

Fort St. George, Judicial Consultation, 23rd June 1857.

and if things continue as they now are, the year 1857 will be marked by a decrease in crime in those Talooks which have hitherto borne an unenviable notoriety for deeds of violence; as the apprehension of the offenders, and the adoption of the means above narrated appear to be satisfactory, and to have the desired effect. I did not deem it necessary to ask for an additional establishment unless the arrangements made should hereafter appear insufficient to meet the emergency; only one grave case has lately come to my knowledge, I personally examined it, and from many circumstances connected therewith, I am led to believe that the whole is a got up business to gratify private pique and excite compassion. Had I remained in charge, I would have done my best to continue and improve upon the measures hitherto adopted and trust that the Government will after considering the above circumstances remove from me the censure of inefficiency.

(Signed) G. BANBURY,

Acting Additional Joint Magistrate.

(True Copies.)

(Signed) GEORGE ELLIS,

Registrar.

No. 6. ORDER THEREON, No. 693; dated 18th June 1857.

In Minutes of Consultation, dated 9th Instant, No. 664, Government passed remarks on the state of crime in North Arcot and censured Mr. Whittingham for having divested himself to so great a degree of his Magisterial duties. Government now repeat their disapproval of the Magistrate's proceedings in this respect, and warn him against falling again into such an error, or showing any want of activity and energy in superintending his Police, and suppressing crime.

2. This portion of the duties which devolve on an Officer in charge of a Province is regarded by Government as of the first importance and they will be obliged to consider those Officers unfit for their post in whose Districts robbers are permitted to render the high roads unsafe for travellers and cause a general feeling of insecurity among the inhabitants. Government will be prepared to strengthen the Police when necessary, and the successful exertions of the Acting Additional Joint Magistrate Mr. Banbury, who has brought several leading offenders to justice, shew how much can be accomplished by perseverance and judiciously directed energy.

(Signed) E. MALTBY,

Acting Chief Secretary.

No. 7. MINUTE by the Right Honorable the PRESIDENT, dated 4th June 1857.

These papers afford strong evidence of the utterly unsatisfactory system on which the Police is based in this Presidency.

At the risk of appearing tedious and troublesome on this subject, I must take this opportunity of remarking on it again, so impressed am I with the great importance of a re-organisation of the force.

The Government *proprio motu* observed the increase of robberies in certain districts, instead of being able to seek an explanation (in order to apply if possible immediate remedies) to a Commissioner of Police, or even to the Chief Police officers, (viz. the Magistrates and Collectors) in the districts, they are obliged according to ordinary routine to call for a report from the Judges of the Foudaree Adawlut, and have to wait 5 months for it.

Then supposing an increase in the Police of any district is required, the proposition has to be made through the Board of Revenue, a body having nothing to do with the Police duties.

Then it will be observed, that the peace of a large district is left entirely to a Collector, who has not an idea of conducting Police duties, and who accidentally had the assistance of an Additional Sub Collector, to whom he entrusted them, and who fortunately possessed ability and energy.

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But it so happens, that this Additional Sub Collector has now been entrusted by the Board of Revenue with the revision of the Assessment, in consequence of the dilatory proceedings of the Collector in this portion of his duties, and it appears very doubtful to me, whether he is more capable of conducting the Police duties; in fact Mr. Whittingham's management of his district has been so unsatisfactory, that I think it is necessary, that he should be cautioned, that unless a marked improvement takes place, Government will be obliged to take most serious notice of it.

(Signed) HARRIS.

No. 8. MINUTE by the Honorable WALTER ELLIOT, Esq., dated June 4th, 1857.

I fully concur in the propriety of the above suggestions.

(Signed) WALTER ELLIOT.

Exd. F. Cartledge.

Extract from the Minutes of Consultation
Dated 18 June 1857.

Read letter from the
Register to the Court
of Foydang Udawlat
d. 13 June 1857

Read also Minutes of the
Pt. Double the President
concurred in by the Hon. M. Elliot Esq.
Here enter Nos 942 & 943

St.
11/6

In the of C dated 9th Inst
No. 664 Govt paper remarks
on the state of crime in the
District & censured Mr. Whitting
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himself to a great degree
of his Magisterial duties
- Govt now repeat their
disapproval of the Ma-
gistrates proceedings
in this respect, and
warn him against falling
again into such an
error, or showing any
want of activity & energy
in superintending his

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I with the great importance of
the reorganization of the Peace.

To the Surgeon of the Co of F. Whalton
 & the Board of Revenue - with copies of
 C.M. & G. Oct 11. 1864

- very respectfully
 Dispt. 23^d Vlc

the increase of robberies in certain districts.

instead of being able to seek an explanation.

now (in order to apply ^{if possible} immediate remedies,

to a Council of Police - or even to the Chief

Police Officers (viz the magistrates' association) in

the districts - they are obliged according to

ordinance ^{sanction} to call for a report from the police

body. As I have written 5 months

for it -

By arrangement I have not done so.

Then supposing an increase in the

police of any district is required - the

proposition - has to be made by the Board

which the members of the Board

of Police are having nothing to do

with the police officers' salary

etc. - There it will be observed - that the

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to a collector - who has not ^{an} idea of

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To the Surgeon of the C^o of S. M. M. M.
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Just Letter to
Oct 26 74
Jan 11
Report in 1855

Just Letter to Eng^d of 20th
October 1857 of 1857 -
Paras 11 & 13 -
Report in 1855 of 1855 P. 15.

In 2^d Series: 23^d June
Judicial 1857 Sept.

Minute by the Right Hon.
the President

S. C. M. 693.

24 June.

No 942.

Minute by the Hon. W. Elliot, Esq.

24 June.

No 943.

On the state of crime
in North Arcot.

647 28

16 June
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See 84. Sum: 23 of June
Anno 1857. 2 of Jan 1857

See Letter to Congress of 20th
Oct 26 of 1857 —
Jan 11 of 1857 —

Report on the 5 of 1853 1915.

No. 493

Abstract of Minutes of Court

8/10/58 June 1857
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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 693	Press
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Dated 28-6-1915	7

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 23rd June 1857.

Read the following papers.

No. 5. From GEORGE ELLIS, Esq., Register to the Court of Foujdaree Udalut; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 3rd June 1857, No. 29.

SIR,

1. With reference to my letter, dated the 9th Ultimo, No. 46, submitting the information called for by Government, as to the causes of the continued large amount of gang and highway robberies in certain districts, I am directed by the Judges of the Court of Foujdaree Udalut, to forward for submission, to the Right Honorable the Governor in Council, the accompanying copy of a letter from the Magistrate of North Arcot, with a Memorandum from the Acting Additional Joint Magistrate, explaining in detail, the measures taken by him for checking the crime of gang and highway robberies in the district under his charge.

2. I am desired to state that the explanation now furnished by the Acting Additional Joint Magistrate is in the opinion of the Judges satisfactory, and that Mr. Banbury deserves praise for his exertions; but adverting to the state of the roads and district where even Europeans could not travel with safety, the Judges consider that the Magistrate is to blame for leaving the entire management of that part of the district to a single officer who could have had no local experience, having only been appointed Acting Additional Joint Magistrate of North Arcot on May 10th, 1856.

(Signed) GEORGE ELLIS,

Register.

From C. WHITTINGHAM, Esq., Magistrate of North Arcot; to G. A. HARRIS, Esq., Session Judge, Chittoor, dated 12th May 1857, No. 212.

SIR,

Para: 1. I have the honor, with reference to the remark of the Foujdary Udalut, in para: 1 of extract of their proceedings of the 9th Instant, that "little has been done by the Magistracy to put a stop, or at least check those offences which have more particularly been brought to the notice of Government," to request that you will be so good as to submit for the consideration of the Judges of the Foujdary Udalut, the accompanying copy of a Memorandum from the Acting Additional Joint Magistrate, which will show in more detail than his preceding communication, the measures which have been taken for checking these crimes. The occasion of writing the Memorandum is referred to in its commencing paragraph.

2. As until the end of the 1st quarter of the present year, I was engaged in the revision of the assessment of the district, the Police and Magisterial details were necessarily left to Mr. Banbury, whose arrangements obtained my entire approval. I am aware that the fact of my attention being directed to other matters which the Government have since declared sufficient to engross the entire time and attention of a covenanted servant, cannot relieve me of the responsibility which attaches to my office as Magistrate, but I advert to it to explain why my intervention in Police matters was so infrequent, and why in the absence of any such suggestion from Mr. Banbury, I did not apply for any additional Police. Mr. Banbury has in the concluding part of the memo. now submitted, stated that he did not deem it necessary to ask for an additional establishment, unless the arrangements made should hereafter appear insufficient to meet the emergency.

3. The inefficiency of the Police is chiefly felt in the Zemindaries, for, as reported and noticed by the Court of Foujdary Udalut in the report of the administration of criminal justice for 1855, the inferior village Police who are nominated by the Zemindars, devote themselves exclusively to revenue matters, to the entire neglect of their Police duties.

4. I request you will be so good as to forward copy of this letter with the copy of Mr. Banbury's official memorandum to the Court of Foujdary Udalut.

(Signed) C. WHITTINGHAM,

Magistrate.

MEMORANDUM.

As requested by the Magistrate, I have the honor to offer the following remarks concerning the state of the Police, as animadverted upon by Government, in their proceedings dated 17th ultimo.

1. The prevalence of crime in the Talooks formerly under my charge, appears to me to have arisen from these causes; 1, the jungly nature of the country; 2, the fact of its being greatly peopled by Boyas and Koravers who are thieves professionally, and noted for their skill and daring; 3, the formation of five or six large gangs, headed by persons of position and apparent respectability; 4, the impunity with which they saw they could carry on their depredations and finally escape punishment although detected, and lastly, it having become generally known that the merchants were in the habit of sending large sums of money along the lonely roads through Palamanair and Poonganoor, by means of unarmed and often powerless servants (for further causes see my letter to Sudder). In confirmation of the two first items, I may add, that in the Sholunghur Talook, which also formed a portion of my charge, and which is more civilized, less jungly, and not peopled by the castes above mentioned, there was not a single gang or highway robbery during the period in question.

2. When these robberies became thus prevalent at the close of last year, I immediately took the best measures I could conceive for checking them, and as my days were fully engaged with other duties, I spent the mornings from 7 until Cutcherry hours in obtaining information from those persons whom I had reason to believe could afford the same, and in issuing warrants in those cases where the traces and information afforded, appeared to me trustworthy. These enquiries I carried on quietly in my own bungalow, and obtained, as I shall hereafter show, some very useful and beneficial knowledge concerning the perpetrators of the outrages. I divided the Talook of Palamanair where the robberies had been most rife, into 3 divisions, to be patrolled by those officers of my own and the Talook establishment, whom I considered most active and intelligent. I kept Shaik Beeram, the Mooktasur whom I lately nominated, entirely under my immediate direction and orders, appointed the Chittoor Talook as his beat, and compared the information he obtained with that which I had succeeded in acquiring. When the prisoners were detected, I enquired into the cases and committed them to Court from my own office, so that however wealthy the offenders, they were prevented from tampering with their accusers, witnesses or any one else; by this means I succeeded in bringing many of the worst offenders to justice, and they have received at the hands of the Sessions Judge the punishment they so richly merited, as I shall hereafter shew. I also demanded security from those characters whom I know to be dangerous and skilful thieves, but against whom specific charges could not be brought home.

3. These robberies were, I have reason to believe, chiefly committed by the castes above mentioned; the Boyas are well known thieves and they were in many cases headed, as I before said, by persons from whose position the Government might naturally look for assistance, there is no doubt that the village officers both Kurnums and Monigars aided the thieves and most probably received the lion's share of the plunder. In support of this assertion, I may add, that a Kurnum has lately been sentenced to 14 years in irons for gang robbery in Palamanair, and the son-in-law of a Monegar, a wealthy ryot in the same Talook, was apprehended upon my warrant, committed and sentenced by the Foujdary to 14 years in irons. The Moofy in his Futwah acquitted him, but the Judge, fortunately for the Magistracy, was of a different opinion, and referred the case. In another case I found two Kurnums so palpably endeavouring to shield criminals and baffle the pursuit which I had set on foot, that I fined them each 100 Rupees agreeably to Circular Order Foujdaree Udalt, 9th October 1841, they appealed to the Session Court, but my sentence was upheld.

4. There is no doubt from the information I received that the Polygars of Kolamasanapully and Kulloor, the Monegars of many villages, as well as the Kurnums, harbour and secretly aid the thieves, but except in the cases abovementioned, it was not susceptible of proof.

5. As before stated, I divided the Palamanair Talook into perikas. I also had an efficient party patrolling in the Chittoor Talook; the guards on the Moogly ghaut have been strengthened and placed under the supervision of an active and intelligent head peon. At Tripatty a party have been patrolling under a Mooktasur, as the jungly nature of the country demanded

it. I had two of my own deloyets for some time in the Chendraghery Talook, where house-breakings were frequent, and two more deloyets were stationed at Narayanavanum and Tirtany. In Chendraghery there were also two patrolling parties constantly on the move and under a clever Tahsildar like Kistniah; they appear to have done good service; there were also deloyets placed along the road between Ranepett and Chittoor, besides the usual establishment on the ghauts of Balpullay, Nakkannary, &c.,

6. Orders were issued to the Poligars to use their best endeavours on pain of their being reported to Government. The people were informed agreeably to Circular Order Foujdaree Udalt, 22nd September 1843, that they would be rewarded for defending their own property. I also represented to the Collector the evils which resulted from sums of money being carried about lonely parts of the district in specie, thus affording great temptations to evil-disposed persons, and suggested that a system of granting bills on the several Talook treasuries for payments made at the Hoozoor or vice versa should be introduced.

7. I obtained a gratuity for Arymootoo, a Mooktasur, past active work, and nominated as acting, Shaik Beeram, a Police Duffadar, whose antecedents were good; owing to his efficient services, he has been since confirmed; one of my Police peons, named Moonosawmy, did good service in executing with skill and judgment the warrants with which I entrusted him, and as the prisoners caught by him were punished with 14 years, I gave him a Deloyet's belt, and subsequently promoted him to be Cutwall Duffadar of Chittoor. Another peon named Hurry Sing, who did what was required of him satisfactorily, was also promoted. I have recommended Mooktasur Hoossain for degradation or removal for inefficiency, and his place to be given to one of my emissaries who has apprehended without any pukarah, but with tact and skill, a notorious gang infesting Sautghur, and who are now before the Sessions Court. I have also recommended that some provision be made for the late Duffadar Soobba Naik, through whose secret information I was enabled to convict Mabbu Vencatappen's son-in-law, Vencatramoodoo, who was to all appearance a most respectable member of society, but in reality a skilful leader; he was committed by me, and has, as I before stated, been sentenced to 14 years, for highway robbery; the punishment of a man in his position must, I feel certain, have had most salutary effects. I have also sent orders with a view that all the old peons in Palamanair, of whom there are many, should be removed, and their places filled by young and active men able to use arms, and unconnected with the Talook; the relatives of the old peons might be provided with belts elsewhere, should they be found fit for employ. This measure should be carried out quickly, although the head of Police has not hitherto sent the heirs of the old servants as he was directed.

8. With regard to rewards, I lately recommended and obtained sanction for a reward to be given to the parties through whose information a notorious house-breaker named Surigan was apprehended; Surigan has been sentenced to 14 years, the reward has been disbursed, and he is a good riddance to the Chittoor Talook. I apprehended 3 escaped convicts on my own warrants, and the captors were rewarded, also the ryots of a village in Chittoor Talook, who manfully resisted a night attack made upon their dwelling by robbers.

9. I think I may honestly say that my efforts have been attended with some benefit to Government. I have committed from my own office 11 cases connected with heinous offences of the nature in question, comprising 37 prisoners, 20 of whom have been sentenced to periods of lengthened imprisonment, four are now before the Court, and the others released. I may add that with regard to the latter item, two of my cases comprising four prisoners were released by the lower Court on grounds which I deemed inadequate. I therefore appealed to the Sessions Judge, who has declared that the acquittal of 3 of the prisoners was improper; besides the above cases, one of my emissaries, Shaik Beeram, whom I kept as I before stated under my own immediate control, apprehended seven of a daring crew, four of whom have been transported for * See in original. life, also 3 prisoners in a gang robbery. Heerally,* who have been sentenced to 14 years and 100 lashes each; and another of my Agents has lately detected a gang charged with no less than 9 specific offences of a grave nature; these marauders are now on their trial before the Session Court, and will not, I think, escape heavy punishment. I am happy to say that crime has lately greatly decreased in my division; the gangs have I trust been broken up, and a feeling of security obtains in place of fear and apprehension, the past quarter will shew I think a considerable decrease, and for the last six weeks my Talooks have been comparatively free,