

CHAPTER IX.

JUSTICE.

Chapter IX.
Justice.

THE present district of Bijápur was formed in 1864 by taking the sub-divisions of Bádámi, Bágalkot, and Hungund from Belgaum, Bijápur from Sátára, and Hippargi now Sindgi, Indi, Muddebihál, and Mangoli now Bágévádi from Sholápur. A separate Judge's Court was established at Kaládgi. In 1869 when the Judicial District of Belgaum was formed the Judge's Court at Kaládgi was abolished; the district of Bijápur went under the Judicial District of Belgaum; and an Assistant Judge was appointed at Kaládgi, who was invested with the powers of a Joint Judge in criminal trials and with full powers in civil matters.

CIVIL COURTS.
1870-1883.

In 1870 the number of courts including the Senior Assistant Judge's Court was four, the number of suits disposed of was 2419, and the average duration was one month and thirteen days. In 1875 the number of courts was four the same as in 1870, the number of suits had risen to 3545 and the average duration to three months and twenty-six days. In 1880 the number of courts was the same as in 1870, the number of suits disposed of had fallen to 2334, and the average duration to three months and seven days. At present (1883) the district is provided with a Senior Assistant Judge and three subordinate judges. The second class sub-judge of Bijápur has ordinary jurisdiction over 2494.83 square miles in the Bijápur, Indi, and Sindgi sub-divisions; the second class sub-judge of Bágalkot has jurisdiction over 1891.94 square miles in the Bádámi, Bágalkot, and Hungund sub-divisions; and the sub-judge of Muddebihál has jurisdiction over 1309.14 square miles in the Muddebihál and Bágévádi sub-divisions. The average distance of the Kaládgi court from the most distant six villages is 116 miles, of the Bijápur court seventy-nine miles, of the Bágalkot court fifty-nine miles, and of the Muddebihál court forty-six miles.

CIVIL SUITS.
1870-1882.

During the thirteen years ending 1882 the average number of suits decided was 2722. During the six years ending 1875, the totals show a steady rise from 2419 in 1870 to 3545 in 1875. In 1876 the total fell to 3337 and in 1877 there was a sudden fall to

1673 or nearly fifty per cent. In 1878 it again rose to 2708 and in 1879 to 2864. During the next two years the totals fell to 2334 in 1880 and 1984 in 1881. In 1882 the total rose to 2629. Of the total number of cases decided, sixty-seven per cent have on an average been given against the defendant in his absence, the lowest proportion being fifty-three in 1882 and the highest seventy-three in 1879. Except in 1882, when there was an unusual fall to fifty-three or fourteen per cent below the average, the proportion of cases decided in the defendant's absence has risen and fallen in successive years or groups of years. During the first three years the percentage rose from sixty-three in 1870 to seventy-two in 1872. In the next year the percentage remained unchanged and fell to sixty-five in 1875, and remained at sixty-five during 1876. During the three years ending 1879 the percentage rose from sixty-seven in 1877 to seventy-three in 1879; and during the three years ending 1882, the percentage fell from seventy-three in 1879 to fifty-three in 1882. The details are :

Bijapur Ex-parte Decrees, 1870-1882.

YEAR.	Suits.	Decisions.	Percentage.	YEAR.	Suits.	Decisions.	Percentage.
1870	2419	1530	63	1878	2708	1882	69
1871	2569	1676	65	1879	2864	2081	73
1872	2633	1899	72	1880	2334	1607	69
1873	3258	2341	72	1881	1984	1233	62
1874	3438	2445	71	1882	2629	1404	53
1875	3545	2322	65				
1876	3337	2159	65				
1877	1673	1120	67	Total	35,391	23,685	67

Of contested cases, an average of 23·6 per cent have been decided for the defendant, the percentage varying from 35·83 in 1871 to 13·48 in 1881. Except in 1873 when it was 100, the number of cases decided for the defendant was over a hundred up to 1876; since 1876, except in 1882 when it was 101, the number has been under a hundred. In sixty-one or 2·32 per cent of the suits decided in 1882, the decree was executed by putting the plaintiff in possession of the immovable property claimed. The number of this class of cases varied from 103 out of 3337 in 1876 to thirty-three out of 2708 in 1878. In 261 or 9·92 of the 1882 decisions, decrees for money due were executed by the attachment or sale of property. Of these 182 or 6·92 were executed by the sale of immovable property and seventy-nine or three per cent by the sale of movable property. The number of the attachments or sales of immovable property varied from 952 in 1875 to 182 in 1882 and of movable property from 666 in 1874 to sixty-nine in 1877. During the thirteen years ending 1882 the number of decrees executed by the arrest of debtors varied from 154 in 1873 to three in 1880. During the first three years the number varied slightly, the lowest being eighty-five in 1870 and the highest ninety-eight in 1871; in 1873 the number suddenly rose from ninety-seven in 1872 to 154 or an increase of nearly sixty-three per cent. In 1874 it fell to twenty-one. During the remaining eight years the number varied from twenty-one in 1875 to three in 1880. The details are :

DISTRICTS.

Chapter IX.
Justice.
CIVIL SUITS.
1870-1882.

Bijapur Civil Prisoners, 1870-1882.

YEAR.	PRI- SONERS.	DAYS.	RELEASE.				
			By satis- fying the Decree.	At Creditors' Request.	No Sub- sistence.	Disclosure of Property.	Time Expiry.
1870	30	23	3	6	13	3	...
1871	20	56	2	1	12	4	1
1872	21	31	3	...	13	2	...
1873	10	81	...	3	6	...	1
1874	15	23	4	3	8	...	...
1875	22	84	...	3	13	4	1
1876	14	41	...	...	14	...	...
1877	4	18	1	1	1	1	...
1878	21	38	...	2	1	...	9
1879	14	103	...	2	5	...	7
1880	2	21	...	1	1	...	...
1881	7	26	4	...	2	1	...
1882	10	22	4	...	...	1	2

The following statement shows in tabular form the working of the district civil courts during the thirteen years ending 1882 :

Bijapur Civil Courts, 1870-1882.

YEAR.	SUITS.	AVERAGE VALUM.	UNCONTESTED.				Total.
			Decreed Ex-parte.	Dismissed Ex-parte.	Decreed on Con- fession.	Otherwise	
1870	2419	£ 13.7	1536	20	78	400	2034
1871	2569	12.3	1676	25	112	343	2156
1872	2633	11.19	1899	24	97	234	2224
1873	3258	11.10	2341	60	130	246	2786
1874	3438	10.12	2445	75	146	272	2938
1875	3545	9.6	2322	316	116	329	3033
1876	3337	10.10	2159	320	110	307	2896
1877	1673	12.6	1120	93	36	109	1361
1878	2708	10.18	1862	134	96	250	2342
1879	2864	9.17	2081	140	94	240	2555
1880	2334	9.10	1607	108	49	298	2082
1881	1984	9.5	1233	168	71	171	1643
1882	2629	7.4	1404	245	00	479	2218

YEAR.	CONTESTED.				EXECUTION.			
	Plaintiff.	Defendant.	Mixed.	Total.	Arrest.	Put in Posses- sion.	Attachment or Sale.	
							Immov- able.	Movable.
1870	262	110	23	395	85	82	687	169
1871	240	148	25	413	98	85	679	250
1872	236	142	31	409	97	92	743	183
1873	283	100	79	462	154	83	531	291
1874	327	105	63	500	21	90	756	666
1875	291	105	66	462	21	97	952	174
1876	271	116	54	441	12	103	885	186
1877	228	51	33	312	4	54	266	69
1878	284	73	9	366	4	33	650	141
1879	223	60	26	309	6	69	951	137
1880	192	45	35	272	3	46	560	113
1881	250	46	45	341	7	66	200	91
1882	268	101	42	411	10	61	182	79

REGISTRATION.

The work of Registration employs eight sub-registrars all of them special or full-time officers. One of these sub-registrars is stationed at each sub-divisional head-quarters. In addition to the supervision

of the Collector as District Registrar, a special scrutiny under the control of the Inspector General of Registration and Stamps is carried on by the divisional inspector. According to the registration report for 1882-83 the registration receipts for that year amounted to £346 (Rs. 3460) and the charges to £426 (Rs. 4260) showing a deficit of £80 (Rs. 800). Of 1882, the total number of registrations, 1803 related to immovable property, sixty-five to movable property, and fourteen were wills. Of 1803 documents relating to immovable property, 580 were mortgage deeds, 926 deeds of sale, thirty deeds of gift, 181 leases, and eighty-six miscellaneous deeds. Including £40,263 (Rs. 4,02,630) the value of immovable property transferred, the total value of property affected by registration amounted to £46,257 (Rs. 4,62,570).

At present (1883) twenty-three officers share the administration of criminal justice. Of these five are magistrates of the first class and eighteen of the second and third classes. Of the magistrates of the first class two are covenanted European civilians, one is a European uncovenanted civilian, and two are Natives. The District Magistrate has a general supervision over the whole district; while each of the three sub-divisional magistrates, as assistant or deputy collector, has an average charge of 1919 square miles and 212,831 people. In 1882 the first class magistrates decided 235 original criminal cases and 126 criminal appeals. The average charge of the eighteen second and third class magistrates one of whom is a covenanted European civilian and the others Natives is 320 square miles with a population of 35,472. In 1882 these magistrates decided 1262 original criminal cases. Besides their magisterial duties, these second and third class native magistrates exercise revenue powers as *mámlatdárs* or the head clerks of *mámlatdárs*. Besides these officers of 1191 village headmen who receive average yearly emoluments of £3 5s. 7½d. (Rs. 32½), ten, under section 15 of the Bombay Village Police Act (VIII. of 1867), can in certain cases fine up to 10s. (Rs. 5). The others under section 14 cannot fine; but can imprison for twenty-four hours.

The Village Police system is regulated by the provisions of Bombay Act VIII. of 1867. In each village there is a police *pátíl* who performs the duties of police headman. The office of police *pátíl* is hereditary, and each incumbent holds a deed or *sanad* from the District Magistrate. The police *pátíl* is aided by the village police or *shetsandis* who are subordinate to him. The Superintendent of Police has certain limited powers over the subordinate village police such as the granting of leave. All correspondence regarding their appointment or dismissal is carried on through him. The bulk of the district police are distributed over the district in posts; each of which has its appointed area, which is patrolled by the officers and men in charge of the post. The police *pátíl* has certain emoluments according to a fixed scale, determined on a consideration of the size and assessment of the village. The number of *shetsandis* or village police in each village varies according to the size and population of the village. On an average there is one police *shetsandi* to every 300 persons. Their yearly emolu-

Chapter IX.

Justice.

REGISTRATION.

MAGISTRACY.

VILLAGE POLICE.

Chapter IX.
Justice.

VILLAGE POLICE.

ments vary from £1 16s. to £2 8s. (Rs.18-24) in land or cash according to the size of the village and the amount of their work.

The village police are generally recruited from Musalmáns, Kabligers or Kolis, Bedars, Kurubars or Dhangars, and Holiás or Mhárs. They are generally residents of the village where their work lies or of the neighbourhood. In the south of the district the village police are better paid and are more fairly distributed than in the north where they are deficient in number and in some villages are altogether wanting. The reason of this difference is that in 1852 when the three sub-divisions south of the Krishna belonged to Belgaum, Mr. Forjett then Superintendent of Police of Belgaum with the sanction of Government appointed village police by grants of land valued at £1 16s. to £3 (Rs. 16-30) according to the size of the village and the amount of work to be done. In the sub-divisions north of the Krishna, which formerly belonged to Sátára and Sholápur, no change has been made and the system of payment is imperfect. The work of the village police is similar to that of the district police only that it is confined within narrower limits. They are supposed to patrol the village at night and keep a watch on the bad characters. They are primarily responsible to the police *pátíl* for the police of the village. If any crime is committed within the limits of the village they conduct the inquiry into the case until the arrival of the district police, when they help in the investigation and in guarding prisoners and calling witnesses. They are also useful in taking reports from the *patil* to the nearest police post or to the chief constable of the sub-division. A muster roll of village police is kept by the police *pátíl* who is supposed to see that all are daily present for duty.

CRIME.

The chief local obstacle to the discovery of crime and the conviction of offenders is the neighbourhood of native states. With the exception of about twenty-five miles belonging to Sholápur on the north and thirty miles of Dhárwár on the south, the district is bounded on the north-east, east, and south-east by the Nizám's country, and on other sides by other native states. Except caste disputes which often end in riots, the higher classes of the district are not addicted to any particular class of crime. In these caste disputes there is a great deal of false accusation, but the matter is generally amicably settled out of court. Except petty disputes regarding fields the district is free from agrarian crime. Cases of professional poisoning are unknown.

**CRIMINAL
CLASSES.**

The Kaikádis, whose head-quarters are in the neighbouring native states, especially in the Nizám's country, are the chief criminal tribe of the district. Kaikádis who are gang robbers always go in bands of more than five. They are provided with swift ponies and bullocks and move so fast that the police find it difficult to seize them before they dispose of the stolen property. They every month organise bands of five to ten men and choose places for committing housebreaking during that month. They collect

information from their friends and, when their information is complete, each band sends two or three men, disguised as Bráhmans or Lingáyats, to examine the house they are to break into. On the appointed night they come from a distance, sometimes of 100 or 120 miles, but generally in one night march of twenty to thirty miles, carefully avoiding places where they are likely to be recognised, and break into the house at a point in the roof, where they can work without being seen from the street.

In 1882 the strength of the district or regular police was 613. Of these under the District Superintendent one was a subordinate officer, ninety-nine were inferior subordinate officers, twenty-five were mounted and 486 were foot constables. The cost of maintaining this force was for the Superintendent a yearly salary of £547 4s. (Rs. 5472); for the subordinate officers on yearly salaries of not less than £120 (Rs. 1200) and the inferior subordinate officers on yearly salaries of less than £120 (Rs. 1200), a yearly cost of £2379 6s. (Rs. 23,793); and for the foot and mounted constables a cost of £4860 16s. (Rs. 48,608). Besides their pay a sum of £174 18s. (Rs. 1749) was yearly allowed for the horse and travelling allowances of the Superintendent; £449 8s. (Rs. 4494) for the pay and travelling allowances of his establishment; £138 (Rs. 1380) for the horse and travelling allowances of subordinate officers; and £560 (Rs. 5600) a year for contingencies and petty charges. Thus the total yearly cost of maintaining the police force amounted to £9109 12s. (Rs. 91,096). On an area of 5757 square miles, and a population of 638,493, these figures give one constable for every nine square miles and 1037 people and a cost of £1 11s. 7½d. (Rs. 15½) to the square mile or 3d. (2 as.) to each head of the population. Of the total strength of 613, exclusive of the Superintendent, sixteen, three officers and thirteen men were in 1882 employed as guards at district, central, or subsidiary jails; sixty-eight, ten officers and fifty-eight men, were engaged as guards over treasuries and lock-ups, or as escorts to prisoners and treasure; 527, eighty-seven officers and 440 men, were posted in towns, municipalities, and cantonments. Of the whole number, exclusive of the Superintendent, 394 were provided with fire-arms, fifty-one with swords or with swords and batons, and 166 were provided with batons only. 101, of whom thirty-six were officers and sixty-five men, could read and write; and 118, of whom fourteen were officers and 104 men, were under instruction.

Except the District Superintendent who was a European, the members of the police force were all natives of India. Of these, forty-five officers and 308 men were Muhammadans, seven officers and fifteen men Bráhmans, ten officers and twenty men Rajputs, three officers and eight men Lingáyats, thirty officers and 111 men Maráthás, five officers and forty-seven men Hindus of other castes, and two officers Christians.

The returns for the nine years ending 1882 show a total of 152 murders, sixty-five culpable homicides, 158 cases of grievous hurt, 623 gang robberies, and 22,786 other offences. During these nine years, the total number of offences gave a yearly average of 2643 or one offence for every 204 of the population. The number of murders

Chapter IX.

Justice.

CRIMINAL
CLASSES.

POLICE.

1882.

OFFENCES.

1874-1882.

Chapter IX.

Justice.

OFFENCES.

1874-1882.

varied from eleven in 1880 to twenty-six in 1877 and averaged seventeen; culpable homicides varied from three in 1875 to eighteen in 1878 and averaged seven; cases of grievous hurt varied from ten in 1880 to twenty-eight in 1874 and averaged eighteen; gang and other robberies varied from twenty-nine in 1882 to 138 in 1877 and averaged sixty-nine; and other offences varied from 1750 in 1880 to 4404 in 1877 and averaged 2532 or 95.8 per cent of the whole. Of the whole number of persons arrested convictions varied from twenty-nine per cent in 1874 to sixty-nine per cent in 1877 and averaged fifty-one per cent. The percentage of stolen property recovered varied from nineteen in 1875 to fifty in 1877. The details are:

Bijapur Crime and Police, 1874-1882.

YEAR.	OFFENCES AND CONVICTIONS.															
	Murders and Attempts to Murder.				Culpable Homicides.				Grievous Hurts.				Dacoities and Robberies.			
	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.
1874 ...	18	43	10	23	4	4	1	25	23	39	13	33	58	64	31	48
1875 ...	16	23	10	43	3	4	2	50	17	21	8	38	64	86	25	29
1876 ...	17	81	30	37	4	23	5	22	20	15	8	53	66	253	60	23
1877 ...	26	54	28	52	7	15	5	33	17	29	6	21	138	422	235	55
1878 ...	13	13	6	46	18	15	3	20	20	21	10	48	87	300	165	55
1879 ...	17	47	22	47	11	10	4	40	13	22	14	64	83	182	21	12
1880 ...	11	18	4	22	8	3	...	...	10	10	7	70	58	36	20	56
1881 ...	20	14	10	71	6	7	...	...	20	43	35	81	41	72	9	12
1882 ...	14	17	3	18	4	4	2	50	13	53	29	50	29	26	2	8
Total ...	152	310	123	40	65	85	22	26	158	258	130	50	623	1446	568	39

YEAR.	OFFENCES AND CONVICTIONS—continued.											
	Other Offences.				Total.				Property.			
	Cases.	Arrests.	Convictions.	Percentage.	Cases.	Arrests.	Convictions.	Percentage.	Stolen.	Recovered.	Percentage.	
1874 ...	2453	3865	1095	28	2561	4015	1150	29	£.	£.	98	
1875 ...	2259	3108	1127	35	2359	3332	1172	35	3894	1481	19	
1876 ...	2114	3169	1501	47	2221	3546	1604	47	6131	1113	30	
1877 ...	4404	7426	5192	70	4592	7946	5456	69	4706	1422	30	
1878 ...	2920	3687	2457	67	2958	4036	2641	65	6380	3176	50	
1879 ...	2584	3381	2660	69	2707	4122	2721	66	7811	3356	43	
1880 ...	1750	2326	1123	48	1837	2393	1154	48	6804	3039	45	
1881 ...	2015	2338	1008	43	2102	2474	1062	43	2116	895	42	
1882 ...	2387	3332	1210	36	2447	3487	1246	36	3094	1365	44	
Total ...	22,786	33,252	17,373	52	23,784	35,351	18,206	51	45,452	18,027	39	

JAILS.

Besides the lock-up at each mámlatdár's office there is a district jail at Kaládgi, and a subordinate jail at Bágevádi. The number of convicts in the Kaládgi jail on the 31st of December 1882 was sixty-eight of whom forty-six were males and twenty-two females. During the year 1883, 304 convicts of whom 270 were males and thirty-four

females, were admitted, and 284 of whom 247 were males and thirty-seven females were discharged. During the year the daily average of prisoners was sixty-eight, and at the close of the year the number of convicts was eighty-eight, of whom sixty-nine were males and nineteen females. Of these 234 males and twenty-nine females were sentenced for not more than one year; thirteen males and four females were for over one year and not more than two years; and six males and one female were for more than two years and not more than five years. Five men were sentenced to death. There were three life-prisoners and four convicts under sentence of transportation. The daily average number of sick was 3·2. During the year one prisoner died of bowel complaint. The total cost of diet was £86 16s. (Rs. 868) or an average of £1 4s. 5¼*d.* (Rs. 12 $\frac{7}{8}$), or about 2s (Re. 1) a month to each prisoner.

Chapter IX.**Justice.****JAILS.**