying and the Iron work rusting. He adds that it is his impression that the want of the precaution of tarring them renders them liable to be destroyed much sooner by the climate than private buildings that are occupied

3 The Judges beg leave to recommend that the countersary of ordinance at Madulipatam be authorized to comply with the Indent.

21st December 1839. (Signed) J. H. Davidson
Acting Register

To
The Provincial Court of Circuit in the Northern Division

Gentlemen,

I am directed by the Judges of the Foujdaree Adawlut to transmit to you the annexed Copy of a letter dated 22d Ultimo addressed to this Court by the Acting Joint Criminal Judge of the late Auxiliary Court at Vizagapatam relative to a fraud supposed to have been committed or connived at by the Serishtadar of the said Court.

2 With reference to the concluding para of that letter I am directed to observe that the Judges are not aware of any provision for buying Salt alleged to have been embezzled by a Serishtadar, but in their opinion the man should be committed for Trial if there is sufficient evidence against him.

3 It does not appear however by the Depositions that the accused has been heard in his defence or been allowed an opportunity of offering an explanation in regard to his alleged misconduct and this, the Judges are of opinion, is an indispensable preliminary to any further

further proceedings:—

4th But, as it appears from a Petition addressed to this Court by the Serristadar, that the Case of that individual has already been brought under your Consideration by the Acting Joint Criminal Judge and that you have ordered his restoration to office from which he States himself to have been suspended I am directed to request that you will enquire into and submit a Report upon this matter for the consideration of this Court.—

21st December 1839— (Signed) J. H. Davidson
Acting Registr

5th Copy sent to the Criminal Judge of Bizoya for his information.—

21st December 1839— (Signed) J. H. Davidson
Acting Registr

To
James Thomas Esqr &c
Acting Judge on Circuit in the Centre Divisn

Sir,

I am directed by the Judges of the Fongdoree Ellaka pursuant to instructions received from Government to desire that you will attend at the opening of the Sessions at Chinglepat on Monday next the 23rd Instant of Convicts employed at Guindy and the Red Hills and furnish the Report prescribed by Article XII of the Rules for the management of Convicts employed at Public works at a distance from the Gillah Jails, published at page 432 of the Gazette for 1837.

21st December 1839. (Signed) J. H. Davidson
Acting Registr

To

To
The Acting Joint Criminal Judge of
Chinglepat

Sir,

The Right Honorable the Govern
or in Council having been pleased to in
struct the Court of Fongdoree Ellaka to
place on the disposal of the Superintendent
of Roads at the Redhills any Convicts
not exceeding two hundred from the
most proximate Jails, as soon as practicable
supplied I am directed by the Judges
to desire that you will immediately report
what number can be spared from the
Jail under your Charge for the purpose
above mentioned without occasioning ser
ious impediment to public works now on
foot in progress at Chinglepat and if there

hereinundermentioned, which were submitted in your letter of the 8th Ultimo, and to request that you will cause the necessary corrections to be made or to furnish explanations of the discrepancies in them.—

2. In the Statement No 1 forwarded by the Magistrate of Madura, 30 persons in Column 6 and 2 in Column 16 are entered as having been charged with petty theft, while there were only 24 entered in Column 15 and none in Column 24 of the Statement for the preceding half year as under examination.—

3. In the Statement No 2 furnished by the same office 1 Case containing 3 persons is entered in Column 5 charged with the crime of theft, but nothing was entered in Column 12 of the statement for the preceding half year as not disposed of at the close of it.—

4. In the same statement the total of the entries in the crimes of Murder and Theft under the Columns 15-7-and 3 do not correspond with the entry in Column 1 exhibiting the total number of cases ascertained to have occurred during the period

period for which the report is prepared.—

In the statement No 2 submitted by the

5 Magistrate of Trichinopoly, only 1 Case containing 9 persons charged with House breaking by night is entered in Column 5 while there were 2 Cases containing 11 persons entered in Column 12 of the statement for the preceding half year as not disposed of

3. December 1839 (Signed) T. H. Davidson
Acting Register

To
The Joint Criminal Judge of Guntore.

Sir

With reference to your letter dated the 6th Ultimo I am directed by the Judges of the Foujdaree Udalut to state that the Right Honorable the Governor in Council was pleased by an order dated the 27th November 1839 No 937 to sanction the Statement of Batta paid to the Children of Convicts in the Jail of the Auxiliary Court at Guntore during the 3rd Quarter of 1839 amounting to Rupees (4-12-1) four Annas twelve and Pice one.

4th December 1839 (Signed) T. H. Davidson
Acting Register

(No 228.)

To
The Chief Secretary to Government

Sir

With reference to my letter to your address under date 12th August 1839 No 160. I am directed by the Judges of

be any such

2 As in your letter to this
Court of the 21st October last you requ
sted that 146 Convicts Lately Employ
ed at Mershamun under the Orders
of the Magistrate, had been returned t
your Custody on the 19th of that Month. I
presume that you will have no
difficulty in Complying with the proclam
regulation

23rd December 1839 Signed J. H. Chandler
Acting Registr

The Sentence to the Criminal Judge
of Chittoor. Vellore Chungleput
omitting the Last Postcript.

23rd December 1839 Signed J. H. Chandler
Acting Registr

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