

# REPORT

ON THE

## ADMINISTRATION OF CRIMINAL AND CIVIL JUSTICE

IN THE

# BOMBAY PRESIDENCY

(INCLUDING SIND)

FOR THE YEAR 1909.

#### No. 2052 of 1910.

HIS MAJESTY'S HIGH COURT OF JUDICATURE, APPELLATE SIDE: Bombay, 14th September 1910.

From

R. E. A. ELLIOTT, ESQUIRE,
Registrar, High Court,
Appellate Side,
Bombay;

To

THE SECRETARY TO GOVERNMENT,

Judicial Department,

Bombay.

SIR,

I am directed to forward the accompanying Reports on the Administration of Civil and Criminal Justice in the Presidency of Bombay for the year 1909, together with the Report in original of the Judicial Commissioner in Sind.

- 2. Judicial Statements Nos. 1 to 13 accompany the Reports.
- 3. The statement showing the amount of work disposed of by the Courts in each District will be sent separately, as it is not required by the Government of India.

I have the honour to be,
Sir,
Your most obedient servant,
R. E. A. ELLIOTT,
Registrar.

# REPORT ON THE ADMINISTRATION OF CIVIL JUSTICE IN THE PRESIDENCY OF BOMBAY FOR THE YEAR 1909.

#### PRELIMINARY REMARKS.

1. The area and population of the territories to which the report relates are shown in the following table:—

						Area in square miles,	Population according to the Census of 1901.
Presidency Sind	Proper	***	***	***	***	77,275 47,789	15,311,832 3,212,808
				Total	•••	125,064	18,524,640

- 2. During the year under report, there was a slight variation in the constitution and jurisdiction of Civil Courts in the Presidency. 32 villages in the Sangmeshwar Táluka of the Ratnágiri District, which were within the jurisdiction of the Subordinate Judge's Court at Rájápur, were transferred to the jurisdiction of the Subordinate Judge's Court at Sangmeshwar, and the Subordinate Judge of Sangmeshwar was authorized to hold his Court at Sangmeshwar and at Devrukh instead of at Devrukh alone. The village of Borpada, hitherto included in the Dang States, was excluded from the said States, and included in the local limits of the ordinary jurisdiction of the Court of the Subordinate Judge of Nandurbár in the Khándesh District. The proposal to establish a Subordinate Court at Jamkhed, linked with that of Karjat, was sanctioned by Government during the year. The Court was, however, not opened during the year, as the necessary additions and alterations had to be made in the old Mámlatdár's Kacheri at Jamkhed, which it was proposed to adapt for the Court-house.
- 3. The High Court was presided over by the Honourable Sir Basil Scott, Knight, from 1st January to 13th June and from 10th July to 31st December 1909. His Lordship was on privilege leave from 14th June to 9th July 1909, and during that period the Honourable Sir N. G. Chandavarkar, Knight, acted as Chief Justice.

#### Puisne Judges.

- The Honourable Mr. Justice Russell, from 1st January to 13th June 1909. His Lordship was on furlough from 14th June to 31st December 1909.
- The Honourable Justice Sir N. G. Chandavarkar, from 1st January to 13th June 1909 and from 10th July to 31st December 1909. His Lordship acted as Chief Justice from 14th June to 9th July 1909.
- The Honourable Mr. Justice Batchelor, from 1st January to 31st December 1909.
- The Honourable Mr. Justice Davar, from 1st January to 31st December 1909.
- The Honourable Mr. Justice Beaman, from 1st January to 31st December 1909.
- The Honourable Mr. Justice Heaton, from 1st January to 30th November 1909. His Lordship was on deputation from 1st December 1909 to the end of the year to inspect the District and Subordinate Courts.

- The Honourable Mr. Justice Macleod officiated as a Judge of the High Court from 14th June to 31st December 1909.
- The Honourable Mr. Justice Knight officiated as a Judge of the High Court from 1st December 1909 to the end of the year.
- 4. In the Presidency Proper there were on the 31st December 1909:-
  - 15 District Judges.
  - 2 Joint Judges.
  - 8 Assistant Judges.
  - 8 Small Cause Court Judges (including those at the Presidency Town), besides the Cantonment Magistrates at Belgaum and Ahmedabad and the Registrars of the Small Cause Courts of Bombay, Poona and Ahmedabad, who are invested with Small Cause Court powers upto certain amounts.
  - 16 First Class Subordinate Judges (excluding two Inspecting First Class Subordinate Judges who do not exercise Judicial powers).
  - 87 Second Class Subordinate Judges (excluding two Inspecting Second Class Subordinate Judges who do not exercise Judicial powers).
- 5. Besides the above Judicial Officers, there were, during the year under report, 7 Inámdárs and Jahágirdárs exercising the powers of Subordinate Judges under Regulation XIII of 1830.
- 6. In the Province of Sind there were on the 31st December 1909, besides the Judicial Commissioner—
  - 2 Additional Judicial Commissioners.
  - 3 District Judges (including the Deputy Commissioner of Thar and Parkar who exercises the powers of a District Judge).
  - 1 Joint Judge.
  - 1 Assistant Judge.
  - 1 Small Cause Court Judge (besides the Cantonment Magistrate at Karáchi exercising civil powers and the Registrar, Small Cause Court, Karáchi).
  - 2 First Class Subordinate Judges.
  - 14 Second Class Subordinate Judges.
- 7. The Honourable Mr. Justice Heaton was on deputation for a period of three months from 1st December 1909 to inspect the District and Subordinate Courts in this Presidency. During the year under report his Lordship held conferences of the District and Subordinate Judges and Pleaders in the Districts of Sholápur, Khándesh and Thána. In the course of his tour his Lordship noticed remarkable improvement in the manner in which judicial business was disposed of, more particularly (1) in the method of the trial itself, (2) in execution matters, to which greater personal attention was found to be given by the Judges, (3) in the supervision over the members of the establishment, and (4) in the quality of Bailiffs' work.
- 8. With regard to the working of the Deccan Agriculturists' Relief Act, the reports of the various District Judges will be found summarised below:— The District Judge of Broach reports that since the date of the extension of the Act there has been a continuous rise in the number of institutions of redemption suits and a proportionate increase in the institutions of appeals, because no ad valorem Court-fees are to be paid. The District Judge of Násik remarks that the agricultural class now fully understands the provisions of the Act and is not backward in seeking from the Courts the reliefs afforded by them. The Assistant Judge (in charge District Court), Thána, on the other hand, observes that the Act has been in force in his District for nearly five years, and, though the creditors and their sympathisers look on it with disfavour, knowledge of its scope does not seem to have been diffused among

agriculturists, with the result that in some cases they have paid the whole of the amounts of the creditors' claims when nothing would have been found due. The District Judge of Broach is of opinion that the extension of the Act has been on the whole beneficial; the District Judge of Surat also observes that the working of the Act appears satisfactory. The District Judge of Kánara, however, is very doubtful whether the Act will in the long run be beneficial to the ryots of his District, and remarks that poor people everywhere must have loans, and that, though debtors are now being granted instalments and allowed to redeem their properties at moderate rates, still most of them can only pay off their debts by raising fresh loans, and the Savkar to whom they go knows that, where he attempts to recover this fresh loan, the Act will be pleaded against him. The District Judges of Dhárwár, Belgaum and Kánara consider the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest, instalments and taking of accounts to the provisions relating to interest. to be beneficial. On the other hand the District Judge of Dhárwár is of opinion that the remaining provisions of the Act have been and are being evaded by those concerned, i. e. by the man who has the money and the man who wants it. The District Judge of Kánara considers it unfortunate that the grant of instalments is a subject of appeal and that such appeals are frequently filed. The District Judge of Poona is of opinion that in his District, as in others, there is not very much conciliation in the true sense of the word. The District Judge of Belgaum also thinks that it will become advisable later on to consider whether the benefits of conciliation are worth the extra expense incurred by Government directly and indirectly, and the extra trouble and delay in which litigation is involved. He states that he has made proposals to Government recommending the grant of increased powers to certain conciliators. The District Judge of Broach, however, is of opinion that the system of conciliation has reduced the number of the files in the Subordinate Courts of the District and that it has been of great benefit to the agricultural classes. The District Judge of Poona observes that the proportion of conciliation agreements to applications is still very small. However, both in Poona and Ahmednagar, agreements once arrived at are found to be very rarely repudiated at the execution stage. The District Judge of Bijapur is of opinion that Conciliators and Village Munsiffs have got into the way of doing their work properly, and that their work is satisfactory. The District Judge of Ahmedabad observes that the Subordinate Judge of Virangam succeeded in bringing about compromises and making consent decrees in 47 per cent. of cases against agriculturists. In the Poona District the new Section 10-A is reported to work well and to benefit indebted agriculturists. So also in the District of Sholapur many redemption suits have been instituted in which the deeds passed to the creditor were ostensibly sale-deeds, and in a large proportion of cases the debtors' contention that they were mortgage-deeds have been upheld by the Courts and redemption allowed. The District Judges of Sholapur and Ahmednagar report that Section 10-A has increased the work of the Courts in their Districts.

The following suggestions have been made:—

The District Judge of Kánara trusts that any attempt to amend the Act or otherwise to relieve the chronic indebtedness of the ryot will be preceded by the appointment of a Commission charged to find out what are the perpetually recurring causes of that indebtedness, and why it is that hopes of settling a substantial and independent peasantry on the land have been so steadily disappointed.

The District Judge of Khándesh recommends the extension of Section 74 of the Act.

The Assistant Judge (in charge District Court) of Thána is of opinion that it is necessary to apply Section 10-A to Districts to which the Deccan Agriculturists' Relief Act has recently been extended.

He also observes that the definition of "agriculturist" needs to be amended by adding some proviso as follows:—"For the purposes of this Section a person purchasing merely an equity of redemption from a non-agriculturist shall not for the purpose of the redemption of the mortgage be deemed to be an agriculturist within the meaning of this Act though at the time of the institution of the suit he was really an agriculturist as defined in this section."

Also that a proviso or an explanation to Section 13 to the following effect seems to be necessary, viz.: "Provided that in no case the amount awarded shall exceed the amount which would have been payable if the contract between the parties were not set aside."

#### The Annual Statements.

- 9. In accordance with letter No. 1446—1448, dated the 18th September Statement No. I (Civil).

  1905, from the Government of India to the Government of Bombay, this statement is filled up in duplicate—one for Civil and the other for Criminal work, and the statistics for Revenue Courts are excluded from it, as also from the other judicial statements.
- 10. The total number of Civil cases decided during the year under report was 305,584 as against 301,515 in the last year, showing an increase of 4,069. The increase in the number of disposals occurs in all kinds of Civil cases except regular appeals.
- 11. Of the total number of decided cases about 45.3 per cent. were regular suits, 52.7 per cent. miscellaneous cases and 2 per cent. appeals, as against 44.6, 53.2, and 2.2 respectively, during the last year.
- 12. The total receipts of all the Courts (Civil and Criminal) have risen from Rs. 38,49,046 to Rs. 44,59,793 but the total charges have fallen from Rs. 57,64,065 to Rs. 56,67,915. These figures are supplied by the Accountant-General, Bombay, in accordance with the Government Resolution, Judicial Department, No. 5042, dated the 11th August 1893.
  - 13. The total number of suits instituted in all the Courts was 142,354 as against 133,037 in the preceding year, showing an Statement No. VII. increase of 9,317. Last year too there was an increase of 7,477.
- 14. There was an increase of 5,130 in the number of suits for money as compared with the increase of 3,470 last year. There was also an increase in all other kinds of suits except testamentary suits, which indicates that the tendency towards a rise, which commenced last year after a continuous fall for a number of years, has been kept up. The increase is most marked in mortgage suits, and is no doubt due principally to Sections 30 and 31 of the new Limitation Act. The number of such suits rose from 10,547 to 12,921, i.e. by 22 per cent., and there will probably be a still larger increase in the institutions of the present year, 1910.
- 15. The percentage of suits for money or moveable property fell from 73.7 to 72.5, and that of suits relating to immoveable property (including mortgage and pre-emption suits) rose from 16.2 to 17.5; the percentage of all other kinds of suits together was about 10 as compared with 10.1 last year, i.e. nearly the same as last year.
- 16. The aggregate value of suits rose from Rs. 4,57,26,170 to Rs. 4,98,86,231. There was a decrease of 1 in the number of suits exceeding Rs. 10,000, but all other kinds of suits, i.e. those not exceeding in value Rs. 10,-50,-100,-500,-1,000,-5,000 and 10,000, as also those the value of which could not be estimated in money, showed an increase.
- 17. Only the superior Courts showed a decrease in the value of suits instituted during the year, while the rest showed an increase.
- 18. There were 179,787 suits for disposal before all the Courts, out of which 138,267 were disposed of, leaving a balance of 41,520 pending at the end of the year. The corresponding figures for the last year were 170,133, 134,351, and 35,782 respectively.
  - 19. The disposal may be classified as under:

Without trial about 10.9 per cent. Without contest \*\*\* **49·2** \*\*\* \*\*\* " After contest 36.4 ... 449 " " On reference to arbitration ვ∙5

- 20. Of the total number of suits disposed of after contest and on reference to arbitration, judgment was given for plaintiff in whole or in part in 86.4 per cent. and for the defendant in 13.6 per cent. of cases.
- 21. The average duration of contested suits fell from 167 to 157 days in the year under report and that of uncontested suits was nearly the same, i.e. it was 72.61 as compared with 72.09 last year. The corresponding figures for 1906 and 1907 respectively were 243 and 175 for contested and 91 and 71 for uncontested suits. In the District Courts the average duration was 269 days for contested and 128 days for uncontested suits as against 226 and 117 respectively in the preceding year. In the mofussil Subordinate Courts the average duration was 170 days for contested and 85 for uncontested suits as against 182 and 89 respectively. In the superior Courts the average duration was 421 days for contested, and 275 for uncontested suits as against 360 and 306 respectively.

22. The following table gives some idea of the comparative litigiousness of the several Districts in the Presidency:—

District.	Population.	Number of suits instituted.	Proportion of suits instituted to population.	Total number of decided suits.	Proportion of contested suits to the number of decided suits.
Bombay		25,850	1 to 29	25,651	1 to 6
Sukkur-Larkana (includ		ŀ			<u> </u>
ing Upper Sind Frontier)	. 1,250,699	14,142	1 to 88	14,629	1 to 8
Násik	819,575	8,804	1 to 93	8,996	1 to 2
Hyderabad	990,502	9,561	1 to 103	10,041	1 to 9
Poona	995,074	9,255	1 to 107	8,621	1 to 3
Broach	201 420	2,686	1 to 108	2,655	1 to 11/2
Khándesh	1 446 016	12,639	1 to 114	11,386	1 to 2
Karáchi	607 430	4,820	1 to 123	4,771	1 to 4
Ahmednagar	227771	5,464	1 to 153	4,897	1 to 2
Ahmedabad (including		-,			
Kaira and Panch Mahals)		11,266	1 to 157	11,458	1 to 2'
Sholápur	720,978	3,976	1 to 181	3,454	1 to 2
Thána (including Kolába)		7,236	1 to 195	6,683	1 to 2
Surat	846 809	3,088	1 to 206	3,437	1 to 3
Kánara	1.51 999	2,146	1 to 211	2,282	1 to 11.
Ratnágiri	1 1166 000	5,329	1 to 218	4,424	1 to 11/2
Sátára ·	1 1/0 501	4,901	1 to 233	4,007	1 to 2
D-1	1 '004'900	3,433	1 to 289	3,000	1 to 2
Th. /	1 119 /94	3,307	1 to 336	3,602	1 to 2
D:44	705 047	2,078	1 to 353	1,978	1 to 14
Thar and Párkar	984 160	404	1 to 901	428	1 to 10

23. In addition to the regular suits mentioned above, the Court disposed of 22,097 miscellaneous cases as against 20,850 Statement No. IX, Part II. during the last year. The percentage of contested miscellaneous cases to the total of cases of all kinds was 30, and the average duration of such cases was 93 days as against 91 days in the preceding year.

24. The following table shows the result of appeals disposed of during the year as compared with those disposed of during the last year:—

	Year.		Appeals presented.	Objections under Order XLI, r. 22, Civil Procedure Code.	Appeals decided,	Arrears.
1908 1909		• • •	6,592 6,269	405 330	6,389 6,08 <b>8</b>	5,076 5,25 <b>7</b>

- 25. The First Class Subordinate Judges and Small Cause Court Judges invested with appellate powers disposed of S77 appeals as against 1,056 last year.
- 26. Of the total number of appeals decided, 1,373 were dismissed under Order XLI, r. 11, Civil Procedure Code, or for default, or were otherwise not prosecuted. The disposal of the remaining 4,715 appeals may be classified as under:—

Number in which decree was confirmed 3,034 or 643 per cent.

Do. do. modified 687 or 146, p. 740 or 15.7, p. 750. in which suit was remarded 254 or 5.4,

- 27. The average duration of appeals was 271 days as against 254 last year.
- 28. There was a considerable increase in the institutions as well as in the disposals of miscellaneous appeals, the figures being 304 and 296 as against 133 and 201 respectively last year. The average duration of these appeals was 132 days as against 134 in the previous year.
  - 29. As regards applications for execution, the following table shows the figures for the year under report as compared with those in 1908:—

	Year.			Institutions.	Disposals.	Arreare.
1908	•••	***	•••	140,682 135,216	139,505 138,586	44,465 41,095

- 30. Out of the total number of applications for execution disposed of, 608 were disposed of by transfer. In 25,642 satisfaction was obtained in full, in 27,472 in part, while 84,864 proved wholly infructuous. The percentages of the last three heads of disposal were 19, 20 and 61 as compared with 17, 19 and 64 last year.
- 31. The total amount realized in execution came to Rs. 57,39,665 as against Rs. 53,90,590 last year.
- 32. The number of cases in which the judgment-debtor was imprisoned was 693 as against 583 last year, and of those in which immoveable property was sold was 2,925 as against 3,045 in the previous year.
- 33. The number of persons imprisoned in execution of decrees was 693 and the number of persons arrested but released without imprisonment was 2,330. The number of applications for declaration of insolvency was 464.
- 34. The total number of applications for declaration of insolvency disposed of during the year was 250. Of these 63 were withdrawn, 113 granted and 74 rejected.

#### General Remarks.

- 35. During the year under report Sections 6, 22-A, 68 and 69 of the Deccan Agriculturists' Relief Act were extended to all parts of the Bombay Presidency (except Aden and the City of Bombay) in which those sections were not already in force. The conciliation system was introduced during the year in the Panch Maháls and Surat Districts.
- 36. The congestion of the Civil files was dealt with by the appointment or deputation of Joint First or Second Class Subordinate Judges to the following places during the whole or part of the year under report, viz. Ahmedabad, Borsad, Umreth, Broach, Gadag, Dhárwár, Honávar, Yaval, Pimpalgaon, Rajápur, Ratnágiri, Bulsar, Surat, Thána, Panvel, Sangamner, Mahad and Haveli.

- 37. The District or Assistant Judges or Inspecting Subordinate Judges of Ahmedabad, Ahmednagar, Belgaum, Broach, Kánara, Khándesh, Násik, Poona, Ratnágiri, Sátára, Surat and Thána inspected in all 33 Subordinate Judges' Courts during the year under report.
- 38. The District Judges of Ahmedabad, Belgaum, Broach, Násik, Ratnágiri, Sátára and Sholápur assembled Judicial conference of the Judges subordinate to them, where points touching practice and procedure of Civil Courts were discussed.
- 39. The record-rooms and libraries are reported by the District Judges generally to be in good order. Steps are being taken to replenish the stock of books in the Subordinate Court libraries. During the year under report, law books worth about Rs. 10,000 were supplied by the High Court to the Subordinate Court libraries, with the sanction of Government, in addition to books worth Rs. 15,000 supplied in 1908. The destruction of useless records is carried out periodically in accordance with the rules framed by the High Court.

R. E. A. ELLIOTT,
Registrar.

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

#### REPORT ON THE ADMINISTRATION OF CRIMINAL JUSTICE IN THE PRESIDENCY OF BOMBAY FOR THE YEAR 1909.

#### PRELIMINARY REMARKS.

The Report relates to the Administration of Criminal Justice in all the Courts (including the Courts of the Presidency Magistrates) in the Bombay Presidency Proper and in the Province of Sind.

- 2. The area and population of the above territories are the same as those given at page 1.
- 3. In the Presidency Proper on 31st December 1909, there were, besides the Honourable the Chief Justice and Judges of the High Court,-
  - 15 Sessions Judges.
  - 5 Additional Sessions Judges.
  - 5 Assistant Sessions Judges.
  - 19 District Magistrates.
  - 4 Presidency Magistrates.
  - 248 First Class Magistrates.
  - 199 Second Class Magistrates.
  - 232 Third Class Magistrates.
  - 160 Sanitary Committees and Sanitary Boards, under Bombay Act I of 1889.

Besides the above, there were 15,671 Village Police Pátils in the Presidency with power under Section 14 of Act VIII of 1867, some of whom were also invested with Criminal Jurisdiction under Section 15 of the said Act.

- 4. In Sind on 31st December 1909, in addition to the Judicial Commissioner, there were:-
  - 2 Additional Judicial Commissioners.
  - 2 Sessions Judges.
  - 3 Additional Sessions Judges.
  - 4 District Magistrates.

  - 2 Deputy Commissioners. 71 First Class Magistrates.
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  - 62 Third Class Magistrates.
  - 11 Sanitary Committees and Sanitary Boards, under Bombay Act I
- The Judges and Magistrates mentioned above were all Stipendiary except 243 Special and Honorary Magistrates, of whom 210 formed 21 Benches which were as follows:-

4 at Bombay,	consisting	of 110 M	agistrates	ı.
2 ,, Poona	do.	20	do.	
2 Nadiád	do.	11	do.	
1 "Sátára	do.	9	do.	
1 " Sholápur	do.	7	do.	
1 " Násik	do.	7	do.	
1 ,, Dhulia	do.	6.	do.	
1 , Ahmednagar				
Bhingar	do.	5	do.	
1 ,, Belgaum	do.	5	do.	
1 ,, Mahád	do.	5	do.	
1 "Nipáni	do.	5	do.	
1 ,, Mahudha	do.	5	do.	
1 ,, Umreth	do.	5	do.	
1 ,, Anand	do.	4	do.	
1 17 Museu	do.	2	do.	
1 ,, Kumta		<b>3</b> 3		
1 "Sirsi	do.	ð	do.	
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21		210		

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- 5. The Judges and Magistrates mentioned above were all Stipendiary except 243 Special and Honorary Magistrates, of whom 210 formed 21 Benches which were as follows:—

4 at Bombay,	consisting o	of 110	Magistrates.
2 " Poona	do.	20	_do.
2 ,, Poona 2 ,, Nadiád	do.	11	do.
1 ,, Sátára	do.	9	do.
1 " Sholápur	do.	7	do.
1 "Násik"	do.	7	do.
1 " Dhulia	do.	G	do.
1 ,, Ahmednagar	and		
Bhingár	do.	5	do.
1 " Belgaum	do.	5	de.
1 ,, Mahád	do.	5	do.
1 ", Nipáni	do.	5	do.
1 , Mahudha	do.	5	do.
1 " Umreth	do.	5	do.
1 , Anaad	do.	4	do.
1 ,, Kumta	do.	3	do.
1 Sirsi	do.	3	do.
_ <del></del> "			
21		210	

## The Annual Statements.

- G. The total number of criminal cases disposed of in the year under report was 155,895 as compared with 154,057 in the last year, showing an increase of 1,838. Of the total number of decided cases, 96 per cent. were original cases and 4 per cent. were appeal and revision cases. The percentages for the previous year were the same.
- 7. The total number of offences reported during the year was 157,549 as statement No. II. compared with 156,423 in the last year, showing an increase of 1,126. The number of cases returned as true was 146,955 or 93.2 per cent. of the total number of offences reported, the rest being cases dismissed under Section 203, Criminal Procedure Code, or cases in which the charge was declared to be false.
- 8. Of the total number of cases returned as true, 41.8 per cent. were under the Indian Penal Code and the rest under the Special and Local Laws. Cases under the Indian Penal Code related chiefly to offences of hurt, criminal force and assault, theft, mischief, criminal trespass, and criminal intimidation, insult and annoyance. The principal cases under the Special and Local Laws related to offences under the Breaches of Contract Act, Cantonment Act, Cattle Trespass Act, Criminal Procedure Code, Forest Act, Prevention of Cruelty to Animals Act, A'bkári Act, City of Bombay Police Act, District Police Act, Bombay and District Municipal Acts, Public Conveyance Act and Village Police Act.
- 9. Among the offences returned as true there were 7 offences against the State. There was no offence either against the Army and Navy or under the Official Secrets Act.

10. There was a material increase in the following cases of offences:—

Offences,	·			Number in 1908.	Number in 1909
Attempts at offences affecting life Hurt  Attempts at hurt  Criminial force and assault  Rape  Junatural offence  Attempts at theft  Attempts at cheating  Attempts at fraudulent deeds and disp  Mischief  Criminal intimidation, insult and annotated the Cantonment Act  Forest Act  Merchandise Marks Act  Petroleum Act  Post Offices Act  Prevention of Cruelty to a Stage Carriages Act  Abkári Act  District Police Act  Frontier (Sind) Regulatio	oyance	**** *** *** *** ***		15 20,893 18 5,171 49 14 31 10 3,176 6,514 2,053 1,609  6 3 10,002 18 1,967 8,267 36	51 21,252 67 5,961 76 31 271 24 8 3,385 7,235 2,711 1,831 6 20 14 11,349 77 2,147 8,514
" Municipal (District) Act " Municipal (Bombay) Act " Tolls Act " Village Police Act	•••	***	* ***	9,406 5,300 2 1,374	11,374 5,662 8 1,705

11. (	Offences	under	the follow	ing heads	show a	considerable	decrease:—
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Offences.		Number in 1908.	Number in 1909.
Attempts at Criminal, force and assault Theft Extortion Criminal trespass Under the Criminal Procedure Code Attempts at do. do Under the Criminal Tribes Act Ports Act Treasure Trove Act City of Bombay Police Act Vaccination Act	•••	 29 11,340 112 3,267 2,189 26 48 88 8 29,508 50	9,238 69 3,014 1,836  26 47 3 25,317

<sup>12.</sup> Out of 608 cases affecting human life brought to trial during the year, 230 were murders as compared with 251 out of 574 in the previous year.

These murders may be classified as follows:—

From motives connected with wo	men	***	98
Of children for the sake of their		•••	9
Other murders for the sake of g	ain		21
Murders from other causes .	•• •••		102
	•	. –	230

13. The following table shows the comparative criminality of the several Districts:—

		Districts.			Population.	Offences returned as true.	Proportion of such offences to population.
Bombay	•••		•••	•••	770,843	55,386	1 to 14
Ahmedabad	***	•••	•••		795,094	10,686	1 to 74
Poona	•••	***	•••		995,074	10,443	1 to 95
Thána	***	•••	•••		809,361	6,301	1 to 128
Sukkur-Lárkbá		•••	•••		1,018,237	7,392	1 to 138
Karáchi				. [	607,439	4,138	1 to 146
Broach	***	***	•••	•••)	291,428	1,949	1 to 149
Násik	•••	***	•••	***	819,575	5,305	1 to 154
	•••	***	***	•••	636,602	3,817	1 to 166
Surat	***	•••	***	••••			
Hyderabad	•••	•••	***	***	990,502	5,856	1 to 169
Panch Mahals	•••	•••	•••	•••	261,870	1,541	1 to 170
Upper Sind F	rontier	***	***	•••	232,462	1,334	1 to 174
Kaira	***	••• '	***	•••	715,725	3,508	1 to 204
Kolába	***	•••	•••	•••	605,165	2,916	1 to 207
Sholápur	•••	•••	•••		720,978	2,972	1 to 242
Khándesh		•••	***		1,442,018	5,874	1 to 245
Kánara	•••	***			454,238	1,621	1 to 280
Ahmednagar	•••	•••			837,774	2,887	1 to 290
Sátára		•••	•••		1,146,521	3,947	1 to 290
Belgaum	•••		•••		994,209	2,679	1 to 371
Thar and Park		***	***	•	364,168	932	1 to 390
Dhárwár			•••		1,113,426	2,564	1 to 434
Bijápur	-				735,041	1,288	1 to 570
Ratnágiri	•••	•••			1,166,890	1,619	1 to 720

<sup>14.</sup> In the Districts of Ahmedabad, Khándesh, Surat, Násik and Dhárwár, the number of offences increased by 2,555, 919, 520, 513 and 487 respectively whereas in the Districts of Bombay, Karáchi and Sholápur there was a decrease of 1,518, 2,480, and 472 respectively. In the remaining Districts there was no marked increase or decrease.

<sup>15.</sup> The number of cases brought to trial during the year was 146,188 and the number of persons involved in them was 243,424 as against 144,966 cases and 237,896 persons in the preceding year.

16. Of the 243,424 persons under trial 126,738 or 52 per cent. were acquitted or discharged; 105,417 or 43.3 per cent. were convicted; 717 or 3 per cent. died, escaped or were transferred to another province, or made over to Military authorities or had their cases pending on the dormant file or referred under section 307; and 10,552 or 4.4 per cent. remained under trial.

In the last year the percentages were 50, 45.5, .3, and 4.2 respectively.

17. The following table shows the ratio of acquittals to convictions in each class of offences:—

Description of offences.	,	Persons acquitted or discharged.	Persons convicted.	Ratio of acquittals to convictions.
Offences against the State			6	0 : 100
Offences against the State  Offences against public tranquility	•••	5,212	2,021	72 : 28
Attempts at public tranquility		13	28	31:69
Offences by or relating to public servants	•••	65	86	43 : 57
Contempts of the lawful authority of public ser		398	508	44 : 56
Talse evidence and offences against public justi	ice	437	457	51 : 49
Attempts at do. do.	••• أ	3	9	25:75
Offences relating to coins	•••	29	72	28:72
Offences relating to Government Stamps	•••	5	9	85:65
Offences relating to weights and measures	440	41	77	<b>34:6</b> 6
Offences affecting the public health, safety, &c.	•••	281	861	24 : 76
Attempts at do. do.	•••	1	· 2	33 : 67
Offences relating to religion		81	17	82:18
Offences affecting life	•••	492	478	51:49
Attempts at do	•••	41	32	56 : 44
Causing of miscarriage, injuries to unborn chil	ldren, &c	38	47	44:55
Aurt		50,776	3,751	93 : 7
Attempts at burt	***	103	, 35	74 : 26
Wrongful restraint and wrongful confinement	•••	1,347	171	88:12
Criminal force and assault	•••	10,422	2,009	84:16
Attempts at do		3	1	75 : 25
Kidnapping, forcible abduction, slavery an	nd forced			
labour		287	. 141	67:33
Attempts at do. do.	•••	2	4	33 : 67
Rape	•••	84	35	70:30
Attempts at rape		3	2	60 : 40
Unnatural offence		29	19	60 : 40
Attempts at do	•••	***	1 :	0:10
Theft	•••	4,398	8,919	33 : 67
Attempts at theft	***	159	250	39:63
Extortion	•••	114	38	75 : 25
Attempts at extortion		•••	1	0:10
Robbery and dacoity	***	774	533	59:41
Attempts at do	•••	7	1	87 : 13
Criminal misappropriation of property Criminal breach of trust	•••	612	154	79 : 21
	•••	904	552	62 : 38
Attempts at do	•••	1	1	50:50
Receiving of stolen property	•••	568	824	40 : 60
Attempts at do	***	****	6	0:10
Cheating	4 **	667	384	63:37
Attempts at cheating Fraudulent deeds and disposition of property	. ***	_3	24	11:83
	***	71	15	82 : 18
Attempts at do. do.		7 20	5	58 : 43
Attempts at mischief	2 · **	7,835	675	92 : 8
Criminal trespass	***	2	2	50 : 50
Attempts at animinal tracross	•••	4,559	1,568	74 : 20
	••	3	21	12 . 88
Offences relating to documents, &c.  Attempts at do	• •	122	44	73 : 2
Criminal breach of contract of service	••	. 1	***	100:0
Offences relating to marriage	••	22	9	71:2
Attornate at do	* • • •	2,593	321	89:1
Defamation	**		4	0:1
Criminal intimidation, insult and annoyance		555 14 075	71	88:1
Offences under Special and Local Laws	* 7	• 14,075	945	
Offences ander phecial and nocal name	••	18,443	79,173	<b>19:</b> 8

- 18. The total number of European British subjects whose cases were disposed of during the year under report rose from 507 to 604. Of these 181 or 30 per cent. were charged under the Indian Penal Code and 423 or 70 per cent. under the Special and Local Laws. The charges under the Indian Penal Code related chiefly to false evidence, hurt, criminal force and assault, theft, criminal breach of trust and cheating.
- 19. Out of the 604 persons whose cases were disposed of, 437 were convicted and 167 acquitted or discharged. The cases of 601 were disposed of by Magistrates and of 3 by the Courts of Sessions. In the case of 202 persons the deciding Magistrate was a European British subject and in the case of 399 persons he was other than a European British subject. In the case of 3 persons whose cases were disposed of by the Courts of Sessions, the Session Judge was a European British subject. Three accused persons claimed to be tried by a mixed jury under Section 450(1) and two under Section 451(1) of the Criminal Procedure Code.
- 20. There were 3,430 miscellaneous cases before the Courts involving 6,777 persons, of whom 28.4 per cent. were discharged, 61.9 per cent. convicted and the cases of 9.7 were pending.
- 21. There was a material increase in the number of persons involved in "Proceedings against witnesses under Chapter VI(c)", "Proceedings against local nuisances" and "non-attendance of Jurors or Assessors", and a marked decrease in the number of persons concerned in "Proceedings under Chapter VIII to prevent breach of the peace" and "to require security for good behaviour."
- 22. The number of original regular cases disposed of during the year was

  Statement No. IV. 146,147 as against 144,443 in the last year. Of these
  143,347 were disposed of by Magistrates, 1,850 by
  Village Officers and Sanitary Committees and Sanitary Boards, and 950 by
  Courts of Sessions and Superior Courts.
- 23. Of the total number of persons convicted, 37.7 per cent. were convicted on regular and 62.3 per cent, on summary trial. The percentages of the last year were 38.4 and 61.6 respectively.
- 24. The number of youthful offenders dealt with under Section 31 of Act VIII of 1897 was 163 as against 233 in the last year.

Statement No. V. 25. The following table shows the punishments inflicted in 1909 as contrasted with those in 1908:—

					Number of per	sons sentenced t	0	
	Year.	-   	Death.	Transport- ation.	Penal Servitude.	Imprison- ment.	Fiue.	Whipping.
1908 1909	***	10.	59 79	179 178 •	24	16,883 16,784	82,039 80,580	1,383 1,039

- 26. In 73,275 cases the amount of fine imposed did not exceed Rs. 10, in 6,457 it was between Rs. 10 and Rs. 50, and in 5,712 cases the term of imprisonment did not exceed 15 days and in 8,795 it was between 15 days and 6 months.
- 27. The total amount of fines imposed rose from Rs. 4,53,399 to Rs. 4,74,564 and that of fines realised rose from Rs. 3,52,787 to Rs. 3,85,205.
- 28. Out of 1,039, the total number of whippings inflicted, 714 were in lieu of other punishments (663 being on first conviction and 51 on re-conviction), 96 were in addition to other punishments and 229 were inflicted on

juveniles for offences other than those specified in Parts I and II of Statement No.  $V\Lambda$ .

- 29. The percentage of whippings on the total number of all punishments was 10.8 as compared with 13.6 in the preceding year. In the majority of cases whipping was inflicted for offences of theft, the number of stripes being in the majority of cases 5 to 10.
  - 30. Excluding the number of appellants who died and the number of those whose appeals were pending at the close of the year, the result of the appeals were:—

```
... in 41
                                                           per cent. cases.
Rejected
                                              ... in 28.7
Sentence confirmed
                                                  in ·2
        enhanced
                                              ...
                                  •••
                      •••
                                                                     ,,
   ,,
                                                  in 9.7
        reduced
                      ...
                                  ...
                                                                     "
                                                               "
   "
                                                  in 19
        reversed
                                                               "
                                                                     ,,
Otherwise disposed of ...
                                              ... in 1.4
```

- 31. Of the total number of appeals decided, 49 per cent. were disposed of by District Magistrates and other Magistrates invested with appellate powers, 37.8 per cent. by the Courts of Sessions and 13.2 per cent. by Superior Courts.
- 32. In revision the sentence was enhanced in the cases of 26 persons. The general results of revision are compared with those of appeals in the following table:—

			In Revision.	In Appeals.
Proceedings quashed New trial or further enquiry ordered Sentence reduced or otherwise altered Sentence reversed	•••	••• ••• •••	27 persons.	In the case of 12 persons. 67 , 612 , , , , , , ,

33. Persons tried by Jury and with the aid of Assessors numbered 335

Statement No. XIII. and 1,388, respectively. In the Courts of Sessions the verdict of the Jury was approved as regards 211 out of 237 accused persons and disapproved as regards 26. In cases tried with Assessors the Judge agreed with all Assessors in 65.4 per cent. of cases, with some in 9.7 per cent. and differed from all in 24.9 per cent.

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

R. E. A. ELLIOTT, Registrar.

#### No. A.-849 of 1910,

Court of the Judicial Commissioner of Sind, Karáchi, 14th July 1910.

From

LILARAM VATANMAL, Esquire,
Registrar, Court of the Judicial Commissioner of Sind.

To

THE REGISTRAR,

High Court, Appellate Side, Bombay.

Sir,

I am directed to forward the accompanying report on the administration of Civil and Criminal justice in the Province of Sind for the year 1909.

2. The Annual Statements Nos. 1 to 14 accompany and also the reports and returns received from the District and Sessions Judges and District Magistrates of the Province.

I have the honour to be,
Sir,
Your most obedient servant,
LILARAM V.,
Registrar.

# REPORT ON THE ADMINISTRATION OF CRIMINAL AND CIVIL JUSTICE IN THE PROVINCE OF SIND FOR THE YEAR 1909.

#### PRELIMINARY REMARKS.

The Court of the Judicial Commissioner was presided over by Mr. A. Lucas, I. C. S., from 1st January to 30th September, by Mr. R. Knight, I. C. S., from 1st October to 22nd November, and Mr. M. H. W. Hayward, LL.B. (Cantab.), Barrister-at-Law, I. C. S., from 23rd November to 31st December 1909.

The following were the Additional Judicial Commissioners:-

Mr. H. N. Crouch, LL.B. (Lon.), Barrister-at-Law, from 1st January to 31st December 1909.

Mr. E. M. Pratt, I. C. S., from 1st January to 18th May 1909.

Mr. R. Knight, I. C. S., from 19th May to 30th September 1909.

Mr. M. H. W. Hayward, LL.B. (Cantab.), Barrister-at-Law, I. C. S., from 10th October to 22nd November 1909.

Mr. E. H. E. Leggatt, I. C. S., from 23rd November to 31st December 1909.

- 2. There were on the 31st December 1909—
  - 2 Sessions Judges.
- 3 Additional Sessions Judges (including First Class Subordinate Judge, Hyderabad, exercising powers of Additional Sessions Judge).
  - 6 District Magistrates.
  - 13 Sub-Divisional Magistrates.
  - 3 Cantonment Magistrates.
  - 16 City and Resident Magistrates.
  - 39 Other First Class Magistrates.
  - 61 Second Class Magistrates.
  - 62 Third Class Magistrates.
  - 11 Sanitary Committees and Boards under Bombay Act I of 1889.

Of the above Magistrates 16 were Special and Honorary Magistrates.

- 3. There were on the 31st December 1909—
- 3 District Judges (including the Deputy Commissioner, Thar and Parkar).
  - 1 Joint Judge.
  - 1 Assistant Judge.
- 3 Small Cause Court Judges (including Cantonment Magistrate, Karáchi, exercising powers of a Small Cause Court and the Registrar, Small Cause Court, Karáchi).
- 3 First Class Subordinate Judges (including Registrar of the Court of the Judicial Commissioner).
  - 14 Second Class Subordinate Judges.
  - 21 Revenue Officers exercising Civil powers in Thar and Parkar.
- 4. The Judicial Commissioner spent about a month on tour inspecting the Criminal and Civil Courts of the Province. A general tendency is observed to have recourse to arbitration-proceedings in order to avoid the control of the Deccan Agriculturists' Rolief Act.

5. The total receipts of all the Courts are Rs. 4,96,383 and the total charges Rs. 9,06,298 during the year under report, disclosing an excess of Rs. 4,09,915 in expenditure over receipts.

#### Oriminal Justice.

6. The number of offences reported shows a decrease while that of offenders shows an increase as compared with the preceding year, the figures being—

Year.	Offences reported.	Offenders.
1000	25,782 23,767	54,340 54,861
	2,015	+521

The figures relating to offences eventually returned as true show a corresponding decrease as compared with the previous year as shown below:—

	Year.		Offences returned as true,	Number of offenders in cases returned as true.
1908 1903		•••	21,268 19,654	42,398 41,980
		i	<b>— 1,614</b>	-418

7. The number of trials fell from 19,952 to 19,852 and the number of persons tried rose from 45,453 to 45,745. The number of persons remaining under trial at the end of the year under report also rose from 4,723 to 4,856. There were 46,028 persons under trial during the year under review before the several Criminal Courts, including the Court of the Judicial Commissioner. The following table exhibits the result as contrasted with the figures in 1908:—

1		Total number	Acquitted	Convicted.			
Year.		of persons under trial.	or discharged.	On regular trial.	On summary trial.		
1908 1909	•••	46,000	29,534 30,210	8,222 6,544	2,729 3,862		
		+182	+676	<b>—</b> 1,678	+1,133		

8. The following table shows punishments inflicted in 1909 as contrasted with those in 1908:—

Year		Death.	Transper-	Imprisonment.		Fine.	1772.	Persons	Persons	
,		,	tation,	Rigorous.	Simple.	rine.	Whipping.	ordered to furnish security, &c.	imprisoned for default.	
1908 1909	***	28 18	68	2,646 2,482	163 132	7,259 6,896	175 168	1,350 1,061	936 758	

The fines in 1909 amounted to Rs. 97,048-5-2 as against Rs. 97,353-13-5 in 1908 and the compensation paid to accused persons in 1909 amounted to Rs. 7,214-7-3 as against Rs. 6,766-10-6 in 1908.

9. Particulars as to results of trials in the different districts (including the 25 persons in the Court of the Judicial Commissioner) are given in the following table:—

District of	Under trial.	Acquitted or discharged.	Convicted.	Died or escaped.	Remaining under trial.	Referred under Section 807, Criminal Procedure Code.	On dormant file.
Karáchi	8,318	4,582	2,954	36	734	2	10
Hyderabad	12 098	9,576	2,405	147	1,798	<u> </u>	
Sukkur	7 270	4,843	2,234	32	569	•••	• • •
Lárkána	0.819	7,427	1,390	13	982	•••	•••
Upper Sind Frontier		2,403	864	3	155	***	***
Then and Danker	9 561	1,377	537	30	617	***	•••
Court of the Judicia		2,017	00,	30	017	***	•••
Commissioner	OE.	2	22	•••	1		
	45,745	30,210	10,406	261	4,856	2	10

10. The following statement shows the work done by the several Sessions Courts (including the Court of the Judicial Commissioner) for the last three years:—

		19	07.	19	008.	1909.	
District of		Cases disposed of.	Appeals disposed of	Cases disposed of.	Appeals disposed of.	Cases disposed of.	Appeals disposed of.
Karáchi Hyderabad	•••	00	93 301	31 78	159 280	27 85	120 218
Sukkur Lárkána	•••	} 101	276	60	248	99	253

11. The number of offences affecting life and attempts at such offences rose from 117 in 1908 to 164 in the year under report. A large proportion of this class of crime arises from intrigues or supposed intrigues with women. The following statement shows cases of murders and their motives during the year under report:—

District.	From motives connected with women.	Other causes.
Kuráchi Hyderabad Sukkur Lárkána Upper Sind Frontier Thar and Párkar	 3 11 8 19 8	3 21 4 7 3

- 12. There was an increase in the number of offences under the following heads:
  - i. Offences against the public tranquility.
  - ii. Contempts of the lawful authority of public servants.
  - iii. False evidence and offences against public justice.
  - iv. Attempts at offences affecting life.
  - v. Hurt.
  - vi. Attempts at hurt.

- vii. Rape.
- viii. Unnatural offence.
- ix. Attempts at theft.
- x. Extortion.
- xi. Cheating.
- xii. Offences relating to marriage.
- xiii. Criminal intimidation, insult and annoyance.

There was a decrease under the following heads:-

- i. Offences relating to coins.
- ii. Offences relating to weights and measures.
- iii. Offences affecting the public health, safety, convenience, decency and morals.
  - iv. Offences affecting life.
- v. Causing of miscarriage, injuries to unborn children, exposure of infants and the concealment of births.
  - vi. Wrongful restraint and wrongful confinement.
  - vii. Criminal force and assault.
  - viii. Kidnapping, forcible abduction, slavery and forced labour.
  - ix. Attempts at rape.
  - x. Theft.
  - xi. Robbery and dacoity.
  - xii. Criminal misappropriation of property.
  - xiii. Criminal breach of trust.
  - xiv. Receiving of stolen property.
  - xv. Mischief.
  - xvi. Criminal trespass.
  - xvii. Offences relating to documents and to trade or property marks.
  - xviii. Defamation.
  - xix. Offences under special and local laws.
  - XX. Attempts at offences under special and local laws.
- 13. The power of requiring security for good behaviour from bad characters was less freely exercised in the year under report than in the preceding year, the number of cases being 866 as compared with 973 in 1908.
- 14. There was a decrease in the year under report in the number of frivolous and vexatious complaints dealt with summarily under Section 250, Criminal Procedure Code.
- 15. Applications for orders of maintenance were less numerous in the year under review than in the preceding year. The orders granted numbered 15 out of 97 applications against Sout of 106 applications in the preceding year.
- 16. The number of individual appeals disposed of in the year under report was 1,791, i.e. 461 less than in the preceding year. Out of these the sentences were left unaltered in 1,434 cases and were reversed or varied in 357, that is the sentences were maintained intact in close upon 80 per cent. of the appeals. The above appeals were thus distributed:—

Magistrates' Courts ... ... ... ... 822
776
Court of the Judicial Commissioner—Sessions Court
Jurisdiction ... 193

The criminal appeals in the Court of the Judicial Commissioner of Sind show an increase of 42 while those in the Courts of Sessions and the Magistrates' Courts show a decrease of 141 and 362 respectively.

17. During the year under report the cases of 212 persons were examined in revision by the Court of the Judicial Commissioner of Sind. The Sessions

Courts examined the cases of 424, and the District Magistrates of 369 persons. The principal results of this revision were that 5 sentences were enhanced, 6 reduced or otherwise altered and 62 reversed. In the case of 5 persons proceedings were quashed and in the case of 30 persons new trials or further enquiry were ordered.

18. The following table shows the criminal work (apart from the inspection of Magistrates' Courts) disposed of by the Court of the Judicial Commissioner—High Court Jurisdiction in the year under report as compared with that of 1908 and the arrears at the end of the year:—

Description of mark	Arrears on \$1st	1	908.	Arrears on 81st	1909.		Arrears
Description of work.	December 1907.	Filed.	Disposed of.	December 1908.	Filed.	Disposed of.	on 31st December 1909.
Criminal appeals	12	- 85	92	5	103	95	13
Cases referred under			]	1 1	103	) 33	19
Section 307, Criminal			}	}			]
Procedure Čode	· (	4	4	ł ł	1	1	
ases referred under	(			}		-	***
Section 341, Criminal	{		<b>f</b>	}		l	}
Procedure Code		1	1				
onfirmation cases	1	12	13		17	16	'''1
eported cases under			[	•	- •		•
Section 215, Criminal	. 1		f·			<u> </u>	
Procedure Code	••• J·	•••			2		2
eported cases under	- 1		) (	· i			-
Section 438, Criminal	<i>'</i>		1 1	{			Ì
Procedure Code	2	70	68	`4⊾ ∫	. 38	39	3
Criminal revision other-			)	1			
wise than on applica-	. }		]			,	(
tion		19	19		14	14	
Criminal revision on	- }		'				
application	8	91	95	4. 1	78	68	14
Applications under Sec-				. )	,	,	
tion 498, Criminal	1.						
Procedure Code		4	4	, l	4	4	
Transfer applications	l		} }				
under Section 526	<b>{</b>		i				
Criminal Procedure	į		' 1	ł			
Code	2	27	26	. 3	37	35	5

The cases of 23 persons were referred to the Court of the Judicial Commissioner for confirmation of the sentence of death. In the case of 18, the sentence of death was confirmed, in the case of 2 it was commuted to transportation for life and in the case of 2 the convictions and sentences were reversed and the accused acquitted, the case of 1 person remaining under trial at the end of the year. One case involving 2 persons was referred to the Court of the Judicial Commissioner of Sind under Section 307, Criminal Procedure Code, in which both the accused were convicted.

#### CIVIL JUSTICE.

19. The total number of Civil suits instituted in Sind during the year under report was 28,931 as compared with 27,250 in 1908. The numbers in each of the District Courts including the Court of the Judicial Commissioner—District Court Jurisdiction—in the two years were—

• •		1908.	1909.
Hyderabad Sukkur-Larkana Ther and Parkar Court of the Judicial missioner—District Jurisdiction	Com-Court	8 22 9	93 25 12
ourisalemen.	***	1	

20. The following table shows the nature of suits principally filed in the province during the years \_908 and 1909:—

	1908.	1909.
Money and moveable property  Mortgage Immoveable property	16,795 1,254 901	19,397 1,1 <b>5</b> 2 7 <b>6</b> S

- 21. The total value of suits filed during the year under report was Rs. 1,37,47,803-5-10 as compared with Rs. 1,09,01,731-5-7 in 1908.
- 22. The total number of suits disposed of in the Civil Courts in Sind was 29,869 as against 27,765 in the preceding year. The following table exhibits the manner of disposal in 1909 as compared with the year 1908:—

. Manner of disposal.		1908.	1909.			
Without trial	•••	7,556 5,044	8,272			
Compromised	•••	5,044	6,190			
Decreed on confession	•-	5,346	4,452			
Decreed exparts		2,071	2,451			
Dismissed exparte	]	160	162			
By arbitration •••	•••	3,701	4,153			
Contested		3,884	4,185			

- 23. The number of suits pending at the close of the year was 3,897 out of which 1,728 were pending for more than three months.
- 24. The average duration of contested and uncontested suits in the District Courts, including the Court of the Judicial Commissioner—District Court Jurisdiction—was 257 and 129 respectively in the year under report as against 202 and 186 respectively in 1908.
- 25. The number of miscellaneous judicial cases for disposal before the Courts was 1,990 as against 2,078 in 1908. The number disposed of was 1,669 as against 1,800 in 1908.
- 26. The number of Civil appeals before District Courts, including the Court of the Judicial Commissioner—District Court Jurisdiction—was 654 as against 564 in 1908. Of these 384 were disposed of as compared with 346 in 1908. The number of Civil appeals disposed of during the year under report as contrasted with the preceding year is as follows:—

	1908.	1909.
Hyderabad St.kkur-1.árkána	143 185	138 218
Thar and Parker Court of the Judicial Commission-	5	11
er- District Court Jurisdiction	13	17

- 27. The average duration of appeals in the District Courts during the year under report was 181.74 and in the Court of the Judicial Commissioner—District Court Jurisdiction—263.13 and High Court Jurisdiction—252.92 as against 149.39, including Court of the Judicial Commissioner—District Court Jurisdiction—and 344.85 High Court Jurisdiction—respectively in the year 1908.
- 23. There were in all 27,932 applications for execution before the Civil Courts, including the Court of the Judicial Commissioner—District Court Jurisdiction—as against 21,115 in 1908. Of these 18,011 were disposed of as against 18,339 in 1908. The amount realized in execution of decrees during the year under report was Rs. 2,51,683-14-10 as compared with Rs. 3,25,985-7-2

in 1908. Moveable property was sold in 216 cases as against 176 in 1908 and attached, but subsequently released in 271 as against 257 in 1908.

29. The following table shows the Civil work (apart from the inspection of Civil Courts) disposed of by the Court of the Judicial Commissioner—High Court Jurisdiction—during the year under report as contrasted with that of 1908 and the arrears awaiting disposal:

Description of work.		Arrears on 31st	19	008.	Arrears on 31st	19	09.	Arrears	, <b>.</b>	
		Decem- ber 1907.	Filed.	Disposed of.	Decem- ber 903.	Filed.	Disposed of.	Decem-	Remarks.	
- Appeals.				;						
First Appeals	•••	24	58	30	52	G2 <b>♠</b>	68	46	One restored to the file.	
Second Appeals Miscellaneous Appeals		47 9	44 13	57 17	34 5	42† 33	52 34	24 4	to the file.	
Applications.	1.			į.						
Section 24, Civil Procedure Code Order 44, Rule 1, First Sched		1	16	. 17	•••	23	21	1		
Civil Procedure Code Section 115, Civil Procedure Cod	•••	8	7	13	4	1 14	5 12	4	•	
Section 114 Civil Procedure Cod		3	3	5	i	17	12	6		
Section 110, Civil Procedure Cod		1	1	23	****	9 23	28	8 2	ĺ	
Section 25, Small Cause Court A Under Act X of 1865	'1		2 <u>4</u>	4	7 2	4	6	2	ļ	
Under Act IV of 1869	***	• • • •	1	ì		***	•••		١,	
Under Act XVIII of 1879	{	***	2.	[ 2	•••	***	•••	•••	ĺ	

LILARAM V., Registrar, Court of the Judicial Commissioner of Sind.

#### JUDICIAL STATEMENT

# Statement showing the number of Judicial Divisions and the number of Officers on the last day of the year 1909,

				Number of Divisions	1		Total Orioi	NUMBER OF AF	PELLATE J	DENDECT	ITHO
Name of Presidency.				for Courts under Chief Chief Courts but superior to the Chief Courts of Districts,		Number of Rub- Dis- triots,	Judges of Chief Court of Provinces	Judges of other Courts superior to Chief Courts of Districts.	Judges of Chief Courts of Districts,	Judges of District Courts other than Chief Courts,	Judges of other Sub- ordinate Courts,
	1	2	0	4	5	6	7	8	9	10	11
Presidency of Combay.	Territory subject to the High Civil  Territory nut subject to the High Court.  Total	77,275 47,789	15,311,832 8,212,808	•••	3	13	(2) 8 (3) 3		(d) 4 21	(s) 37 (s) 6	(g) 27 14

Retes.—Column 1.—Sub-head "Total."—The entries to be made here will show the area and population of the entire Presidency, total work done by them, with the financial results.

Columns 16 and 17.—The Judicial receipts and charges should be shown as a whole, just as they appear in the Treasury

## Statement showing the number of Judicial Officers exercising Original and Appellate

Designation.											
***	***		6								
Judicial	Commissioners	of	8								
•••	400		. 12								
***	•••	•••	1								
101	•••		8								
***	***		. 8								
•••	100	•••									
***		•••									
	Judicial	Judicial Commissioners	Judicial Commissioners of								

No. 1-(CIVIL).

exercising Appellate or Original Jurisdiction in the Presidency of Bombay with the Cost of Tribunals.

Total	Number of	CASS DROS	ID <b>ND</b> ,									
Orig	Original. Appeals.		eals.	Total receipts of	Total charges	REMARKS.						
Regular.	Mis- cellansous,	Rogular,	Mis- osliansous.	the Courts.	of the Courts.							
12.	18	14	15	16	17	18						
108,308 29,809	141,167	5,684 504	225	Rs. s. p. 80,63,410 0 0	Ra, a. p. 47,61,617 0 0	(a) Includes the Chief Justice and the Inspecting High Court Judge.  (b) Includes the two Additional Judicial Commissioners of Sind.  (c) Includes 2 Joint Judges. The District Judge of Poona is also ex-officio Agent for the Sardárs in the Deccan.  (d) Includes 1 Joint Judge, and 1 Deputy Commissioner exercising the powers of a District Judge.  (e) Includes 8 Assistant Judges, 8 Small Cause Court Judges, 16 First Class Subordinate Judges, 3 Registrars and 2 Cantonment Magistrates, exercising Civil powers, but does not include 2 Inspecting First Class Subordinate Judges who do not exercise Appellate or Original Jurisdiction.  (f) Includes 1 Assistant Judge, 1 Small Cause Court Judge, 2 First Class Subordinate Judges, 1 Registrars and I Cauton ment Magister.						
138,267	(A) 160,033	6,088	296	44,59,793 0 0	56,67,915 0 0	Judges, 1 Registrar and 1 Cantonment Magistrate exercising Civil Powers.  (g) 2 Inspecting 2nd Class Subordinate Judges who do not exercise Appellate or Original Jurisdiction are not included.  (h) Includes all applications for execution of decrees and applications under the Provincial Insolvency Act, III of 1907.  Besides these, there were 7 Inamders and Jahagirdars exercising Civil powers.						

the average number of Districts and Sub-Districts for Civil purposes, the actual number of persons exercising jurisdiction, and the accounts, care being taken that the charges on account of buildings are included in column 17.

Jurisdiction, both Europeans and Natives, in the Presidency of Bombay, including Sind.

Natives,	Remarks,
2	
a.114\$	•
6	
2	
1	•
6	
18	
101	Besides these, there were 8 native Registrars, 1 European Registra and 3 European Cantonment Magistrates exercising Civil powers.

N. D. GHARDA,
Assistant Registrar.

# JUDICIAL STATEMENT Statement showing the number of Judicial Divisions and the number of Officers on the last day of the year 1909,

				Number			Total Obigi	Number of Nal or App	POPPICERS I	EXBECTION OF THE PROPERTY OF T	FG FML
Name of Presidency.				of Divisions for Courts under Chief Courts but superior to the Chief Courts of Districts.	Number of Dis- tricts,	Number of Sub- Dis- tricts.	Judges of Chief Court of Province.	Judges of other Courts superior to Chief Courts of Districts.	Judges of Chief Course of Districts.	Judges of Dis- trict Courts other than Chief Courts,	Indees of other Sub- ordinate Courts.
	1	2	3	4	5	6	7	8	9	10	11 -
Fresidency	Territory subject to the High Court	(a)	(e)	•••	20	200	(e) 8	•••	(g) 43	<b>(4)</b> 78	( <b>*</b> ) 379
of Rombay.	Territory not subject to the High Court.	. } (5)	(3)	***	6	60	(J) 8	•••	(A) 11	(j) 27	(Z) 151
· .	Total .			•••	26	260	11		54	105	530°

Notes.—Column 1.—Sub-head "Total"—The entries to be made here will show the area and population of the entire Presidency, the total work done by them, with the financial results.

Columns 16 and 17.—The Judicial receipts and charges should be shown as a whole, just as they appear in the Treasury

#### Statement showing the number of Judicial Officers exercising Original and Appellate

. D	Designation.  ief Justice and High Court Judges  dicial Commissioner and Additional Judicial Commission										
Chief Justice and High Cour	t Judges	***	***	•••	6						
Judicial Commissioner and Sind.	Additional	Judicial	Commissioners	in	8						
Sessions Judges	***	•••	•••	100	11						
Additional Sessions Judges	404	. ***	•••		. 5						
Assistant Sessions Judges		<b>;</b>	. •••	••	3						
Magistrates, First Class	•••	•••		••	104						
99 Second Class	***	***	***	••	7						
51 Third Class*	•••	•••	•••	••	6						
Police Patels	***	***	•••	**							

No. 1—(CRIMINAL). exercising Appellate or Original Jurisdiction in the Presidency of Bombay with the Cost of Tribunals.

TOTAL	NUMBER OF	Cases Deci	DED.								
Orig	inal	, ¥bb	esla.	Matal assaints of	Water laborator	Dannara					
Regular.	Mia- cellaneous,	Regular.	Mis- cella usous.	Total receipts of the Courts,	Total charges of the Courts.	Remares					
12	13	14	15	16	17	18					
· _ ·				Rs. a. p.	Rs. 2. p.						
126,203	2,112	8,325	1,232	89,63,410 0 0	47,61,617 0 0	<ul> <li>(a) to (d). See columns 2 and 3 of Statement No. 1— (Givil).</li> <li>(e) and (f). See column 7 of Statement No. 1— (Civil).</li> <li>(g) and (h). These are District Magistrates, Presidency Magistrates, Deputy Commissioners in Sind, Sessions Judges and Additional Sessions Judges.</li> </ul>					
19,941	1,301	1,243	635	<b>4,</b> 96,38 <b>3</b> 0 0	9,08,298 0 0	Besides these, there were 61 Special and 182 Honorary Magistrates, 15,871 Police Patels and 171 Sanitary Committees and Sanitary Boards.					
146,147	3,418	4,568	1,767†	44,59,793 0 0	56,67,915 0 0	These are all cases of Revision under the Code of Criminal Procedure.					

the average number of Districts and Sub-Districts for Criminal purposes, the actual number of persons exercising jurisdiction, and accounts, care being taken that the charges on account of buildings are included in column 17.

Jurisdiction, both Europeans and Natives, in the Presidency of Bombay, including Sind.

Natives.	Remarks.
2	
400	
6	
8	
2	
244	These include 23 District Magistrates, 4 Presidency Magistrates, 2 Deputy Commissioners in Sind, 43 Assistant Collectors, 67 Deputy Collectors, 61 Special Magistrates and 182
253	67 Deputy Collectors, 61 Special Magistrates and 182 Honorary Magistrates.
288	
15,671	

N. D. GHARDA, Assistant Registrar.

## JUDICIAL STATEMENT No. 2-(CRIMINAL).

Statement of Offences reported and of Persons tried, convicted and acquitted of each class of offence in the Presidency of Bombay in the year 1909.

						Num	вив от Рва	agns		Capes	Cases in which Com-		Remar	te.
Descrip	tion of Offence.	Number of offences reported	Number of cases returned as true.	Number of cases brought to trial during the year.	Under trial during the year, including pending from previous year.	Acquitted or dis- charged,	Convicted	Died, escaped, or trans- ferred to another Province,	Ro- main- ing under trial.	dis- missed under section 203, Crimi- nal Proce- dure Cods,	plain- ants were fined under section 250.		Particula: Column Escap- ed.	Trans.
,	1	2	3	4	5	6	7	8	9			10		
the Indian Penal		05 7	7	6	9	180	6	•••	3	411		•••	•••	
Offences relating to and Navy Offences against	,,	711 ···	•••	•••	***	***		•••				***	***	***
tranquility Attempts at do	,, Y	III 1,431 6	1,139 6	1,167 6	8,003 41	5,212 13	2,021 28	18	758 	269	23	4	14	***
Offences by or relative servants Attempts at Contempts of the la	lo	IX 121	111	111	169	65	86	•••	18 .,.	10	•••		•••	***
ity of public ser	evants ,	X 569	560	567	979 <b>•</b>	398 •••	508	6	66	8	1	1	5	
False evidence as against public ju Attempts at	nd offences stice , , , , , , , , , , , , , , , , ,	XI 891 10	776 10	782 10	1,101 12	487 3	457 9	7	150 	114	1	2	4	1
Offences relating to	to Govern-	(II 92	91	91	108	29	72	1	6	1	•••		•••	1
ment Stamps Attempts at offence coins and Governs	es relating to	13	13	13	14	5	9			•••			•••	•••
Offences relating and measures Attempts at d		111 109	107	112	121	41	77	,	8	2			,	***
Offences affecting health, safety, decency and more	convenience,	TA 803	890	886	1,162	281	861	1	19	13		1	***	•••
Offences relating to Attempts at	religion ,	XV 36	30	33	102	61	17		4	6			•••	•••
-	Offences affecting life Attempts at do.	- " <b>1</b>	1	608	1,162	492	478	5	187	40	***	4	1	***
	Causing of miscarric injuries to uni- children, exposure infants, and the cealment of births	orn of		•	. 84	41	82		11	, 3	•••	•••	•••	··•
	Attempts at do.	72	•••	70	•••	88	47	•••		, <sup>7</sup>		:::	:::,	***
	Hurt do.	23,798 69		21,368 67	56,5311 156	50,776 103	3,751 • 85	45	1,956 18	2,415 2	131	22	23	•••
Offences affecting the human body, Chapter XVI.	Wrongful restraint wrongful confinem Attempts at do.	793	647	651	1,603	1.347	171	1	84	144	2		101	1 
	Criminal force assault Attempts at do.	and 6,559		5,962 8	12,695 7	10,422	2,009	6	258 3	573	24	4	2	•••
l	Kidnapping, force abduction, elavery forced labour Attempts at do.	ible and 829		199	573	287	141	13	132	140	2		10	3
	Rape Attempts at do.	92	76	83	134	84 3	85 2	***	15	18	•••		•••	444
	Unnatural offence Attempts at do.	84 1		32	52	29	19		4	3	•••	•••	•••	
		on dormant fil	<u> </u>		· · · · · · · · · · · · · · · · · · ·	<u> </u>	A Three	<u> </u>	<u> </u>	<u> </u>		***	***	

One on dormant file.

# JUDICIAL STATEMENT No. 2—(CRIMINAL)—continued.

	,					Num	эв ор Рва	SON'S		Cases	Cases in which Com-		REMAR	E4,
Descri	ption of Offence,	Number of cases reported.  Number of cases returned as true.		Number of cases brought to trial during the year.	Under trial during the year, including pending from previous year.	Acquitted or dis- charged.			Re- main- ing under trial,	dis- nissed under section 203, Crimi- nai Proce- dure Code-	plai- nants were fined under section 250, Criminsl Proce- dure Code,		Particula Column Escap- ed.	
	1	2	3	4	5	6	7	8	9		<u> </u>	10	<u> </u>	<u>!</u>
	Theft Attempts at do	10,466 813	9,238 271	9,366 266	14,152* 442	4,398 159	8,919 250	47 v·	786 83	1,158 40	70 2	17	25	5
	Extortion Attempts at do	1 . •	69 1	67 1	175 1	114	88 1		23	31				***
	Robbery and dacoity Attempts at do		448 8	458 4	1,491 8	774 7	533 1	7	177	141	77	2	1	4
•	Criminal misappropriation of property Attempts at do	679	495	<b>4</b> 98	828	612	154	3		182	2		1	2
Offences against	Criminal breach of trust Attempts at do		1,206	1,213 2	1,597 2	904 1	552 1	11	130	519	27	1	3	7
property, Chap- ter XVII.	Receiving of stolen pro perty Attempts at do	1,088	1,024 4	1,031 4	1,495 6	568	82 <b>4</b> 6	. 8	95	60	4	1	7	140
•	Chesting Attempts at do	0.4	756 24	760 24	1,169 27	667 8	384 24	10	108	288	6		2	8
• ·	Fraudulent deeds and disposition of property Attempts at do	. 44	83 8	35 7	92 14	71	15 5	•••	6 2	11				:::
	Mischief Attempts at do		8,385 2	8,398 3	8,946 4	7,83 <b>5</b>	675 2	6	430	562	<b>2</b> 6	4	2	•••
	Criminal trespass Attempts at do	1	8,014 21	2,995 21	6,42 <b>2</b> 28	4,559 8	1,566 21	10	287 4	489	45 	3	5	2
or property mar!	o documents and to tradeks, Chapter XVIII of the Indian Pena Code	135	79	87 1	191 1	122 1	44	5	20	56	•••	1	8	1
Criminal breach of service Offences relating t Attempts at	XIX	1,789	17 1,225	16 1,226 1	32 3,684 4	22 2,593	9 321 4	49	721	559	5	 5	44	***
Defamation Attempts at	do ,, XXI	1	810	302	693	555	71	•••	66	70	1	::-		•••
Criminal intimida and annoyance Attempts at	tion, insult	1 '	7,235	7,252	15,715	14,075	945	5	690	1,220	57	1		3
Offences under Spe	cial and Local Laws 1-				]						{	l		ļ
Apprentices Act X	••• •			•••				•••`	•••	•••		•••	•••	•••
Arms Act XI of 18	•	280	278	281	839	86	240	1	12	2	(	1		
Army Act I of 188				•••	***			•••		•••	•••			
Breaches of Contr		1,855	1,657	1,552	1,885†	1,204	899	30	247	198			30	
Cantonment Act X	III of 1889 ,	2,711	2,711	2,716	3,391	1,178	2,199	)   •••	14	•••	•••	***		
		1	1									•		

# . JUDICIAL STATEMENT No. 2—(CRIMINAL)—continued.

ttle Trespass Act I of 1871	1,871 34 44 182	Number of cases returned as true.  3 1,648 3 1,836 26 43	Number of cares brought to trial during the year.	Under trial during	Acquitted or discharged.	Convicted.	Died, escaped, or trans- ferred to another Province.	Re- maln- ing under trial,	dis-missed under sostion 203. Criminal Precedure Code.	nants fined under section 250, Crimi- nal Proce- dure Code.	<u> </u>	Particular Column Column Escaped.	8.
ttle Trespass Act I of 1871(India) ril Procedure Code Act XIV of 1882.  asting Vessels (Bombay) Act XIX of 1898 urt Fees Act VII of 1870 iminal Procedure Code Act V of 1898 iminal Tribes Act XXVII of 1891 kkhan Agriculturists' Relief Act XVII of 1879 stress Act I of 1875 repean Vagrancy Act IX of 1874 reigners' Act III of 1864 reigners' Act III of 1864 stress Act VII of 1878 stress Act VII of 1878 getigners' Act III of 1863 stress Act VII of 1863 dian Companies Act V of 1881 dian Companies Act V of 1882 dian Explosive Act IV of 1882 dian Explosive Substances Act VI of 1908 dian Official Secrets Act XV of 1889 1889 in India Ind	1,757  4  1,871 84 44  182 17	1,648  3  1,836	1,630	4,550	6	7	8	9	<del></del>		10		
asting Vessels (Bombay) Act XIX of 1838 urt Fees Act VII of 1870 urt Fees Act XXVII of 1891 kkhan Agriculturists' Relief Act XVII of 1879 rropean Vagrancy Act IX of 1874 reigners' Act III of 1864 reigners' Act III of 1864 set Companies Act VII of 1892 s Companies Act VII of 1883 dian Companies Act VI of 1883 dian Explosive Act IV of 1884 dian Explosive Substances Act VI of 1908 dian Official Secrets Act XV of 1889	1,871 84 44 182	 3  1,836 26	***	-				(					
of 1838  urt Fees Act VII of 1870  iminal Procedure Code Act V of 1898  iminal Tribes Act XXVII of 1891  kkhan Agriculturists' Relief Act  XVII of 1879  stress Act I of 1875  repean Vagrancy Act IX of 1874  reigners' Act III of 1864  rest Act VII of 1878  rest Act VII of 1878  stress Act VII of 1878  reigners' Act III of 1892  strest Act VII of 1878  reigners' Act VII of 1864  rest Act VII of 1878  stress Act VII of 1884  dian Explosive Act VI of 1884  dian Explosive Act VI of 1884  dian Explosive Substances Act VI of 1908  dian Official Secrets Act XV of 1889  dian Merchandise Marks Act V of 1889  dian Merchandise Marks Act V of 1889	1,871 84 44 182 17	 1,836 26			4,048	831	2	169	130	9	2		•••
iminal Tribes Act XXVII of 1891  kkhan Agriculturists' Relief Act  kVII of 1879   stress Act I of 1975  ctories Act XV of 1881  respean Vagrancy Act IX of 1874  respean Vagrancy Act III of 1864  rest Act VII of 1878  rest Act VII of 1878  stress Act VII of 1863  rest Act VII of 1863  rest Act VII of 1863  dian Companies Act V of 1863  dian Companies Act VI of 1882  dian Explosive Act IV of 1884  dian Explosive Act IV of 1884  dian Explosive Substances Act VI of 1908  dian Official Secrets Act XV of 1889  dian Merchandise Marks Act IV of 1889  dian Merchandise Marks Act IV of 1889	182 17	26	***	. 6		6		***	· 1	***	<b></b>		***
stress Act I of 1875	182 17	43	1,856 80	4,556 30	1,099 8	<b>2</b> ,624 19	63	567 8	95 8	:::	2	62	***
ropean Vagrancy Act IX of 1874 , ctories Act XV of 1881 , reigners' Act III of 1864 , rest Act VII of 1878 , sometier Regulation No. III of 1892 , s Companies Act V of 1863 , ruse Accommodation Act II of 1902 , dian Explosive Act IV of 1884 , dian Explosive Substances Act VI of 1908 , s dian Official Secrets Act XV of 1889 , s dian Merchandise Marks Act IV of 1889 , s dian Merchandise Merchandi	182 17		43	45	86	· 🖰	1		1		1	•••	•••
rest Act VII of 1878 untier Regulation No. III of 1892 s Companies Act V of 1863 use Accommodation Act II of 1902 dian Companies Act VI of 1882 dian Explosive Act IV of 1884 dian Explosive Substances Act VI of 1908 dian Official Secrets Act XV of 1889 dian Merchandise Marks Act IV of 1889	***	182 17	181 17	181 81	11 19	170 12	***		•••	***	100	•••	***
dian Companies Act VI of 1882 , dian Explosive Act IV of 1884 , dian Explosive Substances Act VI of 1908 , dian Official Secrets Act XV of 1889 , dian Merchandise Marks Act IV of 1889 , dian Merchandise Mer	1,859	1,831	1,832	4,251 2	1,400	2,785   	3	113	28	•••	2	•••	•••
dian Explosive Act IV of 1884 , dian Explosive Substances Act VI of 1908 , dian Official Secrets Act XV of 1889 , dian Merchandise Marks Act IV of 1889 , ,	3 2	3 2	3 2	8 5	3	••• 5				•••	***		
dian Merchandise Marks Act IV of	18	18	17	22 2	1 2	19		2		•••			***
	700	•••	***		•••	***	100			100			•••
dian Steamship Act VII of 1884, come tax Act II of 1886 and Customs (Bombay) Act XXIX of	6	" 1	6 1	"1		1	*** *** ***		*-*	•••	***	•••	•••
1857 Inatic Asylum Act XXXVI of 1858. " erchants Seamen Act I of 1869 erchants Shipping Act VII of 1880. " ntiny Act (as amended by Act VII	 29 89	 29 80	28 40	76 67	 10 13	 66 54	  	100 101 100	***	•••	***	***	000
of 1867) urder of Female Infants Act VIII of 1870	. 100		<b>*</b>		•••		•••			***	***		•••
ative Passenger Ships Act X of 1887. " ews papers Act VII of 1908 " pium Act I of 1878 " troleum Act XII of 1886 " lgrim Ships Act XI V of 1895 " olice (Presidency Towns) Acts XIII	2 1 192 20 8	2 1 190 20 3	2 1 192 21 8	2 1 220 23 6	44 3 2	2 1 172 20 4	••• ••• •••	  	 2	*** *** ***	***		
of 1856 and XLVIII of 1860 " blice Act V of 1861 " orts Act X of 1889 " ost Office Act XIV of 1866 " residency Small Cease Courts Act XV	3 47 14	3 47 14	3 46 12		2 1 6	1 74 6	***	  4		*** *** ***		***	
of 1882 revention of Cruelty to Animals Act XI of 1890 rinting Press Act XIV of 1867 rinting Press and Newspapers Act	11,400	-		\		11,048	•••	21	51		•••		
XXV of 1867 as amended by Act X of 1890	9 35 957 10	941 941	907	1,139	13 194	903		3 42 2	16	***			
ea Customs Act VIII of 1878  stage Carriages Act XVI of 1861  stamp Act II of 1899  Celegraph Act XIII of 1885  Trausport of Salt by Sea Act XVI of	77 15	7 7	7 73	3 77 3 18	9 5	12		 Б 1	1			100	
1879 " Treasure Trove Act VI of 1878 " Wild Birds' Protection Act XX of 1887 "		]	1	10				"1	"1	***			:
An Act to reduce the pecuniary Penalty for purchasing arms, &c., from Soldiers Act VII of 1867	1	2   :	2 5	2 4	. 2	: 1 2		1	1	ţ		1	1

## JUDICIAL STATEMENT No. 2—(CRIMINAL)—concluded.

	ļ		Number		Nunb	er of Per		Cases dis-	Com.	. ]			
Description of Offence.	Number of offences reported.	of offences returned as true.		Under trial during the year including pending from previous year.	Acquitted or dis- charged.	Convicted,	Died, escaped, or trans- ferred to another .Province,	Re- main- ing under trial.	missed under Section 203, Crimi- nal Proce- dure Code.	nants fined under Section 250, Crimi- nal Proce- dure Code,		Particula Column Escapsd	B.
1	2	3	4	5	6	7	8	9			10		
	ļ <u>-</u>	•								•···· <del>-</del> ··- <u>-</u>			
A bkari Act V of 1878 (Bombay)  Holler Inspection Act II of 1891 "  Hity of Bombay Police Act IV of	2,149 1	2,147 1	2,146 1	2,419 1	815	2,086 1	2	46	<b>2</b>	24 \$ 24 \$		1	
1902 Natrict Police Acts VII of 1867 and	25,348 8,664	25,317	24,666 8,547	27,098* 9,965	513	26,576 8,092	3 74	1	30	1	42		1
rontier (Sind) Regulation II of	67	8,514 67	67	196	1,381	145	1	418	150	•••	1		•••
ambling Act IV of 1887 as amended by Act I of 1890 " rrigation Act VII of 1879 " ail Acts II of 1874 and IX of	496 89	494 84	489 81	1,794 155	298 61	1,413 62	***	83 32	2		:::	:::	***
and Revenue Code Act V of 1879  jarkets and Fairs Act IV of 1862  lotor Vehicles Act II of 1904	44 1 66	 44 1 66	 44 1 56	51 2 62	7	41 2 47	***		***	***			
Iunicipal (District) Act III of 1901.  Junicipal (Bombay) Act III of 1888.  July 1888.  Ju	11,496 5,787 62	11,374 5,662 62	12,428 4,278 78	13,235† 4,278 103		9,264 2,222 67	237 5	1,346			109		***
of 1883	7	7	7	7.	5	2	•••	•••	•••				
rotection of Pilgrims' Act II of	•••   1	1	1	1	•••	<sub>1</sub>	***	•••					
ublic Conveyance Act VI of 1863. " ublic Ferries Act II of 1868 as	6,513	6, <b>4</b> 79 16	6,464 16	6,616 28	415 21	6,157 5	1	43	34			1	
Registration of Boats Act I of 1863.	***	***	***	***	•••	***		*					
alt Act II of 1890 , anitary Board Act I of 1889 ,	150	190	192	219	9	210	***	•••	***		***	***	
olls Act III of 1875 "	8 83	'8 24	5 18	· 18	7 14	4	***	e	8	1	•••	***	
ramways (Karáchi) Act II of 1883. , raccination (Karáchi) Act IV of	***	•••	***	***	<b>5</b>		***		•••				•••
accination Act I of 1877 , , , , , , , , , , , , , , , , ,	9 7	9 7	· 7	9 7	1	5 6	***	•••	•••		::	***	•••
Tillage Police Act VIII of 1867 , , , , , , , , , , , , , , , , ,	1,795 49 10 5	1,705 49 10 5	1,706 49 10	2,358 55 1 ‡	1,236	1,109 45 2 5		13	80				
•		146,955	146,188			105,417	691		10,148	448	241	408	4

Five handed over to Military Anthorities.
 \$\text{9 handed over to Military authorities.}

<sup>†</sup> One on dormant File.

Of these 10 on dormant file; 14 handed over to Military authorities, and 2 referred under Section 307.

Norse.—Column 1.—(1) "Attempts" should be entered immediately after the offences to which they relate.

(2) "Abetments" should be included with the substantive offences abetted.

(3) "Abetments" should be included with the substantive offences abetted.

(3) "Abetments" should be included with the substantive offences abetted.

(3) "Man giving the list of Special and Local Laws against which offences have been committed, care should be taken to specify the title of each Act quoted, as well as its number and year. An Act of a local legislature should be distinguished by initial letters placed after the number of the Act.

Column 2.—All offences (cases) of which information was given, complaint made, or cognizance taken under Chapters IV, V, XIV, XVI, Cr. P. C., for the first time suring the year are to be shown, although some of the charges may not have been prosecuted, or may have turned out to be a Mogistrate declared that the offence never occurred, or which were dismissed as frivolous and in which the complainant was fined under section 250, Cr. P. C.

Column 5.—This column should be the total of columns 6 to 9.

Column 8.—Persons transferred from one Court to another is the same Provines are not to be entered in this column.

Column 9.—A note should be added in the column 6 to 9.

Column 9.—A note should be added in the column of remarks, showing respectively the number of persons who died, escaped or were transferred.

General.—Cases committed or referred should not be included in this statement by the committing or referring Magistrates. The results of the trials in these cases should be shown by the Courts to which the cases are committed or referred. If the total of column 5 of this statement.

Statement to be added as foot-note to Annual Judicial Statement No. II (Criminal), as directed by Government in their Letter No. 3464, dated 8th July 1901.

Continue			-	Acquitted,											
Acquitted—continued.    1	Section 119.	Section 209.	Section 213.	Section 253.	Section 259.	Section 488,	Fection 494.	Section 495.	Special and Local Laws.	Fection 119.	Sartion 904	Section 209.			
Code	781	941	9		4,066	10	96	135	<b>hen</b>	8	·2				
9,903 3,635 12,136 52 47 5,385 85 44 17 154  Acquitted—continued.  Acquitted—continued.  Acquitted—continued.  16 485 2 65,087 15 290 6 121 17 1  Acquitted—continued.  Remarks.	Acquitted—continued.														
Acquitted—continued.  Acquitted—continued.  Acquitted—continued.  Beeting 808  Acquitted—continued.  Acquitted—continued.  Acquitted—continued.  Bemarks.  Bemarks.	Section 245.	Section 247.		Section 248.	Section 219.	Section 257.	Section 258.	Section 259,	Section 289.		Section 305.	Fection 80G.			
Section 435. I. P.  Weeting and John 45. I. P.  Weeting and John 45. I. P.  Section 435. I. P.  Section 435. I. P.  Section 435. I. P.  Bemark*  Bemark*  Bemark*  Bemark*	9,903	3,6	35	12,136	52	47	<b>6,385</b>	85		44	17	154			
16 485 2 65,087 15 290 6 121 17 1  Acquitted—continued,  Bemarks.	Acquitted—continued.														
Acquitted—continued,  Bemarks,  Page 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Section 307.	Section 809.	Section 838.		Section 345.	Section 376,	Section 403.	Section 470.	Section 494.		Section 495.	Section 514.			
Acquitted—continued,  Section 5.  Code: and Co	16	485		2 68	5,087	15	290	6	. 1	21	17	1			
	_	ittedcon	tinued,			6		<u> </u>	•						
9 1,142 126,738	Section43, It P. Code.	Special and Local Laws.	Total		•	•		Bemarks.			·	,			
t i t	9	1,142	126,738									•			

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

N. D. GHARDA, Assistant Registrar.

#### JUDICIAL STATEMENT No. 2-A-(CRIMINAL).

Statement showing the General Result of the trial of European British subjects in the Presidency of Bombay in the year 1909.

				Para	ONE W	FEO:	CASE	8 W221	Dia	POSED	07		OF THE TOTAL NUMBER OF PRESONS SHOWN IN								-			
·. \		By I	District l other Magis	Magis First ( trates,	Class		By Cor Sensi	arts of		y High Court.	1108	al for all	Col	umne 1	1 to 5.		12271 <b>8</b> 0 8,	Colu 6 to	mng	-Ni oas	Number whose cases were disposed of by			
Description of Offence,					om- itted	-		nrt under					(1) of the		13 whose	d number 2) of the	<u> </u>	(1) of the		trai	3		mblecte. 3	
		Convicted.	Acquitted or discharged.	To Courts of Session.	To High Court.	Convicted.	Acquitted or discharged,	Transferred to High Court		Aoquitted.	Convicted	10.11	Number who claimed to be mixed jury, section 461 (Code.	Number who did not so claim.	Number of those in column 13 cases were transferred under a 451 (9) of the Code.	Number who claimed a mixed of assessors, section 450 (2) Code.	Number who did not so claim.	Number who claimed to be mixed jury, section 460 [ Code.	Number who did not so claim,	Being European British subjects.	Other than Kuropean British subjects	Being Kuropean British subjects.	Other than European British subsects.	
1	i	*	8	4	6	6	7	8	9	10	11	12	13	14	18	16	17	18	19	20	21	22	23	
Offences affecting to the Army and Ne VII, Indian Penal Code Offences against the public tranquil VIII, Indian Penal Code Offences against the public tranquil VIII, Indian Penal Code Offences by or relating to public serva IX, Iudian Penal Code Contemptsof the lawful authority of put Chapter X, Indian Penal Code Contemptsof the lawful authority of put Chapter XI, Indian Penal Code Offences relating to Coin and Governm Chapter XII, Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting to religion, Chapter Penal Code  Offences affecting to religion, Chapter Penal Code  Offences affecting to religion, Chapter VII.  Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting to religion, Chapter Penal Code  Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals, Ci Indian Penal Code Offences affecting the public health, venience, decency and morals (Indian Penal Code)	vy, Chapter ity, Chapter ity, Chapter ity, Chapter it, Chapter itition, Chapter anter, con- inguire corresponding in- corresponding in- inguire corresponding in- corresponding in- iterate and and asseult do. corolide ab- avery and	6 · · · · · · · · · · · · · · · · · · ·	1 3 50		111 111 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					and the second s	8			6						1 1 2 2 5	5 4			
Offences against property.  Chapter XVII.  Offences relating to documents and or property marks, Chapter XVIII, Indian Pecal Code  Criminal trespances relating to documents and or property marks, Chapter XVIII, I Code  Criminal trespances relating to marriage, Chapter XVIII, I Code  Criminal trespances of contracts of servi XIX, Indian Pecal Code  Offences relating to marriage, Chapter XII  Criminal intimidation, insult and annoy ter XXII  Offences under Special and Local laws.	ppropriation h of trust olen proper ds and dis- roperty ss to truds ndian Pena ce, Chapter	18 1 19 7 7 8 850	3 3 3 4 73	en	- 1 :: :: :: :: :: :: :: :: :: :: :: :: :				1		19 1 1	1 2 4 78	1	22 1			:::::::::::::::::::::::::::::::::::::::	1   		14 1 1 5 3	8  9 7	1		
	Total	436	165	1	2		1		1	1	437	167	2	602			-	8	••	<b>2</b> 02 3	99	3		

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1919.

## JUDICIAL STATEMENT No. 3-(CRIMINAL).

Statement of Miscellaneous Proceedings under the Criminal Procedure Code in the Presidency of Bombay during the year 1909.

					1									
Nature of Proceedings.	Total number of cases before the Courts during the year,	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.		. 1	remabre.	· <b>.</b>						
1	2	8	4	5	6									
,	[				Pending.	Died.	Escaped.							
1.—Proceedings against witnesses under Chapter VI C and section 485.	26	30	1	29	•••	***	•••	. •						
2.—Proceedings under Chap- ter VIII to prevent breach of the peace.	214	919	381	452	85	1	•••							
3.—Proceedings under Chap- ter VIII, security for good behaviour.	1,850	4,028	828	2,634	537	1 -	28	<b>-</b>						
4.—Proceedings against local nuisances, Chapter X.	29	37	11	26	•••	* 400 <sub>1</sub>	•••							
5.—Possession, Chapter XII	46	113	. 78	87	•••	•	•••							
6.—Frivolous or vexatiou accusations summarily deal with under Chapter XX section 250.	t	763	115	648	•••	•••	800 							
7.—Non-attendance of Juror or Assessors, Chapter XXIII section 332.		56	43	13	•••		*4••	Section 1						
8.—Maintenance, Chapte	445	496	396	93	7	** ee6								
9.—Forfeiture of bail or recognizance under Chapte XIII.		300	58	242		****	, · •••	The second secon						
10.—Proceedings under Chap ter XLVI, section 563, agains convicted offenders release under section 562.	t	35	15	20	***	•••	•••	, 1						
Total	3,430	6,777	1,924	4,194	629	2	28	17 cases were pending at the close of the year.						
						,								

Norges.—Column 1, Sub-head 6.—Complainants fined under section 250 are not to be entered as convicted in Statements 2, 4 or 5, but the fact of the fines having been imposed may be noted in the column of remarks of Statement 2 against the complaints preferred by them.

Column 1, Sub-heads 4, 5 and 8.—Cases under these sub-heads will not appear in Statements 2, 4 or 5. Jury cases, under Chapter X, will, however, appear in Statement 13.

N. D. GHARDA, Assistant Registrar.

Column 1, Sub-heads 2 and 8.—Cases under sections 107, 108, 109, 110, 118, 120 and 123, Criminal Procedure Code, will also appear under the appropriate head of the Schedule in Statement 2. Persons convicted under these heads and required to give security or recognizance under sections 120 and 123, Criminal Procedure Code, will also appear in Statement 5.

JUDICIAL STATEMENT No. 4.

## JUDICIAL STATEMENT

# Statement showing the General Result of Criminal Trials in the Tribunals

			· 		PERSONS	WHOSE CA	SES WERE		
		i		On regular trial.					
Class of Courts.	Total number of persons under trial,	Died, escaped or transferred to another province.	Discharged or acquitted.	Sentence	Released on proba- tion, Section		h under		
				pasæd.	562, Criminal Procedure Code.	Discharged after admoni- tion.	Delivered to parent or guard- ian, &c.		
1	2	3	4	5	6	7	8		
	,			•			-		
Village Officers	2,532	ļ	1,296	503	•••	•••	•••		
Subordinate Magistrates—									
Special Magistrates under section 14.		96	14,208	1,881	, 5	•••	•••		
Honorary Magistrates sitting singly.	• 1	151	5,916	1,752	3	•••	400		
Stipendiary Magistrates sitting singly.	* 154,663	487	100,314	32,518	216	•••	2		
Benches of Magistrates	48,995	1	3,968	1,414	3	•••	•••		
Sanitary Committees and Sanitary Boards.	50	•••	10	28	•••	•••	***		
District and Divisional Magis- trates— Cases referred under sections 347 and 349, Criminal Procedure Code.	223	•••	105	76	11	***	2		
Chief Magistrates of Districts	289	1	68	203	2	1			
Courts of Session	* 2,145	5	822	1,001	2		• • • •		
Superior Courts	146	•••	31	<b>1</b> 08		000	99*		
Total	* 244,825	, 691	126,738	39,490	242	, 1	. 4		

Notes.—Column 1—Sub-head "Courts of Session" includes cases decided by Sessions Judges on reference under sections 31, Column 1—Sub-head "Superior Courts" includes cases decided by the High Court on reference under sections 3.7 and 374, Column 2—That is the total of the entries in Columns 8 to 14. The cases of persons transferred from one Court to Column 5—A note against the figure for each Court should be made in the column of remarks, showing separately how many they will be shown as convicted or acquitted seconding to the orders passed by it or as pending if orders have not been Column 13—These cases will also be shown against the Magistrates who made the reference, entry being made as directed Column 15—Omit cases in which the accused died, escaped or was transferred.

Column 16—In calculating the duration before the Magistrates' Courts the starting point to be taken is not the date of com General—The figures in this Statement should agree with those in Statement No. 2, and should include nothing else.

No. 4-(CRIMINAL).

of various Classes in the Presidency of Bombay in the year 1909.

DISPOSEI	OF.								·	_		<u></u>
FICTED.								1				
1	On summary	trial.					Average	}			ļ	
Sontence	Released on proba- tion, Section	dealt wi Section VIII	l offenders th under 31, Act of 1897.	Committed or referred.	Persons re- maining under trial at the end of the year.	Number of cases dispos- ed of during the year.	or number of Number of days during witnesses Particulars of column 3.		mn 3.	Romarks,		
passed.	562, Criminal Procedure Code.	Discharged after admonition.	Delivered to parent or guardian, &c.						Died.	Escap-	Trans-	
9	10	11	12	13	14	15	16	17		18		19
713	•••	•••	•••	•••	14	<b>1</b> ,806	1.7	2,217	•••	•••		
7,729	196	2	,	78	481	16,175	8.2	42,905	15	45	36	
2,197	2	•••		17	1,051	6,686	3.8	9,597	73	78		
11,248	92		2	1,227	8,600	76,343	7.5	191,081	147	281	6	
43,293	•••	154	•••	***	162	43,934	2.1	52,705	1			
12	•••	•••		•••	•••	44	1	51	••			
21		•••	•••	•••	8	92	6.6	332		4 * *		
7	•••		•••	7	•••	117	18.8	645	1		•••	
12	•••			72	229	848	30.7	8,012	4	1	1	
•••	•••		•••	***	7	102	21.9	319	•••	•••		
65,232	290	156	2	1,401	10,552	146,147	5.8	307,864	241	408_	42	

to Military Authorities and 2 referred under section 307.

to Military Authorities and 2 referred under section 307.

34 and 123, Criminal Procedure Code.
Criminal Procedure Code.
Criminal Procedure Code.
another in the same Province will appear only against the Court by which decided or in which pending at the end of the year, if not decided.
sections were transferred to other Provinces.
sentence, will be entered in Column 13, and not in Columns 5 to 12 against the Court making the reference. Against the Court receiving the reference passed.
above.
until he has been tried and either convicted or acquitted.

plaint or information, but that apprehension or attendance on summons or otherwise of the accused. As regards Courts of Session, the actual notes before arrest or has escaped from custody should be taken off the file till the persons implicated appear again.

# Statement showing the Punishment inflicted by the various Criminal Tribunals

				Person	S BENTEN	CED TO			xurity sace or	-поед							
.				Impriso	onment.			•	r give e ep the p aviour.	in default of							
Class of Tribunal,	Death,	Transportation.	Penal Servitude.	Rigorous.			Persons ordered to fine or give security or recognizance to keep the peace or sureties for good behaviour.	Persons imprisoned rity for good beha	Rs, 10 and under,	Rs. 50 and under.	Re. 100 and under.	Rs. 500 and under.	Bs. 1,000 and under.				
1.	3	. 8	4		6	7	8	9	10	111	12	13	14	15	16		
Village Courts Subordinate Magistrates	•••	*		<b></b>	264	100	949	949	• • •	•••	Ra. 919	Ba.	Ra.	Ra,	Rs.		
Special Magistrates under section 14  Honorary Magistrates sitting singly	•••	•••	***	3,150 297	891	***	4,890	487	335	81	8,302	1,384	117	77	9		
Stipendiary Magistrates sitting singly		•••	24	9,238	27 907	9	3,532 82,588	11 468	131 2,776	1,933	8,345 27,346	184 4,667	<b>4</b> 56	111	· •• 8		
Benches of Magistrates		•••		626	456	***	88,451	55	117		88,261	190	***	***	•••		
Sanitary Boards and Sanitary Committees		•••	***	 	***	745	40	109	***		40	•••	***	***	•••		
District and Divisional Magistrates—								,				,		ı	•		
Cases referred under sec- tions 347, 349, Criminal Procedure Code	•••	•••	•••	55.	•••	***	. 29	5	21	1	25	3	•••	***	1		
Chief Magistrates of Districts	***	12	170	· 58	10	1	28	1	117	10	2	4	8	19			
Courts of Sessions	81	152	]   •••	731	28	, <b>1</b>	70	12	83	36	5	25	13	21	6		
Superior Courts	48	14		43	8	100	3	***	*41	***	***	151	•••	2			
Total	79	178	24	14,198	2,586	11	80,580	1,039	8,530	1,488	78,275	6,457	592	230	24		

Column 1.—Sub-head "Courts of Sessions" includes cases decided by Fessions Judges on reference under section 123, Column 1.—Sub-head "Superior Courts" includes cases decided by the High Court on reference under sections 307 and Column 19,—Includes fines realized during the year though imposed in previous years. This column is intended to show the Column 20.—Represents compensation awarded to complainants under section 545, Act X of 1882. These awards should General (1).—The total of columns 5, 6 and 11 should correspond with the total of columns 21 to 25 (both inclusive) and the (2).—This statement is meant to exhibit every sentence passed, and where two penalties are inflicted on the same convicted in Statement No. 4, it is necessary to note cases such as those in which fulfilment of contract is tion 562, Code of Criminal Procedure, or for confirmation of sentence, the punishment, if any, sanctioned by

No. 5-(CRIMINAL). in the Presidency of Bombay in the year 1909.

				ľ	ETAIL OF PUNISE	MENT.								s were	
	Fine.						Impri	sonment	t.		Y	<b>V</b> հեթյ	pedi	ntence in a Re	
Above B. 1,000.	Total amount of fines imposed duting the year.	***************************************	Total amount of fines realized during the	year.	Amount paid by way of compensation.	15 days and under.	6 months and under.	2 years and under.	7 years and under.	Above 7 years,	10 stripes and under.	20 stripes and under.	30 stripes and under.	Number of boys whose sentences were commuted to detention in a Reformatory School.	Remares.
17	18		19		20	21	22	23	24	25	26	27	28	20	30
Es.	Rs. a.	-	Rs. 625	a. p.	Rs. a. p.	264	•••	***	•••	***	•••		•••		
1	95,959 15	1	65,702	12 1	9,879 13 6	1,736	1,900	436	•••	•••	35 <b>2</b>	134	1	71	
•••	10,551 1	3	9,852	5 3	281 0 0	119	209	73	•••	***	10	1	•••	***	
	2,81,245 7	10	2,33,030	12 9	19,323 14 10	2,617	6,340	2,499	22	•••	269	181	18	37	
100	59,751 6	C	54,909	12 6	880 2 6	945	131	6		***	51	4	•••	1	
***	15 <b>2</b>	U	13	8 0	•••••	•••	•••	102	<b>-</b>	•••	•••	-=•	•••	***	
<b></b>	1,647 0	O	1,776	2 (	******	4	30	20	2	•••	1	4	***	2	
•••	5,031 12	0	2,880	15 0	1,741 15 0	3	20	20	35	•••	•••	***	1	18	
•••	17,285 0	0	10,413	5 1	890 O O	22	158	267	326	22	1	6	5	10	
1	2,450 0	0	*****	•	*****	2	7	12	24	1		•••	•••	<b>,</b> 	
2	4,74,564 11	2	3,85,205	3 2	32,996 13 10	5,712	8,795	3,333	409	23	684	330	25	139	

Criminal Procedure Code.
374, Criminal Procedure Code.
374, Criminal Procedure Code.
realized portion of fines imposed by officers in the exercise of Original Jurisdiction only.
also be shown under the head fines "imposed" and "realized" in columns 18 and 19, for they form part of such fines.

total of column 8 should correspond with the total of columns 12 to 17 inclusive.
offender to exhibit them both. Further to reconcile the number of persons entered in this statement as punished with the number enterel as ordered under Act XIII of 1859 in a foot-note. As regards persons whose cases were referred for higher punishment for orders under section the higher Court should be entered against such higher Court, and not against the Court making the reference.

N. D. GHARDA,

## JUDICIAL STATEMENT No. V-A-(CRIMINAL).

## PART I.

Statement showing the Particulars of Whippings inflicted by the Criminal Tribunals in the Presidency of Bombay during the year 1909.

Showing Whippings inflicted under sections 2 and 3, Act VI of 1864, and sections 3, 4 and 5 of Act IV of 1909, in lieu of other punishments.

		-	1	Number	of Persons .	AWABDED			
Off	fences for which	awarded.		5 to 10 stripes.	11 to 20 stripes	21 to 80 stripes.	Total	Remarka	
	1			2	3 .	4	. 5	6	
In lies of other	punishments ict VI of 186	(sections 2 a	and			•			
(S	Section 378,	Indian Penal	Code	170	56	4	230		
	,, 379	,,		42	14	•••	56	,	
I. Theft, as defined in	" 380	,,	•••	222	113	6	341		
	" <b>3</b> 81	,,	•••	84	19	•••	53	1	
	,, 382	,,	•••	•••	2		2		
	77 200		•••		•••		•••		
2. Extortion, as defined in	" "80	<b>37</b>	•	•••	1	•••	1		
Voluntarily causing hurt in committing robbery as de-	"							-	
fined in Criminal breach of trust, as de-	,, 394	n	•••	•••	•••	2	2		
fined in	" 407	<b>))</b>	٠	1	•••	•••	1		
receiving stolen pro-	, 411	27	•••	9	3	2	14		
perty, as defined in	,, 412	23	•••	•••		•••	•••		
4. Lurking house-	trespass, as c	lefin <b>ed in</b> sec	tion <b>443</b> ,	1		***	1		
Indian Penal Lurking house	e-trespass by	night, as d	efined in	•••		,			
section 444, I 6. House-breakin	g, as defin		on 445,	***	•••	•••	•••		
Indian Penal 7. House breakin	g by night,			5	2	1	. 8		
tions 446 and 8. Lurking house order to com imprisonment	e-trespass of mit an offer	r house-bres ace punisha	king in ble with		•••		1		
Penal Code. 9. House-breaking	ng by night,	as defined in	n section	•••	1		1		
457, Indian P 0. Offences under		Act IX of 1	894	•••	2	1	3		
On let convicti On re-convicti			•••	467 <b>1</b> 8	182 31	14 2	663 51		
		Т	otal	485	213	16	714	7	

# JUDICIAL STATEMENT No. V-A-(CBIMINAL).

## PART II.

Statement showing the Particulars of Whippings inflicted by the Criminal Tribunals in the Presidency of Bombay during the year 130).

Showing Whippings inflicted in addition to other punishments, sections 3 and 4, Act VI of 1864,

and Section 4 of the Act IV of 1909.

		•		ı	ER OF PI			
Offences for	which awarded.				11 to 20 etripes.	21 to 0 stripes.	Total,	Remarks,
	1			2	3	4	5	8
IN ADDITION TO (	OTHER PUNI	SHMENTS						
•	ection 3.	,			}			
	_	: P1 C	. 1.	1	18			
8	ection 378, Ind ,, 379	inn Fenal C		10	6	$\frac{2}{1}$	21	
1.—Thoft as defined in	,, 380	" 17	•••	7	42		49	
<b>\</b>	,, 381 ,, 382	<b>37</b>	•••	2	1	•••	3	
· · · · · · · · · · · · · ·	"	, #1 	•••		400	•••	***	
2.—Extortion ditto {	" 389	"	•••		1		1	
3.—Dishonestly receiving stolen property as	,, 411	<b>&gt;</b>	•••	·•••	•••	- ••• '	•••	
defined in (	,, 412	99**		•••	***	••••		
4.—Lurking house-trespass. as defined in	,, 443	,,		***	•••		.,,	
5.—Lurking bouse-trespass by night as defined in	, 444	!	•••	•••	<b></b>		•••	
6-House-breaking as de-	11K	. "			}		"	
fined in		29	. •••		•••	***		
night as defined in	,, 446 & 457		•••	***	***	1	1	
8.—Offences under section 52		/ <b>t</b>		* ***	***	•••	•••	
	ection 4.		,	1.1	i .	ł		
1False evidence as de- S	ection 193, Ind	lian Penal C	oge	•••	•••	•••	. •••	
fined in	., 194 , 195	"		***	***		•••	
2False charge of un-	" 211	59 27	***		•••			
natural offence as { `	, & ,	•	٠.,		ł		) }	
defined in ( 3.—Assault as defined in	,, 377 ,, 354	"	***	***	3		3	
4.—Rape ditto	" 37 <b>5</b>	19	٠			***		
5.—Unnatural offence as	) ,	<b>,</b>	′		i	1 -2		
defined in 6.—Robbery ditto	,, 377 ,, 390	"	***				ľ l	
7.—Dacoity ditto	" 391	"		•••				
8.—Attempt at robbery as	202							
defined in 9.—Hart in committing	,, 393	<b>&gt;9</b>	•••	•••	•••	***	***	
robbery as defined in	" 394	**		***		1	1	
10.—Receiving stolen pro-	419		, [	l ¦				
perty as defined in	" 413 " 463	<b>37</b>	***	***	***	***	•••	
11 - Forgory og defined	,, 466	)) );		•••	• • •		•••	
11.—Forgery as defined	,, 467	<b>33</b> °		***		· ···	***	
	" 468 " 469	**	•••	***	•••		***	
12.—Lurking house-trespass	••	23						
as defined in	,, 443	.,**	,	•••	•••	•••	•••	
13.— Ditto by night ditto 14.—House-breaking ditto	" 414 " 445	<b>37</b> ,		***	***	•••		
15.—Ditto by night ditto	<b>,, 446</b>	** **	•••				•••	
16.—Offences under Crimina	l Tribes Act X	XVII of 18	71	498	80.0		•••	
		Tota	d	.20	71	5	96	,
				( <b>•</b> )		-	-	

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

# JUDICIAL STATEMENT No. V-A-(CRIMINAL).

#### PART III.

Statement showing the Particulars of Whippings inflicted by the Criminal Tribunals in the Presidency of Bombay during the year 1909.

Showing Whippings inflicted under section 5, Act VI of 1864, and Section 5 of Act IV of 1909 on juveniles for offences other than those specified in Parts I and II.

			NUMBER (	OF PERSONS	AWARDED.	Ì		
Offences.			5 to 10 stripes.	11 to 20 stripes.	21 to 30 stripes.	Total.	Remares.	
1			2	3	4	5	6	
******			170	55	4.	229		
On 1st conviction	•••		168	51	4	221		
On reconviction	•••	, •••						
		Total ·	170	. 55	4	229		

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

N. D. GHARDA, Assistant Registrar.

## JUDICIAL STATEMENT No. V-A-(CRIMINAL).

#### PART IV.

Statement showing the Particulars of Whippings inflicted by the Criminal Tribunals in the Presidency of Bombay during the year 1909.

Showing relative number of times Whipping was awarded as compared with other punishments.

Punishments.	Number,	Remarks.
1	2	8
1.—Total number of whippings awarded	1,039	
2.—Total number of other punishments in cases in which whipping might have been awarded  3.—Total number of all punishments in cases in which whipping might have been awarded. (Total of headings 1 and 2)	/ Q 50Q	
4.—Percentage of whippings on total number of all punishments (percentage of heading 1 on heading 3)	10.8	

#### JUDICIAL STATEMENT No. 6—(CRIMINAL).

# Statement showing the result of Appeal and Revision in Criminal Cases in the Presidency of Bombay in the year 1909.

Ì				,	Numbe	of Per	sons.			_		Average		
Tribunals.	Total number of Appellants and Appli- cants for revision before the Courts.	ferred to	Applica- tions re- lected.	Sen- tence or order con- firmed.	Sen- tence en- hanced.	Sen- tence reduced or other- wise altered.	Sen- tence revers- ed.		New trial or further enquiry ordered.	Referred for revi- sion to the High Court.	Pending trial.	number of days during	Number of sppcal cases disposed of during the year.	Penares,
1	3	8	4	5	6	7	8	9	10	11	12	13	4	, 16
Appeals.									•				1 1	
To Chief Magistrates of Districts	3,308	2	1,145	1,023		291	745	6	44	4	48	12.1	2,240	
Dourts of Sessions	2,392	***	1,027	558		241	372		21	8	170	22.3	1,727	
Superior Courts.  By Government By Government	727	,	336	162		, 55	46	6	1		1		496	
from judgment of acquittal	252	1	80	70	10	25	35	•••	1		30	39.5	105	i
Total	6,679	3	2,588	1,813	10	612	1,198	12	67	7	369	19.3	4,568	
Revision.											7			
By Chief Magistrates of Districts	1 000	3	382	383	•••	1	ıı	13	26	. 93	11	10.5	628	
Courts of Sessions	765		876	146		7	1	4	49	52	82	35. 5	570	
" Superior Courts	1,019		898	336	26	60	164	10	36	149	141	38.7	669	
Total	2,417	3	1,656	865	26	68	176	27	111	145	234	27.5	1,767	
Grand Total ,,	*9,096	† 6	4,244	2,678	36	680	1,374	39	178	152	603	21.8	6,335	In the applications for revision made on behalt of complainants there were 834 accessed persons involved, and these must be added to the grand total of column 2 to make if equal to the total of columns 3 to 12, to died.

Notes .- Column 1 .- Sub-head "To Chief Magistrates of Districts" includes other Magistrates authorized to hear appeals under section 407, Criminal Procedure Code.

Column 2.—Total of Columns 8 to 12. Cases transferred from one Court to another in the same province will appear only against the Court by which decided, or in which pending at the end of the year, if not decided. The words "Applicants for Revision" in the heading of this column should be held to include only accused persons on whose behalf an application for revision is made, or in whose interest the lingistrate or Judge may take steps to obtain revision on his own motion. Where such application is made or such steps are taken on behalf of a comploimant, the fact should be noted with the number of complainants concerned in the column of remarks. In the latter case the accused persons against whom the application is made, though not appearing in this column, will fall into their proper places in Columns 3 to 13 according to the result of such application. This note is held to apply also to cases dealt with by the High Court on review of returns.

Column 5.—Appeals dismissed under section 423, Criminal Procedure Code, should be entered in this column.

Column 9.-Orders of discharge set aside by a Superior Court under section 436, Criminal Procedure Code, should be entered in this column.

Column 10.—When a sentence is reversed or proceedings are quashed on appeal, and a new trial or further enquiry is at the same time ordered, the Appellate Court should not all in Column 8 as well as Column 10, or Column 9 as well as Column 10, in each case, respectively, but should make the entry in Column 10 only.

Column 13.—Duration of appeals, applications for revision or references should be calculated thus;—

- (1) Appeals from the date of receipt in office of the petition of appeal.
- (3) Applications for revision from the date of application.
- (3) Cases dealt with by the Court otherwise than on application from date of the order calling for the records; and
- (4) Cases sent to the High Court by Lower Courte for revision from the date of the letter from the Court making the reference.

General,—Persons whose appeals were rejected under Section 421. Criminal Procedure Code, should be entered in Column 4, in which should also be included applicants for revision whose cases the Courts have refused to submit to the High Court.

. In Columns 5 to 10 should be shown opposite the sub-heads for "Magistrates of Districts" and "Courts of Sessions" persons whose cases were disposed of by those Courts without reference to the High Court, and in Column 11 all persons whose cases these Courts referred to the High Court.

His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

Statement showing the Number and Description of Civil Suits instituted

			Suits under the Rent Law.								
Class of Tribunals.		Suits for money or moveable property.	Arrears of rent with or without ejectment.	Enhancement or abatement of rent.	For penalties or damages of compensation for wrongful act on the part of landlord or tenant,	For ejectment or recovery of possession alone.	All other suits under the Rent Law.	Total			
1		2	3	. 4	· 6	6	. 7	8			
Courts in the Interior.					•						
Unpaid Tribunals		. 150	• •		•••	•••	•••	•••.			
Paid Sub-Divisional Tribunals		6 <b>3,</b> 876	•••	4. 	•••	<b></b>	•••	•••			
Small Cause Courts	•	9,062		•••	***	***	•••	•••			
District Courts other than Chief Courts of Districts.  Chief Courts of Districts	1	393	•••	•••		•••	•••	•••			
Total .		<b>73,4</b> 81	•••	***	***			***			
Courts at the Presidency or Seat of Government.											
Presidency Small Cause Courts	•	*28,957		<b></b> ,	***			***			
Superior Courts		769			•••	•••		•••			
Total		29,726	•••	•••	•••	•••	•••	•••			
Grand Total	•••	103,207		***				•••			

No. 7—(CIVIL).

in the Civil Courts in the Presidency of Bombay in the year 1909.

	<b>1</b> /2 4	· · ·	TO CKA KITI	HEB S	UITS.					
Suits for immoreable proferty.	Enits for Specific Relief.	Suits to establish a right of pre- emption.	Mortgage Suits,	Snits relating to religions and	Matrimonial Suits.	Testamentary Suits.	Other suits not falling under any of the previous heads,	Total.	Grand Total.	Пемапкэ.
9	10	11	12	18	14	15	16	17	18	41
		,;;								
32	1	•••	29	•••	•••	•••	5	67	21	7 
11,753	1,059	75	12,818	32	144	21	10,955	36,857	100,733	
•••	•••			•••	•••	•••	318	318	9,380	
149	130		66	4	21	166	166	· 705	1,098	
11,934	1,190	75	12,913	36	169	187	11,444		111,428	
						• :	, -			
***		•••	•				•••		29.957	*This includes the figures for the Small Cause Court, Karáchi.
. 30	13	•	8	16	15	22	1,096	1,200	1,969	*
30.	18	•••	8	16	15	22	1,096	1,200	30,926	
11,964	1,203	75	12,921	52	183	209	12,540	39,147	142,354	

N. D. GHARDA, Assistant Registrar.

JUDICIAL STATEMENT

Etalement showing Number and Value of Suits instituted in the

			Numbi	BB OF SUITE	INSTITUTED
Class of Tribunals.	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Ra 100.	Not exceeding Rs. 500.	Not exceedin g Ba, 1,000.
1	3	8	4	5	6
Courts in the Interior.			,		
. Civil Courts.					
Unpaid Tribunals	12	81	46	63	9
Paid Sub-Divisional Tribunals	8,673	34,605	20,472	27,801	4,826
Small Cause Courts	1,198	3,844	1,839	2,326	173
District Courts other than Chief Courts of Districts Chief Courts of Districts	18	107	92	204	. 99
Total	-9,901	38,637	22,449	30,394	5,107
Courts at the Presidency of Seat of Government.			,		
Presidency Small Cause Courts	1,485*	11,000	6,056	7,897	1,599
Superior Courts	•		•••	8	. 13
Total	1,485	11,000	6,066	7,905	1,612
Grand Total	. 11,386	49,637	28,515	39,299	6,719

No. 8-(Civil).

Civil Courts in the Presidency of Bombay in the year 1909.

Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.   Exceeding Rs. 10,000.   Rs.	not be esti-	Total Value of S	Remarks.				
7	8	9	10	11			12	
-				Rs.	a.	P-		
		***	5	30,605	0	8		
3,035	298	174	<b>S19</b>	2,90,45,686	10	21		
•••	•••	•••	•••	6,30,562	10	2		
185	36	24	. 333 <u> </u>	29,56,282	9	10		
3,251	331	198	1,157	3,26,63,226	14	101		
910				49,98,353	2	912	This includes the figures for a Small Cause Court, Karachi,	
422	176	197	1,153	1,22,24,651	5	5 <u>}</u>		
1,832	176	197	1,153	1,72,23,004	8	3		
4,583	510	395	2,310	4,98,86,231	7	13		

N. D. GHARDA, Assistant Registrar.

## JUDICIAL STATE

PART I-

Statement showing the general result of the trial of Civil Cases in the

ا من ا						NUMBEI	of stits
*Class of Courts,	Total number of suits		•.		WITHOUT	ONTEGT.	
Cises of Courts.	before the Courts.	Transferred to Courts in other Provinces.	Without trial.	Compromised.	Decreed on confession.	Decreed ex-parts	Diamiased ex-parte.
1	2	3	4	Б	6	7	8
. '			•	<u>'</u>			
Courts in the Interior.	: :		.:			· •	
I—Civil Courts.							
Unpaid Tribunals	247	· · · · · ·	33:	39	82	. 23	1
Paid Sub-Divisional Tribunals.		5	12,255	17,672	9,274	10,015	1,841
Small Cause Courts	11,398	•••	1,069	1,782	1,343	2,261	44
District Courts other than Chief Courts of Districts Chief Courts of Districts	1,935	25	221	83	13	192	33
Total	143,750	30	13,578	: 19,576	10,662	12,491	1,922
Courts at the Presidency or Seat of Government.	-	(					, .
Presidency Small Cause Courts.	*32,315	•••	1,061	. 6,413	6,275	9,477	66
Superior Courts	3,722	· · · · ·	381	295	; ;	674	226
Total	36,037		1,442	6,703	6,299	10,151	292
Grand Total	(a)179,787	30	15,020	26,281	16,961	22,642	2,214

Notes.—Column 2.—Total of the entries in Columns 3 to 13. Cases transferred from one Court to another in the same Province will pending from the preceding year should be noted in the column of remarks and when deducted from the total of Celumn 6.—When under Order IX, rule 8, Civil Procedure Code, a decree is wholly or partially made in favour of an absent Column 8.—A case in which Defendant appears but a Plaintiff does not and Defendant does not confess judgment and the admission after amendment shall be regarded as the date of the presentation of the plaint shall be considered in the particular Court should alone be calculated. The interval should be emitted during which an application for review

MENT No. 9—(CIVIL).

CIVIL SUITS.

# Courts of Original Jurisdiction in the Presidency of Bombay in the year 1909.

DISPOSEI	OF.						DUBATION UITS.	
	BENOE TO	With	CONTEST.	Pending at the close of	Number of cases pending more than three		W	Remares.
For Plaintiff.	For Defendant.	Judgment for Plaintiff in whole or in part.	Jud gment for Defendant.	the year.	months at the close of the year.	Contested.	Uncontest- ed.	
9	10	11	12	13	14 .	15	16	17
				•		,	•	
. 3	<b></b>	47	7	62	36	201-2	60.4	
4,440	57	35,676	5,570	33,362	17,585	170-8	85.2	Besides the suits shown in columns 4
9	. 2	2,673	286	1,929	754	113-7	761	to 12, the following were also before the High Court on its Original kide:— 29 Petitions for leave to sue or de-
126	11	<b>3</b> 93	157	681	354	269.4	128-4	fend in formal pauperis.  29 , under the Indian Trustee's Act.  31 , , the Indian Companies' Act.
4,578	70	38,789	6,020	36,034	18,729	168-3	84.6	11 References under the Land Acquisition Act. 282 Miscellaneous Petitions. There were also 605 applications for Probate and Letters of Administra- tion, most of which were disposed
:	•	ı						of by the Registrar.  This includes the figures for the Small Cause Court, Karachi.
161	41	3,858	1,332	3,631	647	55·5	37.3	(a) The number of cases pending at the close of the last year was 85,782.
•••	•••	214	53	1,855	1,443	421	275	If this be deducted from the total of column 2, the balance is 144,005, instead of 142,354. This is due to there being 1,651 revived suits.
161	41	4,072	1,385	5,486	2,030	73·4	49.7	
4,789	111	42,861	7,405	41,520	20,819	157.9	72.61	•

appear only against the Court by which decided or in which pending at the close of the year, if not decided. The number of cases Column 2 should leave a balance corresponding with the total of Column 18 of Statement No. VII. It, after deducting the arrears shown difference should be explained.

Plaintiff on the admission of the Defendant, the case should be entered in this column.

case is thereupon dismissed, the case should be entered in this column.

as the date of institution unless some defect or omission requires to be amended before the plaint can be admitted, in which case the date of their presentation should alone be considered. In calculating average duration, the time that the suit has been actually pending which has been granted, or an appeal in which an order of remand has been passed, has been pending in the Superior Court. Revived suits

JUDICIAL STATE

PART II.—Miscellaneous

Statement showing the General Result of the trial of Civil Cases in the Courts

1						Num	ER OF CASES
	Total Number of	Trans-			Without	contest.	
Class of Courts.	Cases before the Courts,	ferred to Courts in other Pro- vinces.	Without trial	Com- promised.	Decree on confession.	Decreed ex-parts.	Dismissed
1	2	3	4	5	6	7	8
Courts in the Interior.					 	i	
Civil Courts.	. •						
Unpaid Tribunals	17	•••	2	•••	2	6	•••
Paid Sub-Divisional Tribunals	11,824		1,474	705	569	1,824	580
Small Cause Courts	478	1	<b>4</b> \$.	15	75	74	24
District Courts other than Chief Courts of Districts.	3,350	•••	432	31	68	599	175
Chief Courts of Districts	<b>)</b>		. 200			}	
Total	15,664	1	1,956	·751	714	2,503	779
Courts at the Presidency or Seat of Government.							
Presidency Small Cause Courts	<b>*9,980</b>		4,742	759	1,547	1,651	
Superior Courts	44	•••	13	•••	•••	6	10
Total	10,024	•••	4,755	759	1,547	1,657	,10
Grand Total	25,688	1	6,711	1,510	2,261	4,160	789

Notes.—Column 2.—Total of the entries in Columns 3 to 13. Cases transferred from one Court to another in the same Province General (1)—Cases under Order XXI, rule 58, Civil Procedure Code, should be treated as Miscellaneous Judicial Cases.

(2)—The classes of Applications dealt with by Appellate Courts only and specified in the note to Judicial Statement His Majesty's High Court of Judicature, Appellate Side,

Bombay, 14th September 1910.

MENT No. 9-(CIVIL).

Cases—(Judicial).

of Original Jurisdiction in the Presidency of Bombay in the year 1909.

DISPOSED OF	7.						
On refe Arbit	erence to	With	contest.	Pending at the close of	Number of Cases pending more than three months	Average duration of	Remarks.
For Plaintiff.	For Defendant.	Judgment for Plaintiff in whole or in part.	Judgment for Defendant.	the year.	at the close of the year.	Cases.	
9	10	11	12	13	14	15	16
,				•			
•••		4.	2	1		68-6	
14	1	. 3,099	1,351	2,207	795	84.7	
•••	10	135	. 29	62	93	73-6	
1	•••	700	491	. 853	316	128-7	
15	11	3,938	1,873	3,123	1,204	93-4	
1	•••	518 6	300	: <b>4</b> 62	11 2	94·8 104·4	• This includes the figured for the Small Cause Court, Karáchi.
1	•••	524	303	468	13	94•8	
16	11	4,462	2,176	3,591	1,217	93-6	

will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

No. 10, Part II, should not be shown in this Statement,

# JUDICIAL STATEMENT

PART I.—APPEALS

Statement showing the business of the Civil Appellate

•		Total number of		Decisions confirm- ed under Order	Dismissed for default or other-		Hrard	es-parte.	
Class of Courts.		Appeals before the Courts.	in another Province or Presi dency.	Civil		Con- firmed,	Modi- fied.	Reversed	Remand:
1		2	8	4	6	6	7	8	9
COURTS IN THE INTER			,				·		•
Civil Courts.  District Appellate Courts other the Courts of Districts  Chief Appellate Courts of District	(	(a) 8,679	•••	583	286	84	24	28	14
Superior Appellate Courts other Court of Province	than Chief	•••	•••			   	     •••	•••	
	Total	8,679	•••	583	28.6	84	24	28	14
COURTS AT THE PRESIDENCY OR GOVERNMENT.	SEAT OF								
Chief Court of Province.	Original	827	•••	23	33	36		15	
Appeals from Decrees	Appellate	1,839	•••	418	. 30	9	•••	3	1
	Total	2,666	•••	441	63	45		18	1
Gran	d Total	•11,845	•••	1,024	349	129	24	46	15

Notes.—Column 2.—Total of the entries in Columns 8 to 14. Appeals, transferred from one Court to another in the same

This column should also include appeals pending from the preceding

No. 10—(CIVIL).

FROM DECREES.

Courts of the Presidency of Bombay in the year 1909.

	CONTES	red.	•		Of these pending	Average	Objections	
Con- firmed.	Modi- fled.	Reversed		Pending.	more than three months.	duration of Appeals.	Order XLI, rule 22, Act V of 1908.	Remarks.
10	11	12	13	14	15	16	17	18
•								
ʻ								
2,257	577	591	190	4,045	2,731	259•1	282	(a) These include 877 appeals disposed of by First Class Subordinate Judges and Small Cause Court Judges invested with Appellate powers.
•••	•••	•••		•••	•	•••	•••	
2,257	577	591	190	4,045	2,731	259·1	282	
			1			-		
203	40	35	10	432	358	442-4	22	
445	46	68	39	780	568	261.5	26	
648	86	103	49	1,212	926	810-7	48	
2 905	663	694	239	5,257	3,657	271.4	330	This includes 5,076 appeals pending at the close of the preceding year.

Province will appear only against the Court by which decided, or in which pending at the close of the year, if not decided, year, the number of such being noted in the column of remarks.

# JUDICIAL STATEMENT PART II.—MISCELLANEOUS

Statement showing the business of the Civil Appellate

	Total	Trans- ferred	Decisions	Dismiss- ed for		HEARD &	x-parte.	
Class of Courts.	number of Appeals before the Court.	to Courts in other Pro- vinces.	ed Order XLI, rule 11, C. P. C.	default or other- wise not prose- cuted.	Reject-	Modified	Decreed or Granted	Remand ed.
1	2	3	4	-5	6	7	8	9
COURTS IN THE INTERIOR.					,			
Civil Courts.			•					<u> </u>
District Appellate Courts other than Chief Courts of Districts. Chief Appellate Courts of Districts. Superior Appellate Courts other than Chief Courts of Province.	260	•••	46	25	8	•••		1 
Total ,	260	•••	46	25	8	•••	1	1
•		<del></del>						
OR SEAT OF GOVERNMENT.					• •			
Chief Court of Appeals from Original Orders.  Appeals from Appellate Orders.	76 74	***	16 12	9 <b>3</b>	•••	•••	3	•••
Total	*150	•••	28	12	***		4	•••
Grand Total	470.	· ·						
Grand Total	410†	•••	74	37	8	•••	5	1
				• ,			,	
				<i>.</i>	•			
•								*
	<u> </u> 				 			
					. •			
C						ļ		

Notes.—Column 2.—Total of the entries in Columns 3 to 14. Miscellaneous cases before Appellate Courts transforred from the year, if not decided.

G eval.—This statement should include not only Appeals from Orders under section 104 of the Code of Civil Procedure, 1908 His Majesty's High Court of Judicature, Appellate Side, Bombay, 14th September 1910.

No. 10—(CIVIL).

APPEALS.

Courts of the Presidency of Bombay in the year 1909.

	Cor	NTB8	TED.				Of these	Average duration of Miscel-	0 03000000	
Rejected.	Modified	ı.   ¹	Decreed or Granted.	Rema	anded.	Pending.	pending more than three months.	laneous cases before Appellate Courts,	under Order XLI, rule 22, Act V of 1908.	Remarks.
10	11	-  -	12	,	13	14	15	16	17	18
59		8	23		. 12	77	34	124.3	2	*In addition to these the following miscellaneous work was disposed of by the High Court, Appellate Side, and the Court of the Judicial Commissioner of sind,  By the High Court,  Appellate Sind,  6 Applications to withdraw or transfer Appeals, section 24, Civil Procedure Code,
		_		-						8 Applications for leave to appeal as a pauper, Order XLIV, rule 1, Civil
59		s	23		12	77	34	124.8	2	Procedure Code,  36 Applications for review of Judgment, section 114 and, Or XLVII, R, 1 Civil Procedure Code,  4 Applications for leave to
					<del></del>					appeal to His Majesty's Privy Council, Or. XLV B. 7,Civil Procedure Code 128 Applications for stay of execution, Or. XLI, R. 5. Civil Procedure Code. 259 Applications under the Court's Extraordinary Jurisdiction.
10		6	14		2	16	9	133-6	1	Of the 15 Civil References. 5 Under the Civil Procedure Code.
19		2	8		. 8	21	15			3 Under the Indian Stam; Act, (II of 1899). 6 Under the Indian Divorc Act, (IV of 1869). 1 Under the Guardian and
29		8	22		10	37	24		1	under the Civil Procedur Code not especially men tioned above,
88		16	4.5	5	22	114	58	132.	7 3	2,055 Applications were disposed of out of Court by the Registrar and his Deputy By the Court of the Judicial Commissioner
										21 Applications to with draw or transfer appearance of the procedure Code.  5 Application for leave appeal as a paup Or. XLIV, R. I, Cir Procedure Code.  12 Applications under station 115, Civil Procedure Code.  12 Application for revious Judgments, section 114, Civil Procedure Code.  14 Application for leave appeal to His Majest, Privy Council.  23 Applications under station 25 of Act IX of 186 Applications under to Indian Succession Ax of 1865.
										†This includes 106 app pending at the close of preceding year.

one Court to another in the same Province will appear only against the Court by which decided, or in which pending at the close of but also Appeals in Miscellaneous Judicial cases, i. e., the cases entered in Judicial Statement No. 9, Part II.

JUDICIAL STATEMENT Statement showing the result of Proceedings on applications for the Execution of the

			ke cution of	APPLI	BROITAD	DIBPOSED	07-		en thre	
Class of Courts	•		Total number of applications for the keg decreas before the Courts	By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infractaous.	Pending at the end of the year.	Number of applications pending mor e than three months at the close of the year.	Amount realized.
1			2	3	4	5	6	7	8	9
Courts in the Int	EBIOR.		•			,				Rs. a. p.
Civil Courts. Unpaid Tribunals	.,		319	2	67	67	113	n	28	7,926 8 9
Paid Sub-Divisional Tribunals	110	•••	151,098	3	21,906	22,902	68,898	87,389	<b>18,449</b>	<b>32,47,142 4</b> 1
Small Cause Courts	-10		9,412		1,218	1,890	<b>4,</b> 871	1,433	426	92,943 9 4
District Courts other than C	Chief Courts	of	766	16	163	51	362	174	89	41,935 O 1
Chief Courts of Districts	249	•	۱ .		•					
							-			
	Total	•	161,595	21	23,354	24,910	74,243	89,067	18,992	83,89,952 1 2
COURTS AT THE PRES SEAT OF GOVERN						ķ	,			
Fresidency Small Cause Court		••	<b>*</b> 16,868	462	2,201	2,535	9,874	1,796	78	8,18,625 11
Superior Courts	•••	Þø	1,218	125	87	27	747	232	113	15,81,087 4 (
	Total	ı	18,086	587	2,288	2,562	10,621	2,028	191	23,49,712 15
,										

Note.—Column 2—Total of the entries in columns 3 to 7.

(a) This includes 44,465 cases pending at the close of the preceding year.

His Majesty's High Court of Judicature, Appellate Side,

Bombay, 14th September 1910.

Decrees of the Civil Courts in the Presidency of Bombay in the year 1909. No. 11-(CIVIL).

693	414	=	403		279			έι	104	169	, ји		6	On which	the j	udgment-debtor	was im-
2,330	1,838	39	1,799		492				129	361	:		H	On which without	he wa imprison	s arrested, but ment.	released
1,296	838	£r.	353		933			~1	102	922	Ьэ		12	Was sold.			On whi
2,193	1,076	; ; ; ;	3,015	.:•	1,118			₽.	90	1,018	. 0		13	Was atte	iched, b	nt subsequently	On which move- able property—
2,925	œ	œ	•		2,917			go	:	2,897	12	-	14	Was sold.			i. tw ro
251	:	i.			25			H	:	253			12	Was dealt section 2 72 of Ac	of achedo	ler r. 83, O. XXI, ale III or section 108.	which imm
2,464	. 15	. 13	i		2,461			4	i	2,432	12		16	Was atta	ched, bu	ut subsequently 55, O. XXI.	immoveable
51 4	:	•	:		57.		-	:	i	<u></u>	£ ,		17	Of moves	oles.	-	On Pos
3,325	105	1	 - 8		3,220			22 65	•	<b>8,180</b>	14		18	Of immove	eables.		On which possession was given—
73	;		:		73			:	:	73	i		<b>5</b>	On which	вресійс	performance was	enforced.
221		·	:		221		-	<b>o</b>	i	213	i	-	20	On which	partition	was effected.	
36,656	2,684	147	2,537		33,972			8	8,202	80,551	90		21			n was effected columns.	otherwise
ş	the Collector 1904).	ng the numer of the Civ	iber sun d	in the Pr	t arkna esidency c	f Bombs	sed of du y, includi	ring the j ng Sind (	year 1909, vide Cove	in.w incl	immove letter No.	aute prop 875, date	ecty was	sold by February			<u>-</u>
	Ry whom immore		nber of Dar- which im-				Number of	Darkhásts i	in Column 9	which we	e pending			•			
	able property was sold.	moveab	e property	Less than a year.	Over 1 years	Over 2 years,	Over 3	Over 4 Years.	Over 5 Jears	Over 6 Jears.	Over 7 Jears.	Over 8 years.	Over 9 years,	Over 10 years.	22	Remares,	
_	1		2	8	4	5	8	7	8	9	10	11	13	13	150	· M	
	ly the Civil Courts		1,514	678	690	134	14	7	***	914	445		1			-	
В	y_the Collectors	•••	1,411	120	<b>C5</b> 8	. 402	193	63	83	13	2	] 4 ]	1	. 3	] ]		

# JUDICIAL STATEMENT No. 12-(CIVIL).

Statement showing the Number and Result of Applications and Proceedings under the Provincial Insolvency Act III of 1907, in the Presidency of Bombay, in the year 1909.

		Appli	CATIONS 1	OB A DE	CLARATION	of Insorti	ENCY.		   Nambe	T of
			Grai	ated.		Rejected.			Insolve	ente ged
Class of Courts,	Total number for hearing.	Transferred to another Province, withdrawn &c.	A	receiver not being appoint- ed.	Penal proceedings under section 43 not being taken.	ment being	Applicant being sent to the Magistrate to be dealt with.	of the	the ye unde section 44.	ar er
i	2	3	4	5	6	7	8	9	10	
Courts other than Chief	15* 419	2 61	4 26	1 82	4 70	4-4	***	210	1	1 10
Chief Courts of Districts. Superior Courts	419			***		***				
Total	464	63	30	83	74	•••		214	.:	11
Number of Insolvents Estates in hands of Receivers which Proceings werfinally cloduring the year.		er of ents' in the s of ers in roceed- were closed g the		1 DUBING	DES' CLAIM THE TRAE	Realize	AMOUNT OF		during	BENAR ES.
1	1	1	12		13		14	15		16
Courts other than Chic Courts of Districts Chief Courts of District	1	5	Rs. s.	p. 9	Rs. s.	P. Ra. 85		R4.	a. p. 0 3	
S = 3 = 0 = 4	.	_   -	***,,,		*****	3,000	15 9	2,729	7 10	
_	1 1	1		1		i i				

<sup>\*</sup> Proceedings pending under Chapter XX of the Civil Procedure Code, 1882.

-Column 1.—Sub-head "Courts other than Chief Courts of Districta." Specially empowered under section 860, Act XIV of 1882. (Corresponding with Section 3 of Act III of 1907.)

Column 2.—Total of the entries in columns 3 to 9. Cases transferred from one Court to another in the same Province will appear only against the Court by which decided, or in which pending at the close of the year, if not decided.

Column 3.—Applications struck off for default or otherwise not prosecuted should be entered in this column.

N. D. GHARDA, Assistant Registrar.

JUDICIAL STATEMENT No. 13.

# JUDICIAL STATEMENT

# Statement showing the use of Juries and Assessors in the Criminal

			Number of Accured Persons in Jury Trials.			
		Established or average number of		As to whom the Judge		
Classes of Courte in which Juri Assessors are employed.	Jury or Assessors in each case and prescribed qualifications.	Tried.	Approved verdict.	Did not approve of verdicts	Made reference under sec- tion 307, Criminal Procedure Code.	
1		2	3	4	5	6
Magistrates' Courts under Chapter X, Criminal Procedure Code.	•••	***	• • • •	•••	600	900100
Courts of Sessions	***	5	237	211	26	26
Assessors	***	2	***	400	400	119-10
High Court, Original Cri-	•••	•3	98	94	.4	4
	Total .		(a) 335	803	30	30

No 13—(CRIMINAL).

Courts in the Presidency of Bombay in the year 1909.

NUMBER OF ACOUSED PERSONS IN TRIALS WITH ASSESSORS.							
	As to whom the Judge						
Tried.	Agreed with all the Assessors.	Differed from one or more but not from all the Assessors,	Differed from all the Assessors	REMARES.			
7	8	9	10	11			
•	• • • •	******	<b></b>	All cases falling under Chapters VIII, XI, XII, XVI, XVII and XVIII or any of the said Chapters, taken in connection with section 75 of the Indian Penal Code, in which the punishment awardable is death, transportation for life or transportation or imprisonment for 10 years or upwards, and also attempts and abetments to commit any of the aforesaid offences were tried by Jury in the district of Poona.  All offences punishable with death, transportation for life, or imprisonment for 10 years were tried by Jury in the districts of Belgaum, Thana and Surat and in the city of Karáchi.			
••		909:0 <b>4</b>	•••	All offences punishable with death were tried by Jury in the district			
1,388	908	134	346	of Ahmedabad.  Assessors were employed in all cases committed for trial to the Courts of Sessions except in the abovementioned districts as noted above.			
•••	•••		***	In Sind the number of Jury is 5,  (a) In addition to these there were 10 persons who pleaded guilty and 7 persons pending trial. (b) In addition to these, there were 69 persons as under:—  11 persons who pleaded guilty.  4 ,, whose cases were withdrawn.  7 ,, in whose cases assessors were not consulted.  33 ,, proceedings were stayed under section 494, (b)			
b) 1,388	908	134	346	14 ,, pending trial.			