

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1621	Press
		~~Mis.~~
Dated	18.10.	191866

165-166

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
15th October 1866.

No. 165. Read the following letter from A. WEDDERBURN, Esq., Magistrate of Bellary, to the Secretary to Government, Revenue Department, Fort Saint George; dated Bellary, 25th August 1866, No. 62.

The Whipping Act, No. 6 of 1864, having been passed at the instance of the Madras Government, chiefly for the prevention of offences which led to an inconvenient pressure on prison accommodation, I have the honor to represent that an offence for which it is not prescribed, robbery, is very extensively on the increase, and that incarceration is not feared by persons whom the unusual prevalence of excessive prices of food apparently drives to this crime; at any rate, no other cause is apparent for the increase of crime of this description. Grain robberies, that is,

* Note.—Robberies of grain in transit act as a preventive of trade, which alone can mitigate the local scarcity.

persons attacking one or two individuals conveying grain, are very prevalent. It is of importance* that they should be

counteracted by a more effectual deterrent than imprisonment, which, in itself, secures a maintenance at the cost of the State, during a time of scarcity.

2. In my report to Government before the introduction of this Act, I suggested that whipping might be provided for any offence which appeared to be gaining prevalence.

3. The Jails provided by Government in this District are already over-crowded.

There are above 800 now in Jail adapted for less than half that number.

I understand the Cantonment Magistrate has represented this, as regards the Bellary Jail, to higher authorities. I learn that

at Gooty 120 persons were in confinement in a Subsidiary Jail adapted for 40, and this is not a solitary instance. I would, therefore, take the liberty of suggesting whether cases of robbery, which, if of a minor nature and unattended with aggravating circumstances, and, as such, are

Vide Act VIII of 1866, (India.)

now disposable by the District Magistracy, should not be included in the list

of those offences detailed in Section II, Act VI of 1864.

4. I annex a Memorandum from the Superintendent of Police showing the increase of crime during the last half-year, as compared with the corresponding period of 1865. A still further increase will be observable in July and August, and will probably so continue until an improvement of the season lowers the price of food and provides employment to the whole agricultural population.

Proceedings of the Madras Government, Judicial Department.
15th October 1866.

Comparative Statement of Robberies and Dacoities for the first half-year of 1866.

	Robberies, Section 392.	Robberies aggravated, Sections 394—397.	Attempt at Robbery, Sections 393, 394, and 398.	Dacoities, Section 395.	Dacoities aggravated, Sections 396 and 397.	Total.	Remarks.
For the half-year ending 30th June 1866.....	107	6	17	93	15	240*	Cases occurred in June in Taudpatry and Yadiy ranges not included; Forms B not having been received as yet.
For the corresponding half-year ending 30th June 1865.....	47	1	6	45	4	103	
Increase....	60	5	11	50	11	137	

BELLARY,
23rd August 1866.

(Signed) F. J. HICKS,
Superintendent of Police.

(True Copy.)

(Signed) A. WEDDERBURN,
Magistrate.

No. 166.

ORDER THEREON, 15th October 1866, No. 1321.
The Government are not prepared to act on Mr. Wedderburn's recommendation.

(True Extract).

Chief Secretary.

To the Magistrate of Bellary.

Exd. T. Cartledge.

1906. Judicial
From the collector of Bellary - 7/25. 18/66.
For Orders.

Mr. Wedderburn is a gentleman
in a constant state of agitation
- on of the 11. 18. 64. -
This could only be effected by
the Legislative Council of the S. G.
It is not probable that Mr. Wedderburn
would modify it in any way
desired by the Government.
He is not in the least sufficient
ground - however by the time
such alteration of the law is
made - if made at all - the

business for the mill in Belknap -
it is to be hoped - has put me
away -

JJ

There ought not to be marked
for life, shown hunger and de-
privation have driven to the
offences committed from this
offence, but Mr. Medderson
refers. I think the act includes
all that is necessary, and
certainly, the unusual state of
affairs in one respect, would
not properly be used as a good
reason for attacking the law

WJ

For Orders

The prevalence of these
Paris Robberies in Bellary
is undoubtedly owing to
the famine - and the per-
petrators are, in the great
majority of cases, starving
ryots & labourers - not pro-
fessionals. It would, I
submit be more than a
mistake to adopt Mr. Med-
den's proposal - but I am
very self-affected to the Whipping
system except in the case of
juveniles & for second offences
& fail offences of a malicious
tendency.

L. D. S.

So am I
WY

15 Oct 1866 No 1621

The put are
not prepared
to act as Mr
Wedderburn
became unable

John

11/11 L D

The Master of the ...

CSO
R8

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Ind (1866) Sept

James

The Collector of
Belling

To The Secretary to Government
Revenue Department
Madras

Dated 25
Nov 31 August 1866

No 1906

No 62

Suggesting whether cases
of robbery, which of a minor
nature and unattended with
aggravating circumstances,
as such, are now disposable
by the District Magistrate should
not be included in the list of
those offences detailed in Section
II Act VI of 1854 -

For Order

Shree An Order