

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>1380</i>	Press
<i>37-38</i>	~~Mis~~
Dated <i>1-10</i>	<i>19/8/58</i>

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 5th October 1858.

No. 37. Read the following Returns from the Magistrates, of cases of "Gang and Highway Robbery" for the 2nd Quarter of 1858.

Statement shewing the number of cases of Gang Robbery, committed or attempted in the undermentioned Districts, during the three months from 1st April to 30th June 1858.																
Districts.	Committed.			Attempted.		Total.	No. of cases in column 5 in which parties have been apprehended and No. of such parties.		No. of cases in column 6 in which parties have been committed by the Courts and No. of persons convicted.		Proportion of stolen property entered in column 3 that has been recovered.	Operations of Police in regard to cases occurring prior to the Quarter under report.				Remarks.
	Number of cases.	Value of property said to have been stolen.	Number of cases.	Number of cases.	Number of parties.		Number of cases.	Number of parties.	Number of cases.	Number of parties.		Number of cases in which parties have been apprehended.	No. of persons convicted by the Courts.	Value of property recovered.		
Gang Robbery.																
Ganjam...	1	26	2	2	3	1	2	1	1	2	1	1	1	1	1	
Vizagapatam	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Rajahmundry...	2	790	2	2	2	2	2	2	2	2	2	2	2	2	2	
Masulipatam	2	790	2	2	2	2	2	2	2	2	2	2	2	2	2	
Guntoot...	15	21,494	3	3	18	11	107	107	107	107	107	107	107	107	107	
Cuddapah	12	3,552	105	105	12	12	12	12	12	12	12	12	12	12	12	
Bellary	1	105	4	4	14	8	34	34	34	34	34	34	34	34	34	
Kurnool	13	823	1	1	3	6	31	31	31	31	31	31	31	31	31	
Nellore	2	1,020	2	2	12	1	2	2	2	2	2	2	2	2	2	
Chingleput...	15	2,517	3	3	12	1	2	2	2	2	2	2	2	2	2	
North Arcot...	9	1,438	4	4	51	24	126	126	126	126	126	126	126	126	126	
South Arcot	47	3,799	3	3	58	24	180	180	180	180	180	180	180	180	180	
Salem	55	7,601	6	6	23	6	27	27	27	27	27	27	27	27	27	
Coimbatore...	17	4,150	3	3	23	15	151	151	151	151	151	151	151	151	151	
Trichinopoly...	10	9,645	1	1	23	6	42	42	42	42	42	42	42	42	42	
Tanjore	22	17,148	1	1	10	7	96	96	96	96	96	96	96	96	96	
Madura...	10	4,908	1	1	7	7	7	7	7	7	7	7	7	7	7	
Tinnevelly	6	734	1	1	13	13	13	13	13	13	13	13	13	13	13	
Malabar	12	15,568	1	1	13	13	13	13	13	13	13	13	13	13	13	
Canara...	250	96,319	34	34	281	118	907	907	907	907	907	907	907	907	907	
Total.....	250	96,319	34	34	281	118	907	907	907	907	907	907	907	907	907	

Remarks.

Operations of Police in regard to cases occurring prior to the Quarter under report.

Value of property recovered.

No. of persons convicted by the Courts.

Number of persons apprehended.

Number of cases in which parties have been apprehended.

Number of parties.

Number of cases.

Number of parties.

Statement shewing the number of cases of Highway Robbery, committed or attempted in the undermentioned Districts, during the three months from 1st April to 30th June 1858.

Districts.	Committed.		Attempted.	Total.		No. of cases in column 5 in which parties have been ap- prehended and No. of such parties.		No. of cases in column 6 in which parties have been committed by the Courts and No. of persons con- victed.		Proportion of stolen property entered in column 8 that has been recovered.		Operation of Police in regard to cases occurring prior to the Quarter under report.				Remarks.		
	Number of cases.	Value of property said to have been stolen,		Number of cases.	Number of cases cols. 2 and 4.	Number of cases.	Number of parties.	Number of cases.	Number of parties.	Number of cases.	Number of parties.	Number of cases in which parties have been apprehended.	No. of persons ap- prehended.	Number of persons convicted by the Courts.	Value of property recovered.			
Ganjam.	1	9	18	4	6	...	...	...	...	...	...	...	...	...	...	...	...	15
Vizagapatam...	3	3	98	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...
Rajahmundry	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Masulipatam	3	3	47	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...
Guntoor	1	1	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...
Cuddapah	18	18	420	2	20	10	68	...	...	...	...	...	...	...	3	15	...	166
Bellary...	32	32	2,352	3	35	10	25	...	...	6	...	...	...	...	6	9	...	...
Kurnool...	2	2	14	...	2	...	...	...	...	...	...	...	...	...	...	...	...	...
Nellore	17	17	1,258	1	18	5	19	...	...	127	...	...	...	...	5	11	3	1
Chingleput	1	1	10	...	1	...	...	...	...	...	...	...	...	...	...	...	4	...
North Arcot	27	27	4,627	...	27	10	32	...	...	52	...	...	...	...	...	...	...	...
South Arcot...	19	19	151	2	21	...	...	...	...	...	...	...	...	...	...	...	...	...
Salem...	16	16	292	1	17	8	17	...	...	3	...	...	...	...	1	2	...	...
Coimbatore	70	70	134	...	10	6	19	...	...	12	...	...	...	...	1	5	...	...
Trichinopoly	2	2	100	...	2	1	4	...	...	...	...	...	...	...	...	...	...	...
Tanjore	8	8	488	1	9	4	20	...	...	40	...	...	...	...	...	...	...	...
Madura	11	11	4,715	1	12	12	67	...	...	14	...	...	...	...	...	...	...	...
Tinnevelly	7	7	155	...	7	2	6	...	...	5	...	...	...	...	4	13	...	...
Malabar	1	1	14	...	1	1	1	...	...	3	...	...	...	...	...	...	...	...
Canara	3	3	922	...	3	3	18	...	...	750	...	...	...	...	...	...	...	...
Total.....	187	187	15,815	11	198	72	296	11	32	1,012	20	55	7	167	...	...	...	...

Fort St. George, Judicial Consultation, 5th October 1858.

Comparative Statement of Gang and Highway Robberies in the Districts under the Madras Presidency, during the 1st Quarter of 1858 and the 2nd Quarter of 1858.

Districts.	Gang Robbery.						Highway Robbery.					
	1st Quarter of 1858.		2nd Quarter of 1858.		Increase.		1st Quarter of 1858.		2nd Quarter of 1858.		Increase.	
	Cases attempted and committed.	Amount of property stolen.	Cases attempted and committed.	Amount of property stolen.	Cases.	Amount of property stolen.	Cases attempted and committed.	Amount of property stolen.	Cases attempted and committed.	Amount of property stolen.	Cases.	Amount of property stolen.
Ganjam...	1	3,970	3	26	3	...	9	18	6	3	3	...
Vizagapatam...	17	3,549	1	1	...	...	20	98	3	1	...	...
Rajahmundry...	2	230	2	790	...	...	13	47	...	...	...	...
Masulipatam...	15	2,781	18	21,494	3	18,713	303	...	426	...	...	...
Guntur...	16	1,802	12	3,552	...	...	426	...	2,109	...	...	...
Cuddapah...	2	4,885	1	105	...	...	1,027	...	95	...	...	...
Bellary...	20	6,836	14	823	...	...	2,109	...	3,809	...	...	...
Kurnool...	4	3,030	3	1,020	...	...	1,027	...	1,258	...	...	...
Nellore...	14	3,867	12	3,517	3	487	9,686	...	1,438	...	...	...
Chingleput...	20	3,857	51	3,799	...	...	274	...	2,352	...	...	...
North Arcot...	56	6,828	58	7,601	7	773	1,883	...	2,352	...	...	...
South Arcot...	9	409	23	4,150	14	3,741	612	...	100	...	...	...
Salem...	11	3,976	13	9,645	2	5,669	394	...	488	...	...	...
Coimbatore...	27	19,272	23	17,148	4	2,124	278	...	4,715	...	...	...
Trichinopoly...	14	4,342	10	4,908	...	...	263	...	155	...	...	...
Tanjore...	6	756	7	734	1	566	2,824	...	14	...	...	...
Madura...	18	2,604	13	15,568	...	...	564	...	922	...	...	...
Tinnevely...	...	...	...	...	...	...	41	...	3	...	...	...
Malabar...	...	...	...	...	...	...	...	...	...	...	...	...
Canara...	...	...	...	...	...	...	...	...	...	...	...	...
Net...	303	79,806	281	96,319	33	45,249	25,568	15,815	198	37	10,144	19,897
	...	...	...	...	...	16,513	...	...	...	...	23	9,753

Fort St. George, Judicial Consultation, 5th October 1858.

Fort St. George, Judicial Consultation, 5th October 1858.

No. 38.

ORDER THEREON, No. 1360; dated 1st October 1858.

The Returns of the 2nd quarter exhibit some decrease as compared with those of the 1st quarter of the present year. The total number of cases is 479 against 514 for the last quarter, throughout the Presidency.

2. In reviewing* the Returns for the last quarter, Government called upon the Magistrates of Salem and Coimbatore to furnish explanation in respect of the extent of crime in their respective jurisdictions. The Magistrate of Salem has submitted his reply, and the same was referred by Government to the Commissioner of Police. None has been received from the Acting Magistrate of Coimbatore. Mr. Cherry will furnish his report forthwith, and state why it has been delayed.

3. There is an increase of 11 cases of highway robbery in Bellary, attributable (it is presumed) to the state of the season, which is reported as being highly disastrous. A similar increase occurs in North Arcot, where there is also a slight rise in "gang robbery." It is observed,† that at Mr. Whittingham's request, one of the newly appointed Superintendents of Police was deputed to assist him in the suppression of these serious crimes, towards the close of August last.

4. In regard, further, to this District, and the difficulty expressed by Mr. Whittingham to lie in the way of his exercising an efficient control over the village Police in Zemindaries, the Government (para. 4 of Extract Minutes Consultation, No. 937, dated 9th July last), after pointing out that Regulation VI of 1831, had armed the Magistrate with full powers in the matter, desired Mr. Whittingham to explain how the Zemindaries in North Arcot form an exceptional case. In reply,‡ he states as follows:—"When a Moonsiff is dismissed (by the Magistrate) for neglect of duty in a Zemindary village, he does not lose his office of Monegar with its emoluments; for in his revenue capacity he is responsible alone to the Zemindar, and his punishment is in consequence merely nominal." The Government are unable to recognize this exposition of the law. They observe that, as already remarked in the Extract Minutes Consultation, above quoted, it has been ruled by the Sudder Udalt that Regulation VI of 1831, the Regulation which vests in Collectors the power of guarding against the misappropriation of the emoluments annexed to hereditary village offices and of providing for the efficiency of such offices, indubitably applies to all such offices in Zemindaries, that of Curnum excepted. It is the duty of the head of a village (vide Clause first, Section III, Regulation XI of 1816) to discharge the duties of a Head of Police in his village, and by the same enactment the head man is to be the person described in Section III, Regulation IV of the same year, that is to say, "the person who collects the revenue and under whose authority the village servants act." It is presumed that to such offices hereditary grants of land revenue will be found to have been assigned long before the introduction of the Zemindary system under the British rule, and to be held now by the present head man. Such emoluments, wherever they exist, are under the special guardianship of the Collector. The head revenue official in a village is universally the Head Police officer not merely by enactment of Legislature to that effect but, by the ancient usages of the country. No such Officer can be removed except by the orders of the Collector, who is furnished with full authority to do so (Section VII of Regulation VI of 1831) for incapacity, neglect of duty either in the revenue or Police Department, or other cause, and such removal involves loss of all official allowances, which—Section II—are inalienable from the office. Mr. Whittingham will in future act upon this view of the case.

5. The Magistrate of Trichinopoly should have tendered some explanation of the increase of 'gang robbery' in his District.

6. The Government resolve to instruct the Magistrates to furnish these reports in future to the Chief Commissioner of Police, who will submit them to Government with his own remarks thereon. Mr. Robinson will be supplied with copies of the Returns and the orders of Government passed on them, from the 1st quarter of 1857, inclusive.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Sept

No 1360.

E. M. C. 2/1 October 1858.

Read the following Returns from the Magistrates of Cases of "Gang & Highway Robbery" for the 2^d Quarter of 1858.

The returns of the 2^d Quarter exhibit some decrease as compared with those of the 1st Quarter of the present year. The total number of cases is 479 against 514 for the last quarter, throughout the Presidency.

W. M. C. No 937.
2/9 July 58.

2. In reviewing the Returns for the last quarter, Govt called upon the Magistrates of Salem & Coimbatore to furnish explanation in respect of the extent of crime in their respective jurisdictions. The Magistrate of Salem has submitted his reply, & the same was referred by Govt to the Commr. of Police. None has been rec^d from the Act^g Magst of Coimbatore. Mr. Cherry will furnish his report forthwith, & state why a delay has been allowed to occur.

3. There is an increase of 11 cases of Highway Robbery in Bellary, attributable (it is presumed) to the state of the season, which is reported as being highly disastrous. A similar

+ 2 M.C. No 1185
5/25 to Aug/58.

increase occurs in Norte Acet, where there is also a slight rise in "Gang Rotteng". It is observed that at Mr. Whitbryham's request, one of the newly appointed Super of Police was deputed to assist him in the suppression of these serious crimes, towards the close of August last.

+ In regard, further, to his District, & the difficulty expressed by Mr. Whitbryham to lie in the way of his exercising an efficient control over the Village Police in Germindaries, the Govt (P. & of Bull. No 37. d/9 to July last) after pointing out that Reg. VI of 1831 had armed the Magt. with full powers in the matter, desired Mr. Whitbryham to explain how the

Germindaries in Norte Acet form an exceptional case. In reply, he states as follows: "When a Meoniff is dismissed (by the Magt.) for neglect of duty in a Germindary village, he does not lose his office of Meoniff with its emoluments; for in his revenue capacity he is responsible alone to the Germindar, & his punishment is in consequence merely nominal". The Govt are unable to recognise his position of the law. They observe that, as already remarked in the 2 M.C. above quoted, it has been ruled by the Sudder Udalut that Reg. VI of 1831, the Regulation which

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vests in Collectors the power of guarding against the misappropriation of the emoluments annexed to hereditary Village offices, & incidentally applies to all such officers in Germindaries, that of Cumum excepted. It is the duty of the head of a Village (vide Clause first Act III. Reg. VI of 1816) to discharge the duties of a head of police in his village - and by the same enactment the headman is to be the person described in Act III. Reg. VI of the same year, that is to say, "the person who collects the revenue & under whose authority the village servants act." It is presumed that to such special hereditary grants of land revenue will be found to have been assigned long before the introduction of the Germindary system under the British rule, & to be held now by the present Headman. Such emoluments, wherever they exist, are under the special guardianship of the Collector. The land revenue official in a Village is universally the head Police office, not merely by enactment of the Legislature to that effect but, by the ancient usages of the country. No such officer can be removed except by the orders of the Collr., who is furnished with full authority to do so (Act VII of 1816).

+ 2/26 to July/58
No 42.

In 22. to Com. 5 October

+ incapacity. neglect of Reg. VI of 1831. Mr. Miskin.
duty within the limits of
Police Dept. or other cause. - harm will in future act upon
and seek removal most - his view of the case.
- in loss of all official accom.

- which - 511 - an 5. The Magt. of Trincomalee & d.
information from the office have tendered some explanation
of the increase of 'Gang Robbery' in
his district.

6. The Govt resolve to instruct the
Magistrate to furnish these Re-
ports in future to the Chief Com.
- super of Police, who will submit
them to Govt with his own remarks
thereon. Mr. Miskin will be sup.
- place with copies of the Returns
& the orders of Govt passed on
them, from the 1st quarter of
1857 inclusive.

PP L.C. 15/9-58.

To the Magistrate of
all Districts } Signed
" Chief Com of Police }
Judge of the C. of Madras

File 12-1300
- 2095

Mr. J. C. Combs. St. Louis.
Prairie (1858) August 16.

No. 1360.

Contract. Mine of Iron.

29/10 October 1858.

St. Louis 1360.
" 2095.

3/10/38