

REPORT
ON
THE ADMINISTRATION
OF
Criminal Justice
IN
THE PRESIDENCY OF MADRAS,
FOR THE YEAR
1881.

M a d r a s :
PRINTED AT THE SCOTTISH PRESS, BY GRAVES, COOPERSON AND CO.,
HIGH COURT BUILDINGS.

1882.

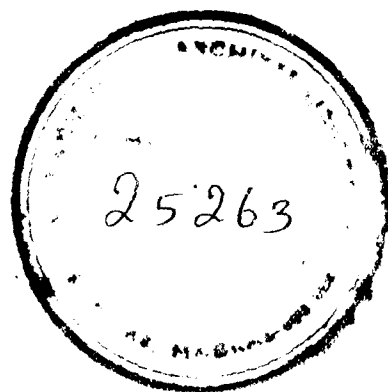
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NOTE.

The statistics for the Administration of Criminal Justice in the following Report are furnished, as in the case of Civil Justice, in the forms prescribed by the Government of India for general adoption in and after the year under review.

The information now presented is more varied and complete than that furnished in previous years; but the late date at which many of the returns have been sent in by District Officers and the want of care displayed in their preparation have not only rendered difficult the compilation of the general statistics but have delayed the submission of the annual Report far beyond the usual period.

HIGH COURT,
MADRAS,
8th November 1882. }

T. W.

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38. The Court also received during the year 151 applications from convicted persons for the revision, under Section 297, of the sentences or orders passed against them. Including 17 applications pending at the close of 1880, the total for disposal was 168. Of this number, 140 applications were disposed of, leaving 28 applications pending at the close of the year.

SUPERIN-
TENDENCE
REFERENCE,
AND
REVISION.

39. The following figures show in what manner the cases dealt with by the Court as a Court of Revision otherwise than of the Court's own motion, were disposed of in 1880 and 1881.

	1880.	1881.	Applications for revision. Persons dealt with in 1880 and 1881 com- pared.
Number of persons in whose cases conviction or order was quashed or set aside.	535	374	
Do. modified	164	86	
Do. proceedings were not interfered with	350	341	
Do. further enquiry ordered	...	9	
	1,049	810	

40. In the exercise also of its powers as a Court of Revision, the Court received Judgments relating to 1,313 Sessions Trials and to 1,734 Trials by 1st Class Magistrates; also 251 Statements relating to Appeals heard by Sessions Courts, and to 2,224 Appeals heard by 1st Class Magistrates, making a total of 5,522 cases. Including 99 pending at the close of 1880, the total number of cases for disposal was 5,621 cases. Of these, 5,016 cases were recorded on perusal, and in 159, records were called for, with the result that the sentences or orders of the Lower Courts were interfered with only in 62 cases. There were Judgments, &c., in 446 cases pending disposal at the close of 1880.

Judgments
and Appeal
Statements.

41. The Court disposed also of 12 applications for transfer of cases, granting 8 and rejecting 4, and of 8 applications for release of prisoners on bail pending disposal by the Court of their Appeals, granting 4 only.

Applications
for transfer,
&c.

42. The following comparative statement shows the Criminal work dealt with by the High Court for the last five years, 1877 to 1881.

Comparison
of 5 years'
Criminal
work.

	1877.			1878.			1879.			1880.			1881.		
Nature of Cases.	Received.	Disposed of.	Pending.	Received.	Disposed of.	Pending.	Received.	Disposed of.	Pending.	Received.	Disposed of.	Pending.	Received.	Disposed of.	Pending.
Sessions Cases	71	71	...	101	107	...	68	68	...	28	27	1	69	69	1
Criminal Appeals	827	826	45	667	673	59	472	489	42	763	718	84	481	511	50
Sentence of death under Sec. 287	99	96	3	88	85	6	70	73	3	89	83	9	77	82	4
Revision cases under Sec. 296 & 297	191	199	12	236	240	8	179	168	10	381	349	42	323	314	51
Other Cases under Sec. 297	61	52	9	41	45	5	191	186	10	272	257	15	310	299	28
Total	1249	1244	69	1133	1150	...	980	984	65	533	1434	151	1260	1275	134
Judgments, &c. perused.	...	...	...	...	1,134	78	...	18,566	...	...	5,015	99	5522	5016	446

Original
Jurisdiction.
—
COURTS
UNDER THE
HIGH COURT.
—
At the
Presidency
Town.

CRIMINAL JUSTICE.

ORIGINAL JURISDICTION.

COURTS UNDER THE HIGH COURT.

AT THE PRESIDENCY TOWN.

Presidency Magistrates' Courts.

43. Under instructions from the Government of India, the annual statistics for the Presidency Magistrates' Courts have, as in the case of the Presidency Court of Small Causes, been submitted to and dealt with by the High Court for the first time in the year under review.

Strength of the Courts. 44. At the Presidency Town, there are two Magistrates' Courts, the one situated in the suburb of Egmore, and the other in Black Town. Each Court is presided over by two Magistrates, who sit singly and simultaneously, except when hearing Appeals under the Municipal Act, in which case two Magistrates form a Bench.

Local Jurisdiction. 45. The local jurisdiction of these Courts is conterminous with that of the Presidency Court of Small Causes; and covers an area of 26.82 square miles, containing a population of 4,05,848 persons.

Receipts and Charges. 46. The Receipts and Charges of the two Courts during the year are detailed below :—

Receipts.			Charges.		
Process Fees in cash ...	Rs.	7,253	Salaries of Magistrates ...	Rs.	45,600
Court Fees ...	"	272	" Process-servers ...	"	168
Fines ...	"	20,742	" Establishment ...	"	15,378
Forfeitures ...	"	144	Contingent charges ...	"	761
Total	"	28,411	Compensations to complainants	"	1,013
			Total ..	62,920	
			Deficit ...	Rupees ..	34,509

The sums entered under the head of forfeitures are stated to have been forfeitures adjudged under the provisions of Section 35 (keeping a gaming-house) of the Madras Town Police Act, VIII of 1867.

47. Taking the Courts separately, it is found that there is a deficit of over 21,000 Rupees in the Egmore Court as against a little over 13,000 Rupees in the Black Town Court.

48. It is worthy of remark that the Presidency Magistrates' Courts are now the only two Courts in the Province, in which process fees are not collected in stamps.

TRIALS.
Files.

49. There were brought before these Courts in 1881, 27,102 cases in which 33,776 persons were concerned. Of this number, 2 were struck off the files by transfer or other cause, leaving for disposal 27,100 cases affecting 33,774 persons.

Including 87 cases affecting 95 persons, which were pending at the close of 1880, the total for disposal was 27,187 cases affecting 33,869 persons. Of these, 27,160 cases affecting 33,803 persons were disposed of, leaving 27 cases affecting 66 persons undisposed of at the close of the year.

Cases how disposed of. 50. The following statement classifies, according to the mode of disposal, the cases dealt with in 1881.

			Cases.	Percentage.
Finally disposed of on Summary Trial ...	...	...	26,057	95.94
on Regular Trial ...	...	...	1,012	3.72
Committed ...	...	...	62	0.23
Otherwise disposed of ...	...	...	29	0.11
Total ...	27,160			100.00

{ At the P
Origin

dency Town. }
Jurisdiction.

PRESIDENCY MAGISTRATES' COURTS.

51. The following statement distributes, according to the mode of disposal, the persons concerned in these cases.

			Persons.	Percentage.	Persons how dealt with.
Discharged or acquitted ...	...	...	2,633	7.79	
Convicted ...	...	...	30,851	91.27	
Committed ...	...	...	72	0.21	
Otherwise dealt with ...	...	...	247	0.73	
			33,803	100.00	

The high percentage of convictions is probably due to the large number of prosecutions for Municipal offences.

52. Complainants were ordered to pay compensation, under Section 242 of the Presidency Magistrates' Act, to 99 accused persons. Compensation.

53. Each Magistrate disposed of, on an average, about 20 cases a day in the Egmore Court, and about 27 a day in the Black Town Court. Average number disposed of per day.

54. The following statement shows in detail the sentences imposed on the persons convicted during the year.

			Persons.	Percentage.	Sentences passed.
Imprisonment...	{ Rigorous { with solitary confinement ...	18	0.06		
	{ without ...	704	2.29		
	{ Simple ...	60	0.20		
Fine without imprisonment ...	...	29,583	96.41		
Whipping in lieu of other punishment ...	...	318	1.04		
Total ..			30,683	100.00	

Of the remaining 168 convicted persons, 166 were ordered under Act XIII of 1859 to complete contracts for labor, &c., entered into by them, one person was bound by recognizance to keep the peace, and security was taken from one person for good behaviour.

55. Of the 782 persons sentenced to imprisonment, 71 were also sentenced to fine. 29 of the persons included in the above statement were also sentenced to whipping, and 13, who were convicted of offences relating to public tranquillity, were also ordered to enter into recognizances to keep the peace; of these last, one was imprisoned for non-compliance with the order.

56. 683 persons were imprisoned for varying terms not exceeding 6 months, and 99 for terms ranging between 6 months and 2 years. Terms of imprisonment.

57. Of the 318 persons sentenced to whipping as a sole punishment, 174 were juvenile offenders. It may be noted that there is as yet no Reformatory School for the reception of juvenile offenders in the Madras Presidency. Juvenile offenders.

58. The fines imposed during the year amounted to rupees 23,527; and of this sum, Rupees 20,357 were realized. A sum of rupees 385 was also recovered during the year on account of fines imposed in previous years. Fines.

59. The number of witnesses examined by the Presidency Magistrates in 1881 was 14,075. Of these, 130 or nearly 1 per cent were detained in Court beyond 3 days. Witnesses examined.

60. No Appeals were received during the year by the Presidency Magistrates under Section 191 of the Madras City Municipal Act, V of 1878. Municipal Appeals.

61. The Commissioner of Police for the Town of Madras has, also in the year under review as in previous years, exercised certain powers of a Magistrate, viz., in respect of discharging accused persons against whom it appeared that there were no sufficient grounds for entering on an investigation or that there was not sufficient evidence or reasonable ground of suspicion to justify their being placed before a Presidency Magistrate. The number of cases in which accused persons were so discharged during the year was 37, and the number of persons concerned, 43. Work of the Commissioner of Police.

The average duration of these cases before this Officer was 3 days.

Original
Jurisdiction.COURTS
UNDER THE
HIGH COURTIn the
Interior.**CRIMINAL JUSTICE.****ORIGINAL JURISDICTION.****COURTS UNDER THE HIGH COURT.****IN THE INTERIOR.**Classes of
Courts ex-
ercising
Original Ju-
risdiction.

62. In 1881, there were seventeen classes of Courts exercising Original Jurisdiction in the Interior. These are:—

- (1). Village Magistrates' (Heads of Villages) Courts.
- (2). Benches of Magistrates.
- (3). Special Magistrates' Courts.
- (4). Courts of Subordinate Magistrates (Tahsildars, Sheristadars, Town Magistrates, &c.)
- (5). Courts of Deputy Collectors as Magistrates.
- (6). Courts of Assistant Collectors as Magistrates.
- (7). Courts of Assistant Agents.
- (8). Court of the Assistant Judicial Commissioner (Nilgiris).
- (9). Cantonment Magistrates' Courts.
- (10). Joint Magistrates' Courts.
- (11). District Magistrates' Courts.
- (12). Sessions Courts.
- (13). Court of the Joint Sessions Judge (Vizagapatam).
- (14). Courts of Agents to the Governor.
- (15). Court of the Judicial Commissioner (Nilgiris).

Total files. 63. 1,58,404 cases affecting 2,98,790 persons were received in all these Courts in 1881.

Village Magistrates' Courts.Number of
working
Courts.

64. Omitting the Presidency Town, there are in all 57,309 villages in the Madras Presidency, and these are stated to be distributed among 38,631 Heads of Villages. In the Report for 1880 (para 151), it was observed that every District showed a larger number of Courts trying cases than cases actually tried, and the returns received in 1881 call generally for the same observation; the exceptions are the Districts of Kistna, North and South Malabar, Nilgiris, and Tinnevely.

Statistics
not reliable.

65. It is much to be regretted that the returns as to this class of Magistrates should continue to be thus unreliable; the importance of making this as well as every other feature of the annual statistics thoroughly reliable will again be pressed upon the attention of the District authorities.

Law relat-
ing to Vil-
lage officers.

66. The law regulating the jurisdiction of these officers stands greatly in need of revision. Their powers might well be extended to petty nuisances and other cases of a trivial character; and a more precise definition is required as to the persons over whom jurisdiction may be exercised and as to the persons on whom the punishment of the stocks is to be inflicted, if that punishment be retained.

Interior.
Jurisdiction. }**VILLAGE MAGISTRATES' COURTS.**

67. 13,698 cases affecting 20,406 persons were disposed of in 1881. Below is shown the variation in the work done by Village Magistrates for the last 10 years (1872 to 1881). Disposals of 1881 compared with the previous 9 years.

1872	...	...	...	24,194
1873	...	...	...	23,548
1874	...	...	...	21,886
1875	...	...	...	21,864
1876	...	...	...	19,361
1877	...	...	...	23,903
1878	...	...	...	18,616
1879	...	...	...	13,508
1880	...	...	...	12,701

Total ... 179,581
Average ... 17,958
Compare 1881 ... 13,698

68. The number of cases disposed of in 1881 in these Courts is larger than those given for 1879 and 1880, but falls far below the figures for any of the other years in the decade: there appears to be no means of judging whether the striking decrease noticeable in the latter part of the decade is owing to a reduction in the number of Village Magistrates exercising Criminal powers, or to a decrease in the number of petty rural offences, or to the inaccuracy of the returns.

69. Of the cases disposed of in 1881, 3,357 affecting 6,147 persons were dismissed. In the remaining 10,341 cases affecting 14,259 persons, one person was (illegally) sentenced to fine, while 10,203 were imprisoned, and 4,056 confined in stocks. Sentences passed.

REGULAR COURTS.REGULAR
COURTS.

70. Village Magistrates' Courts having been separately dealt with, the work of the Regular Courts comes next under review, first as a whole, and afterwards by classes of Courts.

TRIALS.

TRIALS.

71. 1,44,706 cases affecting 2,78,384 persons were brought before these Courts during the year under review. Files.

72. The following table exhibits the proportions in which the several classes of Regular Courts have shared in the work thus received. Contribution of the several classes of Courts to total files

Class of Courts.	Cases.	Percentage.	Persons.	Percentage.
Benches of Magistrates	24,103	16.64	28,712	10.32
Special Magistrates... ..	1,606	1.11	3,095	1.12
Stipendiary Magistrates, other than District and Special Magistrates	1,17,332	81.11	2,43,310	87.38
District Magistrates	251	0.17	476	0.17
Sessions Courts	1,414	0.97	2,791	1.01
Total...	1,44,706	100.00	2,78,384	100.00

73. Including 1,701 cases affecting 5,065 persons, which were pending at the close of 1880, and excluding cases which were transferred and in which the accused died or escaped, the total for disposal during the year was 1,47,601 cases affecting 2,86,232 persons. Of these, 1,45,945 cases affecting 2,80,782 persons were disposed of, leaving 1,656 cases affecting 5,450 persons undisposed of at the close of the year. Disposals.

TRIALS.
—
Contribution of the several classes of Courts to total disposal.

74. The following table exhibits the proportions in which the several classes of Regular Courts have contributed to the total disposals of the year.

Class of Courts.	Cases.	Percentage.	Persons.	Percentage.
Bench Magistrates	27,216	18.65	32,464	11.55
Special Magistrates	1,691	1.16	3,208	1.15
Stipendiary Magistrates, other than District and Special Magistrates	1,15,368	79.05	2,41,953	86.17
District Magistrates	234	0.16	407	0.14
Sessions Courts	1,436	0.98	2,780	0.99
Total...	1,45,945	100.00	2,80,782	100.00

75. It is noteworthy that over 16½ per cent of the cases coming before the Courts and over 18½ per cent of the cases disposed of were on the files of Bench Magistrates—a class of tribunal that did not exist in the Presidency until the Criminal Procedure Code of 1872 came into force.

Contribution of the several classes of Courts to total arrears.

76. The following statement distributes, by classes of Courts, the total number of cases and persons left undisposed of at the close of the year.

Class of Courts.	Cases.	Percentage.	Persons.	Percentage.
Bench Magistrates... ..	103	6.22	128	2.35
Special Magistrates	19	1.15	75	1.35
Stipendiary Magistrates, other than District and Special Magistrates	1,478	89.25	5,104	93.65
District Magistrates	9	0.54	22	.40
Sessions Courts	47	2.84	121	2.22
Total...	1,656	100.00	5,450	100.00

Cases how disposed of.

77. The following statement distributes, according to the mode of disposal, the cases dealt with in 1881.

	Cases.	Percentage.
Finally disposed of on Regular Trial... ..	97,494	66.80
" Summary Trial... ..	32,793	22.48
Committed or referred	1,845	1.27
Otherwise disposed of	13,813	9.45
Total...	1,45,945	100.00

The large proportion of cases dealt with under the summary form of procedure (viz., 22.48), which was first introduced by the Criminal Procedure Code of 1872, is worthy of notice.

Persons how dealt with.

78. The following statement distributes, according to the mode of disposal, the persons concerned in these cases :—

	Persons.	Percentage.
Discharged or acquitted	1,15,979	41.31
Convicted	1,14,469	40.77
Committed or referred	4,275	1.52
Otherwise dealt with	46,059	16.40
Total...	2,80,782	100.00

79. The Courts were instructed to enter under the head "otherwise disposed of" the cases dealt with by them under Chapters XXXI (Section 426), XXXVII (Sections 496 & 497 and XXXVIII (Sections 504 & 506) of the Code of Criminal

Procedure. The large proportion of cases appearing under this head, however, affords grounds for suspecting that the Court's instructions have not been kept in view.

80. The returns received up to 1880 did not distribute the disposed-of cases according to the manner in which they were dealt with : they treated as "disposed of" the persons concerned in cases referred or transferred to other Courts for disposal and the accused in complaints rejected without the issue of process, which the revised returns introduced in 1881 do not exhibit. The following figures are, therefore, confined to a comparison of the number of persons convicted and punished for the 10 years (1872 to 1881).

Year.	Persons. Convicted, and punished.	Persons convicted in 1881 compared with those of the pre- ceding nine years.
1872	93,945	
1873	93,067	
1874	91,513	
1875	1,00,591	
1876	1,08,750	
1877	1,70,384	
1878	1,32,929	
1879	1,10,880	
1880	1,04,667	
Total...	10,93,356	
Average...	1,09,336	
Compare 1881...	1,14,469	

81. The following statement shows in detail the sentences passed on the persons convicted during the year.

	Persons.	Percentage.
Transportation { for life	102	0.09
{ for a term	46	0.04
Imprisonment... { Rigorous { with solitary confinement	53	0.05
{ without "	14,847	13.06
{ Simple	2,675	2.36
Fine without imprisonment	93,712	82.46
Whipping without other punishment	2,216	1.94
Total...	1,13,651	100.00

The remaining 818 persons were ordered under Act XIII of 1859 to complete contracts for labor, &c., entered into by them.

82. Of the 17,575 persons sentenced to imprisonment, 3,583 were also sentenced fine. In the cases of 338 persons, whipping was awarded as an additional punishment. Of those sentenced to whipping, 787 were juvenile offenders. Of the persons convicted of offences relating to public tranquillity, 45 were also ordered to enter into recognizances to keep the peace.

83. Under Section 491 of the Code of Criminal Procedure, 85 persons were ordered to enter into recognizances to keep the peace, and under Chapter XXXVIII of the same Code, 40 were ordered to give security for good behaviour. In the case of 28 persons, imprisonment was awarded for non-compliance with the order under the one or the other of the abovementioned provisions.

84. 15,955 persons were imprisoned for varying terms not exceeding 6 months, 1093 for terms ranging between 6 months and 2 years, 504 for terms ranging between 2 and 7 years, and 23 for terms exceeding 7 years.

85. The fines imposed during the year amounted to Rupees 4,51,858, and of this sum, Rupees 3,39,648 was realized. A sum of Rupees 21,224 was also recovered during the year on account of fines imposed in previous years.

86. Rupees 31,727 were paid as compensation to complainants under Section 308 of the Criminal Procedure Code.

87. The number of witnesses examined in all these Courts was 3,37,009, and of these, 35,506 or 11 per cent were detained at the Courts beyond 3 days.

I.—Benches of Magistrates.

88. The returns received show that in 1881 there were 39 Benches of Magistrates and that the Magistrates constituting these Benches were 172 in number.

89. There appears to be no Courts of this class in the Districts of North Arcot and Kurnool, and in the Agencies of Ganjam, Godavari, and Vizagapatam.

TRIALS.

90. 24,103 cases affecting 28,712 persons were brought before these Benches during the year. Including 141 cases affecting 216 persons, which were pending at the beginning of the year, and excluding transfers and cases in which the accused died or escaped, the total for disposal was 27,319 cases affecting 32,562 persons. Of these, 27,216 cases affecting 32,434 persons were disposed of during the year, leaving 103 cases affecting 128 persons undisposed of at the close of the year.

91. The following statement classifies, according to the mode of disposal, the cases dealt with in 1881.

	Cases.	Percentage.
Finally disposed of on Summary trial ...	25,507	93.72
Committed or referred for higher punishment...	6	0.02
Otherwise disposed of ...	1,703	6.26
	27,216	100.00

92. The following statement distributes, according to the mode of disposal, the persons concerned in these cases.

	Cases.	Percentage.
Discharged or acquitted...	5,877	18.12
Convicted ...	22,815	70.34
Committed or referred for higher punishment	7	0.02
Otherwise dealt with ...	3,735	11.52
	32,434	100.00

93. The average duration of the disposed-of cases was 2 days.

94. The following statement shows, in detail, the sentences imposed on the 22,815 persons convicted during the year.

	Persons.	Percentage.
Imprisonment { Rigorous...	109	0.48
Simple ...	303	1.33
Fine without imprisonment ...	22,277	98.17
Whipping without other punishment ...	4	0.02
	22,693	100.00

The remaining 122 persons, as many as 98 of whom belonged to the Nilgiri District, were ordered under Act XIII of 1859 to complete contracts for labor, &c, entered into by them.

Of the 412 persons sentenced to imprisonment, 29 were also sentenced to fine.

95. The terms for which sentences of imprisonment were passed ranged between 15 days and 6 months in the case of 43 persons, and were for 15 days and under in the case of the remaining 369.

96. The fines imposed during the year amounted to Rs. 16,178, and of this sum, Rs. 14,816 were realized. Only one Rupee was collected during the year on account of fines imposed prior to 1881.

97. Rs. 295 were paid to complainants as compensation under Section 308, Criminal Procedure Code.

98. The number of witnesses examined by these Courts in 1881 was 26,581; of these, 984 or nearly 4 per cent were detained at the Courts beyond 3 days.

99. It may be noted that no Honorary Magistrates sat singly during the year to dispose of Criminal work.

II.—Special Magistrates' Courts.

100. There were 18 Special Magistrates appointed under Section 42 of the Criminal Procedure Code, in the following Districts, South Arcot, South Canara, Ganjam, Godavari, Madura, Nellore, North Tanjore and Tinnevely; of these, 6 were invested with the powers of a Magistrate of the 1st Class, 5 of the 2nd, and 7 of the 3rd.

101. One of these Special Magistrates was the guardian to the minor Zemindar of Ramnad, and the remaining 17 were public servants, 4 being Master Attendants, 1, a Port Officer, 8, Sea Customs Superintendents, and 4, paid Magistrates empowered to try nuisance cases in the District of Madura.

102. 2 of these Magistrates, one at Mangalore, and the other at Calingapatam in the District of Ganjam, received no cases during the year. The number of Courts of this description actually working during the year is thus reduced to 16.

TRIALS.

103. 1,606 cases concerning 3,093 persons were brought before the Special Magistrates' Courts during the year. Including 13 cases affecting 35 persons, which were pending at the beginning of the year, and excluding transfers and cases in which the accused died or escaped, the total for disposal was 1,710 cases affecting 3,283 persons. Of these, 1,691 cases affecting 3,208 persons were disposed of, leaving 19 cases affecting 75 persons undisposed of at the close of the year.

104. The following statement classifies, according to the mode of disposal, the cases dealt with in 1881.

	Cases.	Percentage.
Finally disposed of on Regular Trial ...	1,527	90.30
on Summary Trial ...	17	1.01
Committed or referred for higher punishment	147	8.69
Otherwise disposed of ...		
	1,691	100.00

105. The following statement distributes, according to the mode of disposal, the persons concerned in these cases.

	Persons.	Percentage.
Discharged or acquitted ...	1,420	44.26
Convicted ...	1,235	38.50
Committed or referred for higher punishment	29	0.91
Otherwise dealt with ...	524	16.33
	3,208	100.00

106. The average duration of the disposed-of cases was 3 days.

107. The following statement shows, in detail, the sentences imposed on the 1,235 persons convicted during the year.

	Persons.	Percentage.
Imprisonment { Rigorous ...	197	15.95
Simple ...	15	1.22
Fine without imprisonment ...	1,012	81.94
Whipping without other punishment ...	11	0.89
Total ...	1,235	100.00

Of the 212 persons sentenced to imprisonment, 54 were also sentenced to fine. Of those sentenced to whipping, 7 were juvenile offenders.

108. The sentences of imprisonment passed were for varying terms of 6 months and under in the case of 189 persons, and ranged between 6 months and 2 years in the case of 23 persons.

109. The fines imposed during the year amounted to Rupees 5,344, and of this sum, Rupees 3,606 were realized. Rupees 241 were recovered during the year on account of fines imposed in previous years.

110. Rupees 164 were paid to complainants as compensation under Section 308 of the Code of Criminal Procedure.

111. The number of witnesses examined by these Courts in 1881 was 4,617; of these, 1,390 or 30 per cent were detained at the Courts beyond 3 days.

III.—Stipendiary Magistrates' Courts.

(Other than District and Special Magistrates.)

Number of Courts and their classes. 112. During the year under review, the number of Stipendiary Magistrates, other than District and Special Magistrates, was 567. These are classed as follows:—

15 Joint Magistrates,
42 Assistant Collectors as Magistrates,
35 Deputy Collectors as Magistrates,
3 Cantonment Magistrates and
472 Other Subordinate Magistrates.

TRIALS. 113. 1,17,332 cases affecting 2,43,310 persons were received on the files of these Courts. Including 1,522 cases affecting 4,762 persons, which were pending at the close of 1880, and excluding transfers and cases in which the accused died or escaped, the total for disposal was 1,16,846 cases affecting 2,47,057 persons.

The number disposed of during the year was 1,15,368 cases affecting 2,41,953 persons, leaving 1,478 cases concerning 5,104 persons undisposed of at the close of the year.

Cases how disposed of. 114. The following figures show the modes in which the disposed-of cases were dealt with.

	Cases.	Percentage.
Finally disposed of on Regular Trial ...	94,458	81.88
„ Summary Trial ...	7,240	6.28
Committed or referred for higher punishment ...	1,760	1.52
Otherwise disposed of ...	11,910	10.32
	115,368	100.00

Persons how dealt with. 115. The following figures distribute the persons dealt with in the above cases according to the mode of disposal.

	Persons.	Percentage.
Discharged or acquitted ...	107,194	44.30
Convicted ...	88,912	36.75
Committed or referred for higher punishment ..	4,153	1.72
Otherwise dealt with ...	41,694	17.23
	2,41,953	100.00

Average duration. 116. The average duration of the disposed-of cases was 4 days in the Courts of Joint Magistrates, 9 in those of Assistant Magistrates, 10 in those of Deputy Magistrates, 1 in those of Cantonment Magistrates and 5 in those of the other Subordinate Magistrates. The average for all the Courts taken together was 6 days.

Sentences passed. 117. The figures given below show in detail the sentences imposed on the 88,912 persons convicted during the year.

	Persons.	Percentage.
Imprisonment { Rigorous { With solitary confinement ..	24	0.03
„ { Without „ ..	13,430	15.22
„ { Simple ...	2,274	2.58
Fine without imprisonment ...	70,309	79.70
Whipping without other punishment ...	2,179	2.47
Total...	88,216	100.00

The remaining 696 persons were ordered under Act XIII of 1859 to complete contracts for labor, &c, entered into by them.

Of the 15,728 persons sentenced to imprisonment, 3,389 were also sentenced to fine. Of the persons included in the above statement, 285 were also sentenced to whipping, and 45 were ordered to enter into recognizances to keep the peace. Of the persons sentenced to whipping alone, 772 were juvenile offenders.

118. 15,016 persons were imprisoned for varying terms not exceeding 6 months, and 712 for terms ranging between 6 months and 2 years.

119. Under Section 49 of the Criminal Procedure Code, 40 persons were ordered to give recognizances to keep the peace, and, under Chapter XXXVIII of the same Code, security was ordered to be taken from 39 persons for good behaviour. In the case of 27 persons, sentences of imprisonment were passed for non-compliance with one or other of the orders passed under the provisions above-mentioned.

Terms of imprisonment.
Recognizances to keep the peace and security for good behaviour.

120. The fines imposed by these Courts amounted to Rupees 4,03,048, and of this sum, Rupees 3,05,372 were realized. A sum of Rupees 9,670 was also recovered during the year on account of fines imposed in previous years.

121. Rupees 29,137 were paid as compensation to complainants under Section 308 of the Code of Criminal Procedure.

122. The number of witnesses examined was 2,97,053, and of these, 31,466 or nearly 10 per cent were detained in Court beyond 3 days.

IV.—District Magistrates' Courts.

123. The number of Districts in the Presidency of Madras during the year under review was 20. Of these, 19 were presided over by District Magistrates, and one (Nilgiris) by a Judicial Commissioner.

124. 217 cases affecting 411 persons were received in 1881 on the files of these Magistrates. Including 1 case affecting one person, which was pending at the close of 1880, and excluding transfers, the number on the files reduces itself to 209 cases affecting 364 persons. To these, however, must be added 34 cases affecting 65 persons, which were referred for enhanced punishment under Section 46 of the Code of Criminal Procedure, giving a total of 243 cases affecting 429 persons for disposal.

Of this number, 234 cases affecting 407 persons were disposed of, leaving 9 cases affecting 22 persons, undisposed of at the close of the year.

125. The following statement classifies, according to the mode of disposal, the cases dealt with in 1881.

	Cases	Percentage.
Finally disposed of on Regular Trial ...	152	64.96
„ Summary Trial ...	46	19.66
Committed ...	7	2.96
Otherwise disposed of ...	29	12.39
	234	100.00

126. The statement given below distributes, according to the mode of disposal, the persons concerned in these cases.

	Persons.	Percentage.
Discharged or acquitted...	159	39.07
Convicted ...	184	45.21
Committed ...	13	3.19
Otherwise dealt with ...	51	12.53
	407	100.00

127. In last year's report (paras 156 and 162), it was pointed out that District Magistrates exercised their powers as Criminal Courts to a very limited extent, and the Government, in their order reviewing the Report, called attention to their Standing Order, which requires a District Magistrate to retain, under his immediate supervision, at least one Taluk in the District. It is satisfactory to find that, in the year under review, the orders of Government have not been disregarded. The returns for 1881 show that every one of the District Magistrates received and tried cases during the year, except the District Magistrate of Malabar, the 3 cases on whose files were transferred to other Courts for disposal. The District Magistrates of Kurnool, Trichinopoly, Nellore and Godavari disposed of 20, 17, 16 and 16 cases respectively. The smallest number disposed of by any District Magistrate was 4.

128. The average duration of the cases disposed of was 8 days.

129. The following statement shows, in detail, the sentences imposed upon the 184 persons convicted during the year.

	Persons.	Percentage.
Imprisonment... { Rigorous... ..	100	54.35
„ { Simple	10	5.44
Fine without imprisonment...	70	38.04
Whipping without other punishment...	4	2.17
	184	100.00

Of the 110 persons sentenced to imprisonment, 8 were also sentenced to fine, and 8 to whipping, 58 persons were imprisoned for varying terms not exceeding 6 months and 52 for terms ranging between 6 months and 2 years.

TRIALS.
Fines.

Compensation.

Witnesses examined.

TRIALS.
Files.

Cases how disposed of.

Persons how dealt with.

Average duration.

Sentences passed, and terms of imprisonment.

TRIALS.
—
Recogni-
zances to
keep, the
peace and
security for
good be-
haviour.
Fines.
Compen-
sation
Witnesses
examined.

130. Under Section 491 of the Code of Criminal Procedure, 45 persons were ordered to enter into recognizances to keep the peace, and under Chapter XXXVIII of the same Code, one person was ordered to give security for good behaviour. One person was imprisoned for a term under one year for non-compliance with the order under one or other of the above-mentioned provisions.

131. The amount of fines imposed during the year was Rupees 2,095, of which Rupees 1,468 were realized. Rupees 100 were also recovered during the year on account of fines imposed in previous years.

132. Rupees 45 were paid as compensation to complainants under Section 308 of the Code of Criminal Procedure.

133. 778 witnesses were examined, and of these, 140 or nearly 18 per cent were detained at the Courts more than 3 days.

V.—Courts of Session.

Number of
Sessions
Divisions.

134. In the year under review, the number of Sessions Divisions was 25, of which 21 were presided over by Sessions Judges, 3 by Agents to the Governor and one (Nilgiris) by a Judicial Commissioner. The Sessions Judge of Vizagapatam was assisted by a Joint Sessions Judge.

TRIALS.
—
Commit-
ments.
Commit-
ments of
1880 and
1881 distri-
buted by
classes of
Courts.

135. 1,414 cases affecting 2,791 persons were committed to these Courts for trial.

136. The following table distributes, by classes of Courts, the cases received in 1880 and 1881 and the number of persons concerned.

Class of Courts	1880		1881.	
	Cases.	Persons.	Cases.	Persons.
Sessions Courts	1,517	3,136	1,389	2,680
Judicial Commissioner's Court (Nilgiris)	14	14	2	2
Courts of Agents to the Governor	97	287	23	109
	1,628	3,437	1,414	2,791

Courts
showing
an increase
in 1881 over
1880.

137. There was an increase in the number of cases committed for trial during the year, as compared with 1880, in the following Districts.

	1880	1881	Increase.
Godavari	95	116	21
Vizagapatam	50	71	21
Bellary	93	109	16
Tinnevely	72	86	14
Tanjore (South)	50	59	9
Malabar (North)	29	37	8

Courts
showing
a decrease
in 1881 as
compared
with 1880.

138. The following Districts show a considerable decrease :—			
	1880.	1881.	Decrease.
Arcot (North)	151	93	58
Madura	135	81	54
Tanjore (North)	78	41	37
Salem	97	81	16
Arcot (South)	71	55	16
Coimbatore	73	62	11
Ganjam	46	36	10
Kistna	41	33	8

Courts
having over
100 persons
for trial.

139. In the following 14 Districts, the number of persons tried by the Sessions Courts exceeded 100.

	Persons.
Godavari	253
Bellary	213
Vizagapatam	213
Trichinopoly	197
Tinnevely	176
Arcot (North)	160
Malabar (South)	160
Tanjore (South)	157
Madura	147
Salem	143
Coimbatore	127
Arcot (South)	122
Cuddapah	105
Nellore	105

140. The Nilgiri Judicial Commissioner's Court and the Courts of the Ganjam and Godavari Agents being excepted, every other Court had more than 50 persons committed to it for trial.

141. Including 24 cases affecting 51 persons, which were pending at the close of 1880, and excluding transfers, there were 1,483 cases affecting 2,901 persons for disposal in 1881.

Of these, 1,436 cases affecting 2,780 persons were disposed of, leaving 47 cases affecting 121 persons, undisposed of at the close of the year.

142. The following statement classifies, according to the mode of disposal, the cases disposed of in 1881.

	Cases.	Percentage.
Finally disposed of on Regular Trial	1,357	94.50
Referred to the High Court	55	3.83
Otherwise disposed of...	24	1.67
	1,436	100.00

143. Of these cases, 170 were tried by Jury in the Districts of Arcot (North), Canara (South), Cuddapah, Godavari, Madura, Tanjore (North and South) and Vizagapatam (Agent and Joint Sessions Judge); and 1,119 were tried with the aid of Assessors. The remaining 147 are cases, which were either disposed of on the confessions of the accused, or withdrawn, or in which the trial was suspended under Section 459 of the Code of Criminal Procedure.

144. In the cases tried by Jury, the Judge differed from the Jury in 6 only, the number of persons concerned being 13; of these, the cases of 10 persons only were referred to the High Court under Section 263 of the Code of Criminal Procedure.

145. In the cases tried with Assessors, the Judge differed from 1 Assessor in 60 cases, from a majority in 7, and from all the Assessors in 157, the cases thus differed in being on the whole 224.

146. The following statement distributes, according to the mode of disposal, the 2,780 persons concerned in the 1,436 cases disposed of in 1881.

	Persons.	Percentage.
Discharged or acquitted	1329	47.81
Convicted	1323	47.51
Referred to the High Court under Secs. 263 and 287, Criminal Procedure Code.	73	2.63
Otherwise dealt with	55	2.05
	2,780	100.00

A certain proportion of the persons entered under the head of otherwise disposed of were presumably persons, the charges against whom were withdrawn on a conviction being obtained on other charges (Section 459 of the Code of Criminal Procedure.)

147. The proportion of persons convicted to those committed for trial in 1880 and 1881 is shown below.

	Committed.	Convicted.	Percentage.
1880	3436	1848	53.78
1881	2791	1323	47.40

148. The following figures give the proportions of convictions to commitments in the several Sessions Divisions of the Presidency, the Courts in which trial by Jury has been introduced being distinguished from those in which the accused are tried by a Judge and Assessors.

Jury Districts.	Proportions in Jury Districts and Assessors' Districts distinguished.
Canara (South)	65.00
Tanjore (North)	58.43
Vizagapatam (Joint Sessions Judge's Court).	52.70
Madura	51.37
Nilgiris	50.00
Vizagapatam (Agency)	45.35
Cuddapah	43.81
Arcot (North)	42.76
Godavari	42.39
Tanjore (South)	33.33
Average...	48.50

TRIALS.

Proportions
in Jury Dis-
tricts, and
Assessors'
Districts
distinguish-
ed.

Assessors' Districts....	Ganjam	73.75
	Malabar (North)	69.86
	Bellary	68.47
	Chingleput	66.38
	Nellore	62.85
	Malabar (South)	55.62
	Coimbatore	53.66
	Vizagapatam	53.60
	Ganjam (Agency)	52.18
	Kistna	48.49
	Salem	42.60
	Kurnool	41.89
	Trichinopoly... ..	41.10
	Tinnevelly	31.25
	Arcot (South)	28.33
Average... ..		52.63
Average excluding the last two Districts...		56.14

149. It may be noted that the percentage of convictions to commitments is generally lower in the Courts in which the Jury system has been introduced for the trial of certain specified offences against property. It is, however, worthy of remark that in two Districts, viz., South Arcot and Tinnevelly, in which the system of trial by Jury has not been introduced, the percentage of convictions to commitments was lower than in any of the Jury Districts.

Average duration.

150. The Courts were instructed to calculate the pendency of Sessions cases from the date of the receipt of the Magistrate's order of commitment. But the average durations reported are in many instances apparently not in accordance with this instruction. In Sessions Courts, they are stated to have been one day; in the Court of the Judicial Commissioner, 3; and in the Courts of Agents to the Governor, 4.

Sentences passed.

151. The following statement shows, in detail, the sentences imposed on the 1,323 persons convicted during the year.

		Persons.	Percentage.
Transportation	{ for life	102	7.71
	{ for a term	46	3.47
Imprisonment.	{ Rigorous { with solitary confinement ..	29	2.20
	{ Simple { without "	1,011	76.42
Fine without imprisonment		73	5.52
Whipping without other punishment		44	3.32
		18	1.36
		1323	100.00

Of the 1,113 persons sentenced to imprisonment, 103 were also sentenced to fine. On 45 of the persons included in the above statement, sentences of whipping were passed as an additional punishment. Of the 18 persons sentenced to whipping alone, 8 were juvenile offenders.

Terms of imprisonment.

152. 280 persons were imprisoned for varying terms not exceeding 6 months, 306 persons for terms ranging between 6 months and 2 years, 504 persons for terms ranging between 2 and 7 years, and 23 persons for terms exceeding 7 years.

Fines.

153. The fines imposed during the year amounted to Rupees 25,193, and of this sum, Rupees 11,386 were realized. Rupees 11,212 were also recovered during the year on account of fines imposed in previous years.

Compensation.

154. Rupees 2,086 were paid as compensation to complainants under Section 308 of the Code of Criminal Procedure.

Witnesses examined.

155. The number of witnesses examined was 7,980, and of these, 1,526 or a little over 19 per cent were detained in Court beyond 3 days.

CRIMINAL JUSTICE.

APPELLATE JURISDICTION.

COURTS UNDER THE HIGH COURT.

156. The number of Courts actually exercising Jurisdiction as Courts of Appeal in 1881 was 120.

157. These Courts were presided over by various grades of Judges as follows:—

- 20 Sessions Judges,
- 2 Agents to the Governor,
- 1 Judicial Commissioner (Niligiris),
- 20 District Magistrates,
- 14 Joint Magistrates,
- 59 Assistant and Deputy Collectors as Magistrates and
- 4 Assistant Agents.

158. It is worthy of notice that no Appeals were filed before the Sessions Judge of North Tanjore and the Agent to the Governor at Ganjam.

APPEALS.

APPEALS.

159. The total number of Appeals instituted in 1881 was 3,053, and in these, 6,992 persons were concerned.

160. The following statement distributes these Appeals and persons by classes of Courts.

Class of Courts.	Appeals.	Persons.	Files of 1881 distributed by classes of Courts.
Sessions Courts	266	403	
Courts of Agents to the Governor	11	16	
Court of the Judicial Commissioner, Nilgiris	8	8	
District Magistrates	353	798	
Joint Magistrates	705	1,672	
Assistant and Deputy Collectors as Magistrates]	1,695	4,074	
Assistant Agents	15	21	
Total	3,053	6,992	

161. Including 115 Appeals affecting 319 persons, which were pending at the close of 1880, and excluding transfers, the total number for actual disposal was 3,181 Appeals affecting 7,402 persons. Of these, 3,015 Appeals affecting 6,957 persons were disposed of, leaving 166 Appeals affecting 445 persons undecided at the close of the year.

162. The following statement distributes these Appeals and persons by classes of Courts.

Class of Courts.	Appeals.	Persons.	Disposals of 1881 distributed by classes of Courts.
Sessions Courts... ..	274	408	
Courts of Agents to the Governor	11	16	
Court of the Judicial Commissioner, Nilgiris	7	7	
District Magistrates	316	795	
Joint Magistrates	677	1,561	
Assistant and Deputy Collectors as Magistrates	1,714	4,147	
Assistant Agents	16	23	
Total	3,015	6,957	

163. The following statement shows the variations in the number of Appeals disposed of by the Criminal Courts in the Interior for the last 10 years (1872 to 1881), and in the number of persons therein concerned.

Year.	Appeals.	Persons.
1872 ...	3,812	9,570
1873 ...	3,843	9,371
1874 ...	3,678	8,541
1875 ...	3,223	7,619
1876 ...	3,435	8,085
1877 ...	3,109	6,826
1878 ...	2,824	5,795
1879 ...	2,778	5,230
1880 ...	2,995	6,843
Total ...	29,697	67,830
Average ...	3,299	7,542
Compare 1881 ...	3,015	6,957

164. The following table compares by Districts the number of Appeals disposed of by Sessions Courts, Agents to the Governor, and the Judicial Commissioner of the Nilgiris, for the last 5 years (1877 to 1881), and the number of persons therein concerned.

Districts.	1877.		1878.		1879.		1880.		1881.	
	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.
Arcot (North) ...	28	33	60	73	24	34	20	39	6	9
Arcot (South) ...	26	71	32	47	20	27	8	2	15	20
Bellary ...	172	311	22	26	17	23	27	45	17	25
Canara (South) ...	7	16	9	15	7	13	13	33	8	13
Chingleput ...	17	27	6	10	24	44	13	17	8	8
Coimbatore ...	13	16	22	39	7	13	17	14	2	2
Cuddapah ...	47	97	17	26	19	29	7	9	11	17
Ganjam ...	15	20	11	16	5	5	13	9	17	25
Godavari ...	35	57	28	34	26	39	23	25	15	15
Kistna ...	46	136	28	36	25	30	27	48	11	14
Kurnool ...	26	39	16	17	9	14	12	27	13	13
Madura ...	125	186	98	137	124	169	86	116	37	67
Malabar (North) ...	20	20	14	22	10	13	11	19	7	9
Malabar (South) ...	13	21	30	46	22	55	34	49	17	31
Nellore ...	18	22	11	14	7	13	12	12	10	16
Salem ...	28	32	21	24	11	13	13	23	12	16
Tanjore (North) ...	22	49	2	2	8	20	2	2	...	...
Tanjore (South) ...	12	17	11	21	6	41	23	38	6	17
Tinnevelly ...	25	30	30	49	15	45	31	41	19	30
Trichinopoly ...	1	2	8	9	14	16	5	5	26	36
Vizagapatam ...	14	18	7	7	18	23	8	13	7	7
Judicial Commissioner's Court, Nilgiris ...	1	1	...	...	4	4	1	3	...	...
Agent to the Governor at Ganjam ...	4	2	...	...	3	5	4	10	7	10
Do. Godavari ...	...	Not in existence	...	...	...	...	...	...	...	...
Do. Vizagapatam ...	...	...	...	...	...	...	...	...	...	...
Total...	713	1,223	491	633	431	707	435	673	292	431
Average ...	34	58	23	33	21	34	21	32	14	20

165. The following statement compares by Districts the number of Appeals disposed of by District Magistrates for the last five years (1877 to 1881), and the number of persons therein concerned.

District.	1877.		1878.		1879.		1880.		1881.	
	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.
Arcot (North) ...	2	6	19	26	13	17	7	17	7	12
Arcot (South) ...	4	7	22	32	16	41	11	23	5	11
Bellary ...	5	6	...	...	20	20	...	...	2	2
Canara (South) ...	55	123	31	90	24	76	34	109	46	120
Chingleput ...	5	6	1	1	6	25	10	30	4	8
Coimbatore ...	2	3	4	4	11	30	7	27	14	23
Cuddapah ...	2	21	3	5	2	3	5	5	5	11
Ganjam ...	10	25	15	30	19	55	8	24	12	35
Godavari ...	20	25	37	55	64	116	24	48	1	1
Kistna ...	17	41	11	23	30	79	13	39	9	29
Kurnool ...	16	26	4	6	4	13	13	26	9	19
Madura ...	56	87	61	10	35	73	8	21	3	6
Malabar ...	8	16	40	88	31	49	22	41	20	54
Nellore ...	1	2	19	77	15	53	14	28	6	15
Nilgiris ...	...	...	...	...	2	6	...	...	3	4
Salem ...	12	30	31	43	41	78	55	116	52	110
Tanjore ...	2	8	3	15	3	16	6	77	15	79
Tinnevelly ...	28	62	22	57	2	13	4	10	24	64
Trichinopoly ...	33	85	18	39	28	50	43	78	56	146
Vizagapatam ...	12	58	11	25	20	30	2	8	23	46
Total...	290	637	352	726	386	843	236	727	316	795
Average ..	16	35	30	40	19	42	16	40	16	40

166. The following statement compares by Districts the number of Appeals disposed of by all other Magistrates for the last five years (1877 to 1881), and the number of persons therein concerned.

	1877.		1878.		1879.		1880.		1881.	
	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.	Appeals.	Persons.
Arcot (North) ...	76	160	110	163	97	214	96	211	131	236
Arcot (South) ...	149	345	132	302	123	216	149	381	157	341
Bellary ...	153	263	71	133	87	142	94	190	138	261
Canara (South) ...	47	151	50	179	44	135	47	145	37	120
Chingleput ...	40	81	40	121	60	191	55	149	76	219
Coimbatore ...	90	240	124	253	86	184	90	187	113	240
Cuddapah ...	90	231	65	139	63	130	98	284	109	324
Ganjam ...	95	269	68	138	82	165	122	302	146	371
Godavari ...	134	358	140	279	126	292	176	344	166	259
Kistna ...	99	249	143	275	163	202	121	183	111	262
Kurnool ...	46	69	30	57	52	128	48	92	61	109
Madura ...	195	418	125	311	159	386	193	460	225	625
Malabar ...	263	558	273	474	266	563	296	621	225	496
Nellore ...	43	83	39	97	43	88	31	56	59	124
Salem ...	101	210	76	124	56	143	83	175	95	238
Tanjore ...	167	492	170	455	201	657	169	482	190	574
Tinnevelly ...	213	556	207	594	240	637	238	693	180	...
Trichinopoly ...	41	90	45	138	45	139	59	151	...	...
Vizagapatam ...	64	143	73	157	44	68	109	237	...	...
Total	2,106	4,966	1,981	4,389	1,961	4,680	2,274	5,443	2,407	5,731
Average per District...	111	261	104	231	103	246	119	264	127	302
Average per Magistrate.	27	64	26	67	25	60	30	71	31	74

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APPEALS.
—
Appellants
how dealt
with.

167. The following figures show the number of persons under each head of disposal for the year 1881, and the proportion each such head bears to the total.

	Persons.	Percentage.
Appeals rejected	693	9.96
Conviction or order confirmed	3,152	45.38
Sentence or order reversed	2,297	33.02
„ enhanced	78	1.12
„ reduced or order modified... ..	658	9.45
Proceedings quashed	13	0.19
New trial or further enquiry ordered	53	0.76
Otherwise disposed of	13	0.12
Total ...	6,957	100.00

Disposals
of 1881
compared
in detail
with those
of the
preceding
nine years.

168. The following statement compares the results, as regards persons, of the Appeals disposed of for the last 10 years (1872 to 1881).

Year.	PERSONS.				
	Appeals were rejected.	Conviction confirmed.	Sentence altered or annulled.	Otherwise disposed of.	Percentage of cols. 1 and 2 to aggregate appeals dealt with.
1	2	3	4	5	6
1872 ...	1,835	4,540	2,852	283	67.03
1873 ...	1,857	4,096	3,144	274	63.62
1874 ...	1,655	3,566	3,012	308	61.12
1875 ...	1,339	3,530	2,578	172	63.90
1876 ...	1,216	3,684	2,907	278	60.60
1877 ...	1,245	3,001	2,391	189	62.20
1878 ...	845	2,496	2,228	229	57.62
1879 ...	776	2,588	2,603	263	53.99
1880 ...	805	3,036	2,702	300	56.13
Total ...	11,573	30,537	24,417	2,296	61.18
Average ...	1,286	3,393	2,713	255	61.18
Compare 1881...	693	3,152	3,046	66	55.26

Average
duration.

169. The average duration of the Appeals disposed of was 22 days in Sessions Courts, 17 in the Courts of Agents to the Governor, 35 in that of the Judicial Commissioner (Nilgiris), 19 in those of District Magistrates, and 18 in those of other Magistrates. The average for all the Courts taken together was 5 days.

REVISION
CASES.
—
Sessions
Courts.

REVISION CASES.

170. 212 persons applied during the year to the Courts of Session for their interference in view to a revision by the High Court of the sentences passed on them by the subordinate Courts, and the cases of 23 persons were taken up by the same Courts of their own motion on a perusal of the Subordinate Courts' Judgments. The total number to be dealt with was therefore 335 persons. The Courts of Session

Interior.
Jurisdiction.

refused to interfere in the case of 143 persons, and referred, under Section 296 of the Criminal Procedure Code, the cases of 90 persons to the High Court. The cases of 2 persons awaited decision at the close of 1881.

REVISION
CASES.
—

171. 327 persons applied also during the year to the District Magistrates to obtain a revision by the High Court of the sentences passed on them by the subordinate Courts, and the cases of 155 persons were taken up by the same Courts of their own motion on a perusal of Judgments, making a total of 482 persons. The District Magistrates refused interference in the case of 201 persons, and referred to the High Court the cases of 266 persons, leaving the cases of 15 persons undisposed of at the close of 1881.

District
Magistrates'
Courts.

GENERAL.

172. Following the plan adopted in the Administration Report of Civil Justice, an attempt is made, in the pages immediately following, to deduce some general conclusions from the statistical details dealt with in the earlier part of the Report.

173. The statement below gives the relative contributions of the several Districts of the Presidency to the aggregate number of cases (omitting Village Magistrates' Courts) received in 1881.

Contribu-
tion of the
several Dis-
tricts to the
aggregate
number of
cases filed.

Districts.	Cases.	Appeals		Total.	Percentage.
		to Lower Courts.	to High Court.		
1	2	3	4	5	6
Malabar (North)	16,329	287	19	16,633	11.22
Malabar (South)	13,364	223	25	13,635	9.19
Tanjore (North)	12,278	268	24	12,570	8.48
Tanjore (South)	9,276	158	40	9,474	6.39
Madura	8,828	148	16	8,992	6.06
Bellary	7,828	88	9	7,925	5.35
Trichinopoly	7,593	171	108	7,872	5.31
Chingleput	7,065	142	11	7,218	4.87
Godavari	6,992	188	26	7,206	4.86
Kistna	6,708	145	20	6,873	4.64
Arcot (South)	6,431	170	20	6,671	4.50
Arcot (North)	6,032	137	27	6,196	4.18
Ganjam	5,833	137	7	5,977	4.03
Vizagapatam	5,615	163	26	5,804	3.92
Coimbatore	5,037	227	16	5,280	3.57
Salem	4,749	125	12	4,886	3.30
Tinnevely... ..	4,307	81	12	4,400	2.97
Cuddapah	4,293	74	9	4,376	2.96
Kurnool	3,044	84	13	3,141	2.12
Nellore	1,996	11	...	2,007	1.35
Canara (South)	800	17	5	822	0.55
Nilgiris	182	1	2	185	0.12
Vizagapatam(Agency)	76	8	3	87	0.06
Ganjam do.					
Godavari do.					
Total	1,44,706	3,053	476	1,48,235	100.00
Average upon 21 Districts...	6,890	145	23	7,058	—
Madras	27,171	...	4	27,175	—
Grand Total...	1,71,877	3,053	480	1,75,410	—

GENERAL.

174. It will be seen that from 16,000 to 12,000 cases were received from each of the important Districts of Malabar, Tanjore and Madura; and the smallest contributions were from the thinly-populated and comparatively-poorer Districts of South Canara (3,141), Nellore (4,376), Kurnool (4,400), and Cuddapah (4,886).

175. The figures in Col. 2 include petty cases in which no appeal lies; but the comparatively small number of appeals preferred from the sentences of Magistrates would appear to indicate that the Magistrates have, as a rule, secured the confidence of the people.

Receipts & charges distributed by classes of Courts and net result.

176. The following statement exhibits the Receipts and Charges of each of the several classes of Courts for the year 1881.

Class of Courts.	Receipts.	Charges.	Surplus.	Deficit.
High Court	2,045	62,388	...	60,343
Sessions Courts	37,109	2,56,464	...	2,19,355
District Magistrates' Courts	2,772	11,4,740	...	1,11,968
Presidency Magistrates' Courts	28,411	62,920	...	34,509
Benches of Magistrates	14,122	309	13,813	...
Special Magistrates' Courts	34,536	21,146	13,390	...
Other Stipendiary Magistrates' Courts	3,91,935	2,77,396	1,14,539	...
Total...	5,10,930	7,95,363	1,41,742	4,26,175
			Net Result...	2,48,433

Proportion, by classes of Courts, of acquittals and convictions to total disposal.

177. The following statement exhibits, by classes of Courts, the proportions of persons convicted and acquitted to the total dealt with for the year 1881, the remainder, if any, being the proportion of persons committed, referred, or otherwise disposed of.

Class of Courts.	Discharged and acquitted.	Convicted.
High Court... { Sessions	20.78	79.22
{ Under Sections 263 and 287	16.88	82.76
Sessions Courts	47.81	47.51
District Magistrates' Courts	39.07	45.21
Presidency Magistrates' Courts	7.79	91.27
Benches of Magistrates	18.12	70.34
Special Magistrates' Courts	44.26	38.50
Other Stipendiary Magistrates' Courts	44.30	36.75

178. It will be seen from the above figures that the ratio of convictions to acquittals is highest in the Courts of the Presidency Magistrates, viz, 91.27 per cent or a ratio of 13 to 1. A probable cause of this high ratio of convictions has been suggested at page 11, para 51.

179. The next highest proportion (omitting the High Court) of convictions is in the Courts of the Bench Magistrates. It may be noted that the procedure in both the last-mentioned classes of Courts is for the most part summary. The table discloses also the remarkable fact that, owing to the low percentages in certain Divisions, the convictions and acquittals in Sessions Courts were almost equal in number. To appreciate the significance of the last mentioned fact, it is necessary to recollect that all cases dealt with by Sessions Courts have undergone the sifting of a preliminary examination by a Committing Magistrate.

180. The following statement exhibits, by classes of Courts, the proportions of the various punishments imposed to total number of punishments of all kinds.

Class of Courts.	Death.	Transportation.	Imprisonment.		Fine (alone).	Whipping (alone).
			Rigorous.	Simple.		
High Court. { Sessions	...	1.64	85.24	6.56	...	6.56
{ Under Sec. 263	...	...	75.00	...	25.00	...
{ " 287	79.35	19.57	1.08	...	...	...
Sessions Courts	...	11.18	78.62	5.52	3.32	1.36
District Magistrates' Courts	...	...	54.35	5.44	38.04	2.17
Presidency Magistrates' Courts	...	...	2.35	0.20	96.41	1.04
Benches of Magistrates	...	...	0.48	1.33	98.17	0.03
Special Magistrates' Courts	...	...	15.95	1.22	81.94	0.89
Other Stipendiary Magistrates' Courts	...	...	15.25	2.58	79.70	2.47

GENERAL.
Proportion, by classes of Courts, of each of the various classes of sentences to total.

181. It will be seen that, in four classes of Courts, (i. e.) Presidency Magistrates, Bench Magistrates, Special Magistrates and other Stipendiary Magistrates, as many as 80 to 98 per cent of the persons convicted were sentenced to fine, and that rigorous imprisonment was imposed on as many as 50 to 85 per cent in the higher classes of tribunals, (i. e.), District Magistrates' Courts, Sessions Courts, and the High Court Sessions. In the Courts of Session, over 11 per cent of the persons convicted were sentenced to transportation. Excluding the High Court, the number sentenced to whipping falls short of 3 per cent in all classes of Courts.

182. The following statement exhibits, by classes of Courts, the number of persons sentenced to fine, the amount of fines imposed and realized during the year, and the average fine imposed per head.

Class of Courts.	Number of persons sentenced to fine.	Amount of fine imposed.	Average per head.	Amount realized.
		RS.	RS.	RS.
High Court	5	5,500	1,100	...
Sessions Courts	147	25,193	171	11,386
District Magistrates' Courts	78	2,095	27	1,468
Presidency Magistrates' Courts	29,654	23,527	3	20,357
Benches of Magistrates	22,306	16,178	3	14,816
Special Magistrates' Courts	1,066	5,344	5	3,606
Other Stipendiary Magistrates' Courts	73,698	4,03,048	5 1/2	3,05,372
Total	1,26,954	4,80,885	4	3,57,005

Fines imposed & realized distributed by classes of Courts.

There are no means of determining whether the large proportion of fines uncollected (viz., 25.76 per cent) is owing to the omission on the part of the Court to take the necessary steps to realize the penalties or to the poverty of a portion of the persons sentenced to this form of punishment.

HIGH COURT OF JUDICATURE,
MADRAS,
8th November 1882.

T. WEIR,
Registrar,
Appellate Side.

A P P E N D I X.



I.—Imperial Statements.

JUDICIAL STATEMENT No. 4.—(CRIMINAL.)

Statement showing the general Result of Criminal Trials in the Tribunals of various Classes in the Province of Madras, in the year 1881.

CLASS OF COURTS.	PERSONS WHOSE CASES WERE DISPOSED OF.											REMARKS.
	Total Number of Persons under trial.	Died, escaped or transferred to another Province, &c.	Discharged or Acquitted.	CONVICTED.		Committed or Referred.	Persons remaining under Trial at the end of the year.	Number of Cases disposed of during the year.	Average number of days during which each case lasted.	Number of Witnesses examined.		
				On Regular Trial.	On Summary Trial.							
1	2	3	4	5	6	7	8	9	10	11	12	
COURTS IN THE INTERIOR.												
Village Officers	...	...	6,147	...	14,260	...	...	...	...	...	...	
{ Special Magistrates under Section 42	3,284	825	1,420	1,235	...	29	75	1,691	3	4,617		
{ Honorary Magistrates sitting singly	...	...	...	...	...	...	...	...	...	...		
{ Stipendiary Magistrates sitting singly	2,47,207	150	1,07,194	82,049	6,863	4,153	5,104	1,15,404	6	2,37,053		
{ Benches of Magistrates	32,583	3,756	5,877	...	22,815	7	128	27,216	2	26,581		
Chief Magistrates of Districts	429	51	159	140	44	13	22	234	8	778		
Courts of Session.	290	55	1,329	1,323	...	73	121	1,436	2	7,980		
COURTS AT THE PRESIDENCY TOWN OR SEAT OF GOVERNMENT.												
Presidency Magistrates	33,869	247	2,633	115	30,736	72	66	27,160	...	14,075		
{ Original Jurisdiction	87	8	17	61	...	...	1	69	...	411		
{ Under Section 263, Criminal Procedure Code	12	...	8	4	...	...	...	6	...	...		
Superior Courts.	109	1	11	92	...	...	5	82	...	...		
" 287 "	...	...	...	...	...	...	...	...	...	...		
Total...	3,17,870	4,793	1,24,795	85,019	74,718	4,347	5,522	1,73,298	...	3,51,495		

Cases referred under Section 46 of the Criminal Procedure Code to District and Divisional Magistrates and disposed of by them are not shown separately for want of sufficient information.

JUDICIAL STATEMENT No. 5—(CRIMINAL).
Statement showing the Punishments inflicted by the various Criminal Tribunals in the Province of Madras, in the year 1881.

CLASS OF TRIBUNAL.	PERSONS SENTENCED TO										DETAILS OF PUNISHMENT.															Number of boys whose sentences were commuted to detention in a Reformatory School.								
	2	3	4	IMPRISONMENT.			8	9	10	11	FINE.										IMPRISONMENT.			26	27		28							
				Rigorous.	Simple.	Forfeiture of Property.					Fine.	Whipping.	Persons ordered to find or give security or recognizance to keep the peace, or sureties for good behaviour.	Persons imprisoned in default of security for good behaviour.	Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Above Rs. 1,000.	Total amount of Fines imposed during the year.	Total amount of Fines realized during the year.	Amount paid by way of compensation.	15 days and under.					6 months and under.	2 years and under.	7 years and under.	Above 7 years.	10 stripes and under.	20 stripes and under.	30 stripes and under.
1												12	13	14	15	16	17	18	19	20	21	22	23	24	25									
COURTS IN THE INTERIOR.																																		
Village Officers																																		
Special Magistrates under Section 42																																		
Honorary Magistrates sitting singly																																		
Stipendiary Magistrates sitting singly																																		
Bench of Magistrates																																		
District and Divisional Magistrates—Cases referred under Section 46, C. P. C.																																		
Chief Magistrates of Districts																																		
Courts of Session																																		
COURTS AT THE PRESIDENCY TOWN OR SEAT OF GOVERNMENT.																																		
Presidency Magistrates' Courts																																		
Original Jurisdiction																																		
Under Section 263, C. P. C.																																		
Superior Courts.																																		
237.																																		
Total...	73	167		15,678	16,998		1,26,927	2,900	186	30	1,18,981	7,276	434	216	16	4	4,80,935	3,79,114	32,740	20,500	10,410	1,206	536	24	264	563	196							

NOTE.—Persons sentenced to lashes are not shown in Cols. 26, 27 and 28.

* Of these, 4,056 were confined in stocks.

JUDICIAL STATEMENT No. 6—(CRIMINAL).
Statement showing the result of Appeal and Revision in Criminal Cases in the Province of Madras, in the year 1881.

TRIBUNALS.	NUMBER OF PERSONS.														Remarks.	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14		
APPEALS.																
To Chief Magistrates of Districts*	...	6,958	10	592	2,971	70	625	2,198	8	52	...	432	18	...		
Courts of Session	...	444	3	101	181	8	33	99	5	1	...	13	23	...		
Superior Courts	...	† 804	3	134	409	5	131	44	...	14	...	64	34	...		
by persons convicted	...	...	...	...	...	...	...	...	...	...	...	...	...	...		
by Government from judgments of acquittal	...	25	1	...	16	...	...	2	...	...	...	6	...	...		
Total...	...	8,231	17	827	3,577	83	789	2,343	13	67	...	515	...	...		
REVISION.																
By Chief Magistrates of Districts	...	592	...	201	...	...	...	...	...	...	...	15	...	...		
Courts of Session	...	235	...	143	20	...	...	14	...	18	...	90	...	...		
Superior Courts	...	1,179	...	105	359	58	106	107	308	9	127	...	...	...		
Total...	...	2,006	...	449	379	58	106	121	308	27	593	17	...	...		
Grand Total...	...	10,237	17	1,276	3,956	141	895	2,464	321	94	593	532	...	...		

* Or other Magistrates authorized to hear Appeals under Section 263, C. P. C.
† Persons concerned in cases under Section 263, C. P. C. are excluded as they are separately shown in Statement No. 4.
NOTE.—Persons in cases taken up for Revision of the Court's own motion are also included.

JUDICIAL STATEMENT No. 13.—(CRIMINAL).
Statement showing Use of Juries and Assessors in Criminal Courts in the Province of Madras, in the year 1881.

Classes of Courts in which Jurors or Assessors are employed.	Established or Average Number of Jury or Assessors in each case, and prescribed qualifications.	Number of Cases tried by Jury.	Number of Cases tried with Assessors.	JURY TRIALS.					ASSESSORS' TRIALS.			Remarks.
				Cases in which the Judge approved of the verdict.	CASES IN WHICH THE JUDGE DID NOT APPROVE OF THE VERDICT.		NUMBER OF PERSONS, OF THE VERDICT IN RESPECT TO WHOM THE JUDGE DISAPPROVED.		Number of Cases in which Judge agreed with Assessors.	NUMBER OF CASES IN WHICH JUDGE DIFFERED FROM.		
					Wholly.	Partially.	Whose Cases he referred under Section 263, C. P. C.	Whose Cases he did not refer under Section 263, C.P.C.		One Assessor.	Both Assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Magistrates' Courts under Chapter XXXIX, Criminal Procedure Code ... } Jurors	...	...	...	...	...	...	...	...	...	...	...	Jurors were employed in the trial of offences under Sections 378, 380, 382, 392 to 395, 397 to 402, 411, 412, 414, 451 to 459 & 461 of the Indian Penal Code; and Assessors in all other cases.
Courts of Session ... } Assessors	5* 2 or 3†	170	1,119	164	5	1	10	3	886	60	164	
High Court, Original Criminal Jurisdiction ... } Jurors	9	61	...	61	...	...	...	...	...	...	...	
Total...	...	231	1,119	225	5	1	10	3	886	60	164	

* Qualifications as described in Sections 404 and 405 of the Code of Criminal Procedure.
† Qualifications as described in Section 42 of the High Courts Criminal Procedure Act, 1875.

APPENDIX.

II.—Special Statements.

I.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of Bench Magistrates, for the year 1881.

DISTRICTS.	CASES.			PERSONS.			REMARKS.
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	
1	2	3	4	5	6	7	8
Arcot (North)	...	...	...	...	...	...	
Arcot (South)	1,109	1,104	5	1,319	1,312	7	
Bellary	4,405	4,355	17	4,576	4,523	19	
Canara (South)	476	476	...	755	755	...	
Chingleput	2,228	2,227	3	2,304	2,309	3	
Coimbatore	1,044	1,044	1	1,183	1,185	2	
Nilgiris	236	216	2	318	295	2	
Cuddapah	749	654	...	1,209	1,075	...	
Ganjam	200	212	...	554	590	...	
Do. (Agency)	...	...	...	...	...	...	
Godavari	1,331	1,322	6	1,827	1,822	6	
Do. (Agency)	...	...	...	...	...	...	
Kistna	...	2,961	...	...	3,167	...	
Kurnool	...	...	...	...	...	...	
Madura	2,784	2,784	...	2,852	2,852	...	
Malabar	422	763	...	742	1,506	...	
Nellore	932	925	7	1,431	1,423	8	
Salem	935	953	...	935	953	...	
Tanjore	5,399	5,366	52	6,153	6,125	62	
Tinnevelly	1,661	1,661	9	2,265	2,261	9	
Trichinopoly	...	...	...	...	...	...	
Vizagapatam	192	193	1	289	281	10	
Do. (Agency)	...	...	...	...	...	...	
Total...	24,103	27,216	103	28,712	32,434	128	

II.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of Special Magistrates, for the year 1881.

DISTRICTS.	CASES.			PERSONS.			REMARKS.
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	
1	2	3	4	5	6	7	8
Arcot (North)	...	...	...	...	...	...	
Arcot (South)	652	749	15	1,381	1,464	65	
Bellary	...	...	...	...	...	...	
Canara (South)	...	...	...	...	...	...	
Chingleput	...	...	...	...	...	...	
Coimbatore	...	...	...	...	...	...	
Nilgiris	...	...	...	...	...	...	
Cuddapah	...	...	...	...	...	...	
Ganjam	15	15	...	21	21	...	
Do. (Agency)	...	...	...	...	...	...	
Godavari	185	182	3	369	361	8	
Do. (Agency)	...	...	...	...	...	...	
Kistna	...	...	...	...	...	...	
Kurnool	...	...	...	...	...	...	
Madura	462	472	...	707	789	...	
Malabar	...	...	...	...	...	...	
Nellore	103	107	...	325	357	...	
Salem	...	...	...	...	...	...	
Tanjore	176	153	1	263	239	2	
Tinnevelly	13	13	...	27	27	...	
Trichinopoly	...	...	...	...	...	...	
Vizagapatam	...	...	...	...	...	...	
Do. (Agency)	...	...	...	...	...	...	
Total...	1,606	1,691	19	3,093	3,208	75	

III.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of the Stipendiary Subordinate Magistrates (other than Joint, Assistant and Deputy Magistrates), for the year 1881.

DISTRICTS.	CASES.			PERSONS.			REMARKS.
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	
1	2	3	4	5	6	7	8
Arcot (North)	6,313	6,356	52	13,240	13,396	163	
Arcot (South)	4,944	5,053	66	11,010	11,400	202	
Bellary	4,531	4,555	73	8,466	8,420	180	
Canara (South)	2,419	2,458	67	5,203	5,189	209	
Chingleput	5,144	5,164	38	9,865	9,897	161	
Coimbatore	4,600	4,596	77	10,130	10,146	202	
Nilgiris	807	812	1	1,391	1,404	1	
Cuddapah	3,713	3,671	80	9,174	9,309	276	
Ganjam	6,078	6,102	63	13,802	13,865	207	
Do. (Agency)	130	126	7	333	310	32	
Godavari	5,724	5,803	99	12,509	12,715	342	
Do. (Agency)	66	68	...	133	136	...	
Kistna	6,849	4,633	61	12,980	10,387	994	
Kurnool	4,046	4,077	17	7,368	7,453	35	
Madura	8,623	8,656	56	14,808	15,011	124	
Malabar	15,262	14,993	84	27,190	26,691	165	
Nellore	3,009	2,989	125	7,104	7,122	913	
Salem	4,402	4,424	43	10,612	10,636	133	
Tanjore	7,359	7,279	120	17,782	17,582	515	
Tinnevelly	3,175	3,160	72	8,351	8,276	194	
Trichinopoly	8,468	8,494	65	14,163	14,068	228	
Vizagapatam	5,543	5,568	52	15,513	15,707	106	
Do. (Agency)	671	693	7	1,367	1,430	9	
Total...	1,11,876	1,09,780	1,345	2,32,494	2,30,550	4,794	

IV.—Statement exhibiting by Districts the Number of Cases and Persons received in the Courts of Deputy Collectors as Magistrates, for the year 1881.

DISTRICTS.	ORIGINAL.						APPEALS.					
	CASES.			PERSONS.			CASES.			PERSONS.		
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.	Appealing.	Disposed of.	Pending.
1	2	3	4	5	6	7	8	9	10	11	12	13
Arcot (North) ...	189	193	6	435	481	9	69	69	2	129	129	2
Arcot (South) ...	40	38	2	57	55	2	18	18	1	43	42	2
Bellary ...	140	154	6	231	198	70	39	40	...	54	60	...
Canara (South) ...	49	52	1	173	180	1	11	12	...	31	33	...
Chingleput ...	146	144	11	334	347	2	31	39	...	103	117	...
Coimbatore ...	23	23	...	53	44	...	13	17	...	24	33	...
Nilgiris ...	...	...	...	...	...	...	...	...	...	...	...	...
Cuddapah ...	145	170	5	392	490	7	62	62	6	140	143	10
Ganjam ...	...	...	...	...	...	...	...	...	...	...	...	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Godavari ...	72	72	1	138	151	1	25	28	...	47	54	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Kistna ...	71	64	3	193	173	14	50	41	9	136	106	30
Kurnool ...	155	145	...	267	263	...	51	52	3	90	89	5
Madura ...	108	124	9	182	240	12	62	58	9	165	148	30
Malabar ...	125	135	11	244	269	1	14	18	1	40	49	1
Nellore ...	84	105	...	202	267	...	28	30	...	71	773	...
Salem ...	43	43	1	80	97	1	45	46	...	144	150	...
Tanjore... ..	105	161	3	308	250	4	85	82	5	260	255	20
Tinnevelly ...	65	67	...	166	161	...	69	66	3	209	202	7
Trichinopoly ...	208	219	1	619	638	1	47	49	2	110	119	8
Vizagapatam ...	...	...	...	...	...	...	...	...	...	...	...	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Total...	1,768	1,909	60	3,974	4,304	125	719	727	41	1,766	1,802	115

VI.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of Joint Magistrates, for the year 1881.

DISTRICTS.	ORIGINAL.						APPEALS.					
	CASES.			PERSONS.			CASES.			PERSONS.		
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.	Appealing.	Disposed of.	Pending.
1	2	3	4	5	6	7	8	9	10	11	12	13
Arcot (North)...	55	50	4	87	82	5	45	44	1	82	79	3
Arcot (South) ...	68	67	...	128	128	...	54	48	7	129	112	18
Bellary ...	44	43	2	62	61	2	57	59	7	132	127	18
Canara (South) ...	...	...	...	...	...	...	...	...	...	...	...	...
Chingleput ...	35	30	...	72	39	...	37	37	...	102	102	...
Coimbatore ...	30	28	1	37	33	1	53	46	8	134	104	33
Nilgiris ...	922	913	3	1,122	1,111	8	...	...	...	...	...	...
Cuddapah ...	47	47	2	120	124	2	13	13	...	30	30	...
Ganjam ...	...	...	...	...	...	...	...	...	...	...	...	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Godavari ...	61	58	2	111	116	4	50	48	3	87	70	18
Do. (Agency)...	...	...	...	...	...	...	...	...	...	...	...	...
Kistna ...	55	49	...	138	130	...	50	50	...	115	115	...
Kurnool ...	...	...	...	...	...	...	...	...	...	...	...	...
Madura ...	112	108	1	175	172	1	91	89	...	245	240	...
Malabar ...	88	76	...	176	150	...	89	77	13	203	178	27
Nellore ...	37	36	1	84	78	1	24	24	...	44	44	...
Salem ...	22	20	2	45	43	2	26	25	2	39	36	9
Tanjore ...	91	82	4	211	210	6	37	37	1	99	94	6
Tinnevelly ...	13	13	...	29	29	...	79	80	3	231	230	8
Trichinopoly ...	...	...	...	...	...	...	...	...	...	...	...	...
Vizagapatam ...	...	...	...	...	...	...	...	...	...	...	...	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Total...	1,680	1,620	22	2,597	2,506	32	705	677	45	1,672	1,561	140

V.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of Assistant Collectors as Magistrates, for the year 1881.

DISTRICTS.	ORIGINAL.						APPEALS.					
	CASES.			PERSONS.			CASES.			PERSONS.		
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.	Appealing.	Disposed of.	Pending.
1	2	3	4	5	6	7	8	9	10	11	12	13
Arcot (North) ...	47	57	5	133	218	36	19	18	1	31	28	3
Arcot (South) ...	111	109	6	258	227	29	96	91	7	192	187	10
Bellary ...	45	37	4	91	82	4	43	39	4	83	74	9
Canara (South) ...	27	31	...	50	63	...	19	25	1	39	87	1
Chingleput ...	188	178	6	383	361	11	...	...	...	...	...	...
Coimbatore ...	60	119	2	121	270	10	49	50	...	102	103	...
Nilgiris ...	...	...	...	...	...	...	...	...	...	...	...	...
Cuddapah ...	30	38	2	42	64	10	34	34	3	142	151	11
Ganjam ...	147	147	...	339	326	...	136	145	4	340	370	15
Do. (Agency) ...	40	45	...	96	120	...	1	1	...	1	1	...
Godavari ...	82	67	6	219	233	21	69	86	2	109	129	2
Do. (Agency) ...	10	12	...	15	17	...	4	4	...	6	6	...
Kistna ...	50	55	1	85	96	1	24	20	4	55	41	15
Kurnool ...	46	53	...	71	90	...	8	9	...	19	20	...
Madura ...	103	37	...	256	89	...	76	78	3	213	237	12
Malabar ...	314	333	5	654	707	9	133	130	8	269	260	11
Nellore ...	44	64	3	115	129	3	5	5	...	7	7	...
Salem ...	126	127	5	232	238	10	25	24	1	48	47	1
Tanjore ...	133	138	2	362	401	5	72	71	4	232	225	15
Tinnevely ...	18	34	1	35	136	1	44	43	2	141	138	4
Trichinopoly ...	61	64	3	137	148	3	27	24	3	58	48	10
Vizagapatam ...	208	207	...	325	360	...	97	95	7	198	184	21
Do. (Agency) ...	118	107	...	226	206	...	10	11	...	14	16	...
Total...	2,008	2,059	51	4,245	4,593	153	991	1,003	54	2,299	2,368	140

VII.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of the District Magistrates, for the year 1881.

DISTRICTS.	ORIGINAL.						APPEALS.					
	CASES.			PERSONS.			CASES.			PERSONS.		
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.	Appealing.	Disposed of.	Pending.
1	2	3	4	5	6	7	8	9	10	11	12	13
Arcot (North)...	11	11	...	13	13	...	6	7	...	10	12	...
Arcot (South)...	9	9	...	10	10	...	5	5	...	11	11	...
Bellary ...	2	2	...	2	2	...	2	2	...	2	2	...
Canara (South) ...	17	12	...	20	15	...	46	46	...	121	120	...
Chingleput ...	34	8	...	56	15	...	12	4	...	20	8	...
Coimbatore ...	14	11	1	19	15	3	20	14	1	30	23	2
Nilgiris ...	29	57	...	37	61	...	3	3	...	4	4	...
Cuddapah ...	10	8	4	26	14	11	5	5	...	11	11	...
Ganjam ...	5	8	1	9	11	2	16	12	4	39	35	4
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Godavari ...	22	16	...	80	51	...	13	1	...	15	1	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Kistna ...	7	7	...	7	7	...	7	9	...	27	29	...
Kurnool ...	16	20	...	30	35	...	9	9	...	19	19	...
Madura ...	5	5	...	6	7	...	3	3	...	6	6	...
Malabar ...	3	...	...	4	...	...	27	20	1	65	54	1
Nellore ...	15	16	...	25	43	...	7	6	...	16	15	...
Salem ...	6	5	1	6	5	1	55	52	4	125	110	16
Tanjore ...	5	9	...	19	29	...	14	15	1	23	79	3
Tinnevely ...	6	4	2	23	18	5	30	24	6	73	64	9
Trichinopoly ...	17	17	...	35	35	...	55	56	1	146	146	2
Vizagapatam ...	18	9	...	49	21	...	18	23	...	35	46	...
Do. (Agency) ...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	251	234	9	476	407	22	353	316	18	798	795	37

VIII.—Statement exhibiting by Districts the Number of Cases and Persons received, disposed of, and pending in the Courts of Session, for the year 1881.

DISTRICTS.	ORIGINAL.						APPEALS.					
	CASES.			PERSONS.			CASES.			PERSONS.		
	Instituted.	Disposed of.	Pending.	Brought for trial.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.	Appealing.	Disposed of.	Pending.
1	2	3	4	5	6	7	8	9	10	11	12	13
Arcot (North)...	93	94	...	159	160	...	6	6	...	9	9	...
Arcot (South)...	59	61	...	120	122	...	15	15	...	20	20	...
Bellary ...	109	114	...	203	213	...	17	17	...	25	25	...
Canara (South) ...	56	56	...	60	60	...	8	8	1	13	13	1
Chingleput ...	53	56	...	83	92	...	8	8	...	8	8	...
Coimbatore ...	62	64	...	123	127	...	2	2	1	2	2	1
Nilgiris ...	2	2	...	2	2	...	8	7	...	8	7	...
Cuddapah ...	55	54	1	105	97	8	11	11	...	17	17	...
Ganjam ...	36	36	...	80	80	...	18	17	1	26	25	1
Do. (Agency) ...	12	11	1	23	19	4	...	...	...	...	...	...
Godavari ...	116	83	35	243	173	80	14	15	...	14	15	...
Do. (Agency) ...	...	...	...	...	...	...	4	4	...	6	6	...
Kistna ...	33	32	1	66	65	1	11	11	1	14	14	1
Kurnool ...	44	44	...	74	74	...	13	13	2	13	13	2
Madura ...	81	82	...	146	147	...	36	37	...	65	67	...
Malabar (North) ...	37	40	...	73	78	...	6	7	...	8	9	...
Malabar (South) ...	78	78	...	160	160	...	18	17	1	37	31	6
Nellore ...	69	69	...	105	105	...	10	10	...	16	16	...
Salem ...	81	80	1	143	141	2	12	12	...	16	16	...
Tanjore (North) ...	41	41	1	89	89	1	...	...	...	...	...	...
Tanjore (South) ...	55	59	...	153	157	...	15	17	...	23	25	...
Tinnevely ...	86	86	...	176	176	...	5	6	...	16	17	...
Trichinopoly ...	74	72	5	163	158	9	19	19	1	30	30	1
Vizagapatam ...	71	92	...	156	213	...	22	26	...	31	36	...
Do. (Agency) ...	11	30	2	86	72	16	7	7	...	10	10	...
Total...	1,414	1,436	...	2,791	2,791	121	285	202	8	427	431	18

APPENDIX.

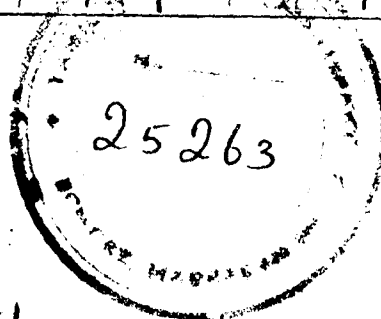
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REPORT
ON
THE ADMINISTRATION OF CRIMINAL JUSTICE
IN THE
PRESIDENCY OF MADRAS
IN
1881.

HIGH COURT.

HIGH COURT.

1. Throughout the year 1881, the High Court had its full complement of five Judges, as shown in the Report on the Administration of Civil Justice. Strength of the Court.

ORIGINAL JURISDICTION.

ORIGINAL JURISDICTION.

2. The cases committed to the High Court Sessions of 1881 were dealt with by 36 Benches and occupied 30 days. In 1880, 13 Benches sat, and the time occupied by the Sessions was only 13 days. Benches and sittings.

Of the 36 Benches which sat in 1881, six were second Benches, one of which was composed of as many as 4 Judges; the other Benches were, as usual, composed of one Judge only.

3. The receipts during the year amounted to Rs. 1,094, and are made up of Court Fees, Rs. 594, and fines, Rs. 500. The latter amount was received on account of a fine imposed prior to 1881. Receipts.

TRIALS.

TRIALS.

4. 69 cases affecting 86 persons were committed for trial in 1881, as against 28 cases affecting 42 persons in 1880. The following statement shows the Courts which committed cases for trial in 1880 and 1881, and the number of persons concerned. Commitments of 1880 and 1881 distributed by committing Courts.

By whom committed for trial.	1880.		1881.	
	Cases.	Persons.	Cases.	Persons.
The Chief Presidency Magistrate, Egmore, Madras ...	8	8	26	33
The 2nd Presidency Magistrate, Egmore, Madras ...	1	1	5	5
The 1st Presidency Magistrate, Black Town, Madras ...	10	16	14	19
The 2nd Presidency Magistrate, Black Town, Madras ...	7	15	18	22
The Coroner of Madras ...	...	...	1	1
The Deputy Coroner of Madras ...	...	...	1	2
The Acting Joint Magistrate of Chingleput ...	...	...	1	1
The Joint Magistrate of Ootacamund and Coonoor ...	1	1	2	2
The Acting Head Asst. Magistrate of North Arcot ...	1	1	...	...
The 1st Class Magistrate of Salem ...	...	...	1	1
Total...	28	42	69	86

5. The 4 cases shown above as committed in 1881 by Courts in the Interior were cases in which European British subjects were committed for trial under Section 76 of the Code of Criminal Procedure. The number of such cases received in 1880 was 2. The remaining cases, which number as many as 65 in 1881 as against 26 in 1880, were contributed by the Town of Madras. The number of cases committed

TRIALS.
—
The same
classified
according
to offences.

for trial within the Town of Madras in 1879 was 66, being only 1 over the number received in 1881. The two cases shown against the Coroner and Deputy Coroner of Madras were cases submitted under Section 25 of the Coroner's Act, 1871.

6. The statement below classifies the cases received in 1880 and 1881 and the persons therein concerned, according to the nature of the offences committed.

Description of Offence.					1880.		1881.	
					Cases.	Persons	Cases.	Persons
Offences affecting the human body.	Murder	...	...	...	...	...	3	4
	Culpable Homicide not amounting to murder, &c.	...	...	...	1	1	2	3
	Kidnapping, &c.	...	...	...	3	7	3	3
	Rape	...	...	...	1	1	2	2
	Unnatural offence	...	...	...	1	2	...	...
Offences against property.	Theft, &c.	...	...	...	5	5	22	29
	Extortion	...	...	...	...	...	1	2
	Criminal breach of trust	...	...	...	2	2	7	8
	Mischief by fire	...	...	...	1	2	1	1
	House trespass	...	...	...	...	...	2	2
	House-breaking by night	...	...	...	1	1	3	3
	Giving false evidence	...	...	...	1	1	7	8
	Forgery, &c.	...	...	...	5	6	14	19
	Adultery	...	...	...	2	2	2	2
	Attempt to secrete a Will	...	...	...	1	7	...	...
	Personating a public servant and cheating	...	...	...	3	3	...	...
	Counterfeiting coins, &c.	...	...	...	1	2	...	...
Total					28	42	69	86

7. Of the offences brought to trial in 1881, 36 related to property, and 10 were offences affecting the human body: the latter include 3 cases of murder, one of culpable homicide not amounting to murder, and one of causing death by a rash or negligent act. As compared with 1880, a year in which the file was unusually low, the increase under both these classes of offences in 1881 is marked. In respect of perjury and forgery, the increase in 1881 is also noticeable, the cases tried being as many as 7 and 14 against 1 and 5 in 1880.

8. Of the 29 persons tried for the offence of theft, as many as 23 were old offenders, the number of previous convictions charged against such persons being as follows:—

In the case of 4 persons, there were 7 previous convictions.				
"	2	"	6	"
"	5	"	5	"
"	3	"	4	"
"	6	"	3	"
"	2	"	2	"
"	1	"	1	"

The remaining six persons were sent up to the High Court, inasmuch as they were jointly charged along with persons who were old offenders.

9. The High Court, in its letter dated 20th December 1881, No. 2679, recommended to the Government that by provisions similar to those of Section 349 of the Code of Criminal Procedure, 1882, the trial in the case of offenders charged with the offence of theft after previous conviction be held by a Magistrate having jurisdiction to try the offence in the absence of previous conviction, and that the offender be sent for punishment to a tribunal with higher powers. The High Court and District Courts as Courts of Session are now required to try cases in which the theft is of a petty description and the gravity of the offence consists only in its commission after a previous conviction. The procedure occasions considerable inconvenience to jurors and witnesses.

10. Including one case concerning one person, which was pending at the close of 1880, there were 70 cases affecting 87 persons for disposal in 1881; of these, 8 cases affecting 8 persons were withdrawn with the permission of the Court; and in 1, the accused was discharged without trial. Of the remaining 61 cases affecting 78 persons, 57 cases affecting 71 persons were tried by Common Jury, and 4 cases affecting 7 persons by Special Jury, including 1 case of culpable homicide not amounting to murder, for the trial of which a Special Jury was empanelled on the application of prisoners' Counsel. The result of these trials was that 16 persons were acquitted, and 61 convicted, leaving the case of one person part-heard at the close of the year.

11. The 61 persons convicted during the year include 27 convicted of theft, of whom 23 were old offenders; the sentences passed against the latter were as follows:—

Rigorous imprisonment ranging between 2 and 7 years.	18
Do. do. 6 months and 2 years.	3
Whipping in lieu of other punishment.	2
Total	23

In addition to imprisonment, 3 old offenders were also sentenced to whipping.

12. Of the remaining 38 persons, one was sentenced to transportation for life, 31 to rigorous imprisonment, with the addition, in one case, of solitary confinement, 4 to simple imprisonment, and 2 to whipping in lieu of other punishment.

Of the 35 persons sentenced to imprisonment, 5 were also sentenced to fine.

13. The sentences of rigorous imprisonment passed on 31 persons ranged for terms between 2 to 7 years in the case of 11 persons, and between 6 months and 2 years in the case of 12, and were for 6 months and under in the case of the remaining 8. The sentences of simple imprisonment passed were all for 6 months and under.

14. The total amount of fines imposed during the year was Rupees 5,500. On one person, a fine of Rupees 3,000 was imposed.

15. The number of witnesses examined during the four Sessions was 411.

APPELLATE JURISDICTION.

16. As a rule, no Benches sit separately for the disposal of Criminal work. An approximate calculation, as accurate as circumstances permit, has, however, been made of the number of Benches actually occupied as Courts of Criminal Appeal in 1881, and it has been ascertained that there were 66 such Benches, of which 28 consisted of a single Judge, 36 of two, and 2 of five.

17. The receipts from Court fees during the year amounted to Rupees 951.

18. The number of Appeals received in the High Court from the sentences or orders of the subordinate Criminal Courts was 481 and the number of persons concerned, 682.

The above total includes 6 Appeals by Government from judgments of acquittal under Section 272 of the Code of Criminal Procedure, in which 25 persons were concerned, and 6 cases of disagreement between Judge and Jury under Section 263, in which 12 persons were concerned.

19. Below is shown the variation in the number of Appeals received for the 3 years (1879 to 1881), and in the number of persons concerned.

Year.	Appeals.	Persons.
1879	552	974
1880	763	1,097
1881	481	682

In Appeals, there is a decrease in 1881 as compared with the two preceding years, of 282 and 71 respectively.

TRIALS.
—
Disposals
and mode
of disposal.

Sentences
on old
offenders.

Other sen-
tences.

Terms of
imprison-
ment.

Fines.

Witnesses
examined.

APPELLATE
JURISDIC-
TION.

Benches
and sittings.

Receipts
from Court
Fees.

APPEALS.
Files.

Comparison
of 3 years'
files.

APPEALS.

Files of
1880 and
1881 distri-
buted by
Districts.

20. The following table distributes, by Districts, the Appeals received in 1880 and, 1881 and the persons concerned in them.

Districts.	1880.		1881.	
	Appeals.	Persons.	Appeals.	Persons.
Arcot (North) ...	53	55	19	21
Arcot (South) ...	15	19	26	30
Bellary ...	33	60	41	63
Canara (South) ...	20	36	13	16
Chingleput ...	16	17	9	12
Coimbatore ...	16	31	7	8
Nilgiris ...	2	2	...	...
Cuddapah ...	18	21	12	28
Ganjam ...	24	30	20	29
Do. (Agency) ...	2	2	2	2
Godavari ...	171	211	108	112
Do. (Agency) ...	43	65	1	1
Kistna ...	12	30	12	15
Kurnool ...	5	14	12	17
Madura ...	52	99	24	28
Malabar (North) ...	18	21	18	21
Malabar (South) ...	9	21	3	9
Nellore ...	18	19	9	14
Salem ...	35	49	26	37
Tanjore (North) ...	35	42	25	28
Tanjore (South) ...	36	42	23	33
Tinnevely ...	18	37	16	24
Trichinopoly ...	27	50	16	29
Vizagapatam ...	59	79	20	37
Do. (Agency) ...	23	41	15	64
Presidency Magistrates, Madras ...	3	4	4	4
Total	763	1,097	481	682
Average for Mofussil Districts ...	36	52	23	32

21. A scrutiny of the above table will explain, to some extent, the decrease just noticed in the appellate file of 1881, as compared with 1880. In last year's report (para 40), it was stated that as many as 227 Appeals concerning 288 persons were contributed to the files of 1880 by convictions arising out of the armed disturbances in the Hill Tracts of the Godavari and Vizagapatam Districts; the disturbances having ceased and the bulk of the offenders having presumably been brought to justice, the same Districts are, in the year under review, conspicuous by a contribution to the appellate file of 50 per cent fewer cases than in 1880. The number of Appeals which came on the file in connection with the above disturbances from these Districts in 1881, was 86, and concerned 137 persons. In the Appeals from North Arcot, Madura, Tanjore (North and South), and Trichinopoly, there has also been a noticeable decrease. In the other Districts, there have been fluctuations, but not such as to materially disturb the totals.

Disposals.

22. Including 84 Appeals affecting 159 persons, which were pending at the close of 1880, and excluding 3 Appeals affecting 3 persons who died while their cases were pending, and one Appeal affecting one person, which was withdrawn, the total number for disposal in 1881 was 561 Appeals affecting 837 persons, as against 802 Appeals affecting 1,171 persons in 1880.

Of these, 511 Appeals affecting 767 persons were disposed of, leaving 50 Appeals affecting 70 persons undisposed of at the close of the year.

Appeals and
Persons
dealt with
in 1880 and
1881.

23. The Appeals disposed of in 1880 and 1881 are classified below according to their nature.

	1880.	1881.
Appeals from convictions, Section 271, Criminal Procedure Code...	703	501
Do. „ Judgments of acquittal, Section 272 „	7	4
Cases of disagreement between Judge and Jury, Section 263 „	8	6
Total...	718	511

The following statement compares, in detail, the cases disposed of in 1880 and 1881.

Result of Appeals.	1880.		1881.	
	Appeals.	Percentage to total.	Appeals.	Percentage to total.
Primarily rejected under Section 273, Criminal Procedure Code ...	233	32.45	109	21.33
Conviction confirmed ...	248	34.54	244	47.75
Sentence modified ...	148	20.61	115	22.50
„ reversed ...	74	10.31	26	5.09
Appeals remanded ...	...	...	8	1.57
Judgment of acquittal confirmed ...	3	0.42	2	0.39
„ reversed and new trial ordered ...	2	0.28	...	...
„ reversed, conviction recorded and sentence passed ...	2	0.28	1	0.20
Verdict of the Jury set aside ...	3	0.42	3	0.59
„ upheld ...	4	0.56	2	0.39
„ modified ...	1	0.13	1	0.19
Total...	718	100.00	511	100.00

25. From the above figures, the following facts may be summarized. 69 per cent of the Appeals failed in 1881 as compared with 67 per cent in 1880; and only 5 per cent of the appellants were acquitted as compared with 10 per cent in 1880. The proportion of appellants who obtained some partial modification of the judgment appealed against was 22 per cent as against 20.61 per cent in 1880.

26. The following statement exhibits, by Districts, the persons dealt with in 1881, according to the mode of disposal.

District.		In cases sum- marily rejected.	Conviction.				Acquittal.				Verdict of Jury.			Total.	in 1881 distributed according to Districts and mode of disposal.
			Confirmed.	Sentence			Reversed and remanded.	Confirmed.	Reversed & new trial ordered.	Reversed, con- viction re- corded & sen- tence passed.	Upheld.	Modified.	Set aside.		
				Reduced.	Enhanced.	Reversed.									
Arcot (North)	...	13	10	6	...	1	1	...	...	...	...	...	...	31	
Arcot (South)	...	4	6	9	...	3	...	...	...	...	...	...	...	22	
Bellary	...	15	46	7	...	3	...	...	...	...	...	...	...	71	
Canara (South)	...	2	13	5	...	2	1	...	...	...	...	...	...	23	
Chingleput	...	1	12	...	...	...	...	...	...	...	...	...	...	13	
Coimbatore	...	1	17	2	...	6	...	...	...	...	...	...	...	26	
Nilgiris	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Cuddapah	...	1	7	4	2	1	...	15	...	2	...	...	...	32	
Ganjam	...	3	19	6	...	3	...	1	...	...	...	...	...	32	
Ganjam (Agency)	...	1	2	...	...	...	...	...	...	...	...	...	...	3	
Godavari	...	17	59	37	1	2	...	...	...	...	1	...	3	120	
Godavari (Agency)	...	...	16	...	...	...	...	...	...	...	...	...	...	16	
Kistna	...	...	7	2	...	...	...	...	...	...	...	...	...	9	
Kurnool	...	1	9	5	...	2	...	...	...	...	...	...	...	17	
Madura	...	15	16	2	...	3	...	...	...	...	1	...	...	37	
Malabar (North)	...	5	4	5	...	4	6	...	...	...	...	...	...	24	
Malabar (South)	...	...	7	2	1	...	...	...	...	...	...	...	...	10	
Nellore	...	1	7	...	...	3	...	...	...	...	...	...	...	11	
Salem	...	6	21	12	...	...	...	...	...	...	...	...	...	39	
Tanjore (North)	...	16	9	5	...	...	...	...	...	...	...	...	...	30	
Tanjore (South)	...	14	8	5	1	...	4	...	...	...	...	1	...	33	
Tinnevely	...	1	16	4	...	...	...	...	...	...	...	...	...	21	
Trichinopoly	...	9	18	...	...	1	...	...	...	...	...	...	...	28	
Vizagapatam	...	5	31	6	...	6	...	...	...	...	...	...	...	48	
Vizagapatam (Agency)	...	3	45	7	...	4	2	...	...	...	6	...	...	67	
Presy. Magistrates	...	...	4	...	...	...	...	...	...	...	...	...	...	4	
Total...		134	409	131	5	44	14	16	...	2	8	1	3	767	

APPEALS.
—
Comparison
of the past
3 years'
work.

27. The following statement exhibits the variations in the number of Appeals for disposal, disposed of, and in arrear, for the last 3 years (1879 to 1881).

Year.	For disposal.	Disposed of.	In arrear.
1879... ..	616	574	42
1880... ..	802	718	84
1881... ..	561	511	50
Total ...	1,979	1,803	176
Average ...	659	601	58

Average
duration.

28. The average duration of the Appeals disposed of during the year was 46 days. The shorter duration in 1880, viz. 34 days, was exceptional, and may be explained by the circumstance, that, many of the Appeals which arose from the disturbances in the Hill Tracts of Godavari and Vizagapatam being closely connected, such of them as were preferred later were heard and disposed of simultaneously with those preferred earlier, the records being already in the Court.

SUPERINTENDENCE, REFERENCE AND REVISION.

SUPERIN-
TENDENCE,
REFERENCE
AND RE-
VISION.

29. In 1881, the High Court, as a Court of Reference, received 77 cases referred under Section 287, Criminal Procedure Code, for confirmation of sentences of death passed on 98 persons, as compared with 89 cases affecting 118 persons received in 1880.

Capital sen-
tences sub-
mitted for
confirma-
tion.

Including 9 cases affecting 11 persons, which were pending at the close of 1880, the total for disposal was 86 cases affecting 109 persons. Of these, the Court disposed of 82 cases affecting 104 persons, as compared with 83 cases affecting 110 persons in 1880, leaving 4 cases affecting 5 persons undisposed of at the close of the year.

Disposals of
1880 and
1881 distri-
buted by
Districts.

30. The following table distributes, by Districts, the cases received in 1880 and 1881 and the persons therein concerned.

Districts.	1880.		1881.	
	Cases.	Persons.	Cases.	Persons.
Arcot (North) ...	5	5	6	7
Arcot (South) ...	1	2	...	...
Bellary ...	4	4	7	10
Canara (South) ...	2	2	4	4
Chingleput ...	1	2	1	1
{ Coimbatore ...	5	5	3	3
{ Nilgiris ...	...	...	...	...
Cuddapph ...	4	6	3	8
{ Ganjam ...	2	3	3	3
{ Do. (Agency) ...	...	...	...	...
{ Godavari ...	12	26	19	24
{ Do. (Agency) ...	8	12	...	...
Kistna ...	2	2	2	3
Kurnool ...	3	3	5	5
Madura ...	1	1	3	3
Malabar (North) ...	1	1	1	1
Malabar (South) ...	4	4	4	4
Nellore ...	5	5	1	1
Salem ...	3	3	5	7
Tanjore (North) ...	...	...	1	1
Tanjore (South) ...	2	2	...	...
Tinnevely ...	2	2	1	1
Trichinopoly ...	2	2	3	5
{ Vizagapatam ...	7	9	5	12
{ Do. (Agency) ...	18	17	...	...
Total ...	89	118	77	98

The diminution in the number of capital sentences referred for disposal in to some extent, traceable to the disposal in 1880 of the greater portion of cases arising out of the Rumpa disturbances, as many as 26 of the 89 cases referred in 1880 having been connected with the armed disturbances in Godavari and Vizagapatam. It may be noticed, however, that as many as 19 out of the 77 sentences referred in 1881 arose from the Godavari District, and of this 18 are ascertained to have been connected with the Rumpa disturbances. Cases received from the Vizagapatam District, only 2 were connected with armed disturbances.

SUPERIN-
TENDENCE,
REFERENCE
AND
REVISION.

The following statement shows, for the last 3 years (1879 to 1881), the number of persons on whom sentence of death was passed and the manner in which they were dealt with by the High Court.

Mode of disposal.	1879.	1880.	1881.
Persons in whose cases confirmed ...	75	72	73
Persons in whose cases reversed ...	6	8	11
Persons in whose cases commuted to life-transportation ...	8	26	18
Persons in whose cases commuted to imprisonment ...	...	4	1
Persons in whose cases new trial was ordered ...	...	...	1
Total ...	89	110	104

Persons
how dealt
with for
the past 3
years.

The following statement exhibits, by Districts and the mode of disposal, the number of persons dealt with for the year 1881.

District.	Sentence of Death.					Total.
	Confirmed.	Commuted to Life-transportation.	Commuted to rigorous imprisonment.	Reversed and acquittal ordered.	Reversed and new trial ordered.	
Arcot (North) ...	5	2	...	...	...	7
Arcot (South) ...	...	...	...	...	...	...
Bellary ...	8	...	...	3	...	11
Canara (South) ...	3	...	...	1	...	4
Chingleput ...	1	...	...	...	...	1
Coimbatore ...	2	1	...	...	...	3
Nilgiris ...	...	...	...	...	...	...
Cuddapph ...	2	1	...	...	...	3
Ganjam ...	1	1	...	...	...	2
Do. Agency ...	...	...	...	...	...	...
Godavari ...	12	7	...	5	...	24
Do. Agency ...	...	...	...	...	...	...
Kistna ...	...	...	1	...	...	1
Kurnool ...	5	...	...	1	...	6
Madura ...	...	2	...	1	...	3
Malabar (North) ...	1	...	...	...	...	1
Malabar (South) ...	4	...	...	...	...	4
Nellore ...	2	...	...	...	...	2
Salem ...	5	2	...	...	...	7
Tanjore (North) ...	...	1	...	...	...	1
Tanjore (South) ...	...	...	...	...	...	...
Tinnevely ...	1	...	...	...	...	1
Trichinopoly ...	5	...	...	...	...	5
Vizagapatam ...	14	1	...	...	...	15
Do. Agency ...	2	...	...	...	1	3
Total ...	73	18	1	11	1	104

Persons
dealt with
in 1881
distributed
according
to Districts
and mode
of disposal.

SUPERIN-
TENDENCE,
REFERENCE
AND
REVISION.

Cases refer-
red for revi-
sion.

Disposals
distributed
by Districts
and classes
of Courts.

34. 323 cases were referred for orders to the High Court, as a Revision by District Magistrates and Sessions Judges under Section 296 of the Criminal Procedure.

Including 42 cases pending at the close of 1880, the total number of cases disposed of was 365. Of this number, the High Court disposed of 314, leaving 51 cases pending at the close of the year.

35. The following table distributes, by Courts and Districts, the cases above as referred for orders under Section 296, and disposed of by the High Court in 1881.

Court by which reported.	Number of cases in which Proceedings were			Total num- ber of cases dis- posed of
	Quashed.	Modified.	Not interfered with.	
<i>District Magistrates.</i>				
Arcot (North)	8	7	4	
Arcot (South)	5	4	1	
Bellary... ..	15	3	2	
Canara (South)	2	...	...	
Chingleput	23	9	12	
Coimbatore	1	5	1	
Nilgiris	...	1	1	
Cuddapah	4	5	3	
Ganjam	5	1	1	
Godavari	1	1	...	
Kistna... ..	5	4	3	
Kurnool	4	...	2	
Madura	24	9	11	
Malabar	6	1	1	
Nellore	9	5	10	
Salem... ..	9	2	4	
Tanjore	10	5	4	
Tinnevelly	8	1	3	
Trichinopoly	10	4	4	
Vizagapatam	4	3	5	
Total	153	70	72	295
<i>Sessions Courts.</i>				
Arcot (North)	1	...	...	
Canara (South)	1	2	...	
Ganjam... ..	3	...	...	
Do. (Agency)... ..	...	...	1	
Godavari	1	1	1	
Madura... ..	1	1	...	
Salem	1	...	...	
Tanjore (North)... ..	...	...	1	
Tinnevelly	1	...	1	
Vizagapatam	1	1	...	
Total	10	5	4	19
GrandTotal	163	75	76	314

36. It will be seen from the above table that, of the cases disposed of in 1881, 295 were referred by District Magistrates, and 19 only by Sessions Judges. Of the former, the largest numbers, as in 1880, were referred from the Chingleput and Madura Districts.

37. In about 52 per cent of the cases disposed of, the proceedings reported were quashed or set aside, and in 23 per cent, the sentences or orders were modified, and in the remaining 25 per cent, the Court declined to interfere.

In 4 only out of the 19 cases referred by Sessions Judges did the High Court decline to interfere.