

[J]
68
1,000-25-7-16.

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2035

DATED 2^d Oct. 1895

INDEXED.

[Despatch Abstract.]

"BRANDING WITH A HOT IRON"

Recording letter from the Chief Presidency Magistrate submitting an extract and copy of notes of evidence in Calender case No. 22300 of 1895 on the file of the Presidency Magistrate's Court, Egmore.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

C.S.
Please see col. 1, p. 5,
of the Mad. Mail of 29/8/95,
have "Branding with a
litium". I suppose we
can call for the records
in this case? Yes, please
do so.

RM
31/8/95

21
3
219

Draft sub.
to
4/9/95

under what power
has the Govt. power
to call for these records?

Ref. to think we can call for
records under the Govt. of C.P.
Now under the 2nd Case the
the in 1894 - one in the case of
Ref. in the school by at Madras.
+ the 1st in the case of. Please
to the Govt.

to call for records but
it is customary. I think

Papers to be read in proceedings:—

Again G.O., dated	189	, No.
Again G.O., dated	189	, No.
Current No.	of 189	, dated from
" "	" 189	, "
" "	" 189	, "

*Q.V. - copy
N. - copy
2/11.*

DESPATCH

ORDER.

*Memo No. 2115
10-9-95*

The Chief Secy. Magistrate is requested to forward to Genl. the records in the case refd to in the para headed "Branding with a hot iron" in vol. 1, page 5 of the Madras Mail of the 29. Aug. 95

(From memo).

*2/9/95
To the Chief Secy. Magistrate*

I don't think that under the law we have the power to call for records but it is customary. I think

That it should be done. I think the law is clear.

Presidency Magistrates' Court,

Egmore, Madras, 13th September 1895.

FROM

C. R. Jones Esq.
 Chief Presidency Magistrate,
 Madras,

TO

The Honble Mr. J. F. Rice,
 Chief Secretary to Government,
 "With the Governor's House Hill."

Sir.

As directed by memorandum
 No. 2115, dated 10th September 1895, I have the honor
 to submit an extract from the Calendar and
 a copy of the rough notes of evidence in the
 case referred to. The Police put up the case in
 the "right case" book and therefore there are
 no records beyond the entry in the Calendar
 and the rough notes entered by me in the
 right case book.

2. The facts of the case are that the
 accused is a bazaarman and is related to
 the complainant, a boy of about 10 or 11 years
 old, who is employed in the bazaar and lives
 with the accused. The boy upset some sugar
 and the accused took an iron skewer, heated
 it in a lamp and burnt the boy in 3 or 4 places
 on the shoulder, upper arm and chest. About
 7 or 8 days after, the boy's sister, a grown up
 woman

woman came to the bazaar and the boy told her of it; she questioned accused who abused her and this quarrel caused a crowd to collect and thus the Police heard of the matter. The boy says he ran away home the next day after his sister's quarrel with accused, upto that time he appears to have continued working in the bazaar. Two witnesses were called for the defence who stated that the boy ran away because accused would not give him wages, but only food. One of them heard the boy was beaten for spilling sugar; this man is brother-in-law of accused and the other is his partner. Their evidence is very doubtful and I believe there is no doubt the boy was burnt as he stated. The marks were very slight and could hardly be seen, a mere discolouring of the skin hardly the size of a 2 anna piece. The skin could not have been broken or the places would not have healed up so completely in 10 days without any treatment. The boy was examined by Brigade Surgeon Lt Colonel Hazlett who gave a certificate that there were marks but after 7 or 8 days he could not say whether they were caused by burns or not. In awarding punishment I took into consideration that if the man had given the boy an ordinary whipping he would probably have ~~hurt~~^{hurt} him much more than he did and nothing would have been said but as he resorted to the very common punishment among Hindus of slightly burning him he had committed

an offence. I also chiefly considered the fact that the burns were very trifling. I awarded so large a sum as Rupees 10, out of the fine of Rupees 25, to the boy as compensation not so much for his injuries as for the fact that owing to this prosecution he lost his place as servant in the accused's bazaar.

I have the honor to be,
Sir,

Your most obedt servant.

J R Dutt

Chief Presidency Magistrate

E. M.

A = Copy in full.
B = Not to be copied
P = Copy abstract only.
Q = Copy heading only