

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	900	Press
	17-18	~~Mis~~
Dated	3-7-	1918.8

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 6th July 1858.

No. 17. Read the following letter from R. R. COTTON, Esq., Acting Session Judge of Madura ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 22nd June 1858, No. 278.

SIR,

1. I have the honor to solicit a reconsideration by the Right Honorable the Governor in Council, of the Extract Minutes of Consultation under date 11th March last, restricting the jurisdiction of Commissioners, solely to trials of offences against the State, and to request that the Commissioners may be again permitted to investigate cases of gang robbery by torch light, in the Madura District.

2. I trust I may be excused for again bringing the matter before His Lordship in Council but from the repeated, and daring gang robberies that have up to the present time been committed, it is evident that more summary and expeditious judgments are required before they can be put down.

3. I beg to submit a Memo. of the number of gang robbery cases committed for trial before me since I came to Madura. It is true the eastern part of the District is not in such a disturbed state as it was two months back, but there is a very general feeling of insecurity caused by these frequent, and daring robberies ; and in cases where the accused escape conviction, the prosecutors frequently are afraid to return to their homes and are constantly appealing to me for protection.

4. Such being the case and as these robberies are openly committed by gangs of one or two hundred men, by torch light, in defiance of authority, and are subversive of order ; I would respectfully submit that they *are* committed against the State, and the peace of the country. In more than one case have robberies and murder been committed in defiance of Government authority : in Calendar No. VII the Moonsiff was robbed and murdered for doing his duty as a Government servant, and though threatened beforehand, by his murderers, replied that "he lived under the Company's rule who would not permit such acts and that he regarded their threats as vain words." In case XLVII the robbers when leaving the village after looting the prosecutor's house were followed some distance by the villagers, when they turned round and stated that if any of them were criminated, they would return, and rob and murder the informants, the prosecutor was afraid to complain, but the case was reported by the village Police and the prosecutor and others called up, and examined, 3 parties were apprehended, and while the case was being investigated before the Police, *the gang returned to the village, robbed it and called out for the informants.* Such was the panic ; that for a considerable time, the prosecutor and his witnesses were obliged to hide themselves in the neighbouring Districts for fear of being murdered. Nos. XIX and XX are cases of gang robbery in broad day light. Four more cases of gang robbery by torch light, two attended with murder have been committed to the Session Court within the last four days and I feel assured that these offences will not be put down, or confidence restored to the people, until the Commissioners are again permitted to try them summarily as before under the Act, the trial of such cases now, ordinarily occupies from six weeks to two months, during which time, others are perpetrating similar crimes, which might have been checked by a summary conviction and the speedy punishment of the first parties. The delay in publishing the final sentence in a case of this description, and the uncertainty that pervades society as to whether the parties will be convicted or acquitted by the Foujdaree Udalut, cannot but be prejudicial to the attempt to put down these gangs and my recommendations to hang the heads of gangs in chains, which I believe would have a very salutary effect have not been attended to, or even noticed by the Court of Foujdaree Udalut.

5. Repeating my hope that His Lordship will pardon my soliciting a reconsideration of the Minutes of Consultation referred to.

Fort St. George, Judicial Consultation, 6th July 1858.

Memo. of cases of Gang robbery committed to the Session Court and tried since the 11th March 1858.

- No. VII. Gang robbery and murder, Moonsiff killed.
 XIV. ditto ditto.
 XV. Gang robbery by open violence.
 XIX & XX. Gang and Highway robbery in broad day light.
 XXII. Gang robbery, carrying off sheep.
 XXIV. Gang robbery and wounding.
 XXV. Gang robbery and murder, same as No. VII.
 XXVIII. Gang robbery and murder.
 XXXIX. Gang robbery, carrying off sheep.
 XXXIII. Gang robbery with torture.
 XLVII. Gang robbery by torch light.
 XLVIII. ditto ditto.
 XLIX. ditto with murder.
 LI. ditto with murder.
 LII. ditto with murder.
 LIII & LIV. ditto.

17 cases, 7 of which have been accompanied with murder and all the rest save 2 with torture and ill-treatment, these are only the cases which have been committed to Session Court, the records of the Court do not show how many robberies have actually been committed.

(Signed) R. R. COTTON,
 Acting Session Judge.

No. 18. ORDER THEREON, No. 900; dated 3rd July 1858.

The Government are not prepared to extend the powers of the Commissioner of Madura under Act XIV, 1857.

They resolve however to call upon the Acting Magistrate for an early report upon the state of crime in his District and whether his Police requires strengthening, and if it does, to what extent.

(Signed) T. PYCROFT,
 Chief Secretary.

No. 900.

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12 July 1858
 17/10

To the Chief Secretary to
 Government
 Fort St. George
 Dated 22nd June 1858
 Recd
 No 278
 Enclosed. One
 No 11511.
 Regarding reconsideration
 of Act XIV, 1857. Com: H. B. and
 Com: J. and J. and J. and J.
 of Commission
 To the Honble Secy to Govt
 1858 and 1859
 A. B. is Com: J. and J.
 1858 and 1859