





**RULES**

FOR THE

**GUIDANCE OF THE**

**COURTS OF VAKILS**

IN

**RAJPUTANA.**

---

**JODHPUR:**  
Printed at the "Marwar State" Press.

1922.



**Rules for the guidance of the Courts of  
Vakils in Rajputana, in the disposal  
of Criminal Cases which cannot  
be decided by any one State.**

---

**SECTION I.**

*Of the object and constitution of the Courts.*

1. Courts of Vakils sit at Ajmer, Abu, Udaipur, Jaipur, Jodhpur, and Deoli. They are established with the special object of securing justice to travellers and others who suffer injury in territories beyond their own Chief's jurisdiction, and they hear and decide on all offences against person and property laid down in the Indian Penal Code, and in the Extradition Treaties between the Government of India and the States of Rajputana, which cannot be decided by any one State.

2.—The Court of Vakils at Abu, composed of the Vakils attendant on the Governor-General's Agent, is under the guidance of one of the Assistants, and is an Appellate Court superior to those at the several Agencies.

3.—The Courts of Vakils at Udaipur, Jaipur, Jodhpur, and Deoli, under the guidance of the respective Residents of Mewar, Jaipur, and Western Rajputana States, and the Political Agent, Bundi are composed of Vakils attendant on the Political Officers from each of the neighbouring States, and are subordinate to the Upper Court of the Governor-General's Agent.

**SECTION II.**

*Of the Jurisdiction of the Courts.*

4 —The British district of Ajmer-Merwara is under the same responsibility to these Courts as are the States of Rajputana. In cases in which subjects of

this district are concerned, a person nominated by the Commissioner, Ajmer-Merwara, is entitled to take his seat in Court and act as the representative of the British Government, but shall not take part in the deliberations or voting of the members of the Court.

5.—The investigation of each case shall be conducted by the Court of that State or Agency within whose limits the crime is alleged to have been committed, unless it be found necessary to bring it into the Upper Court

6.—As a rule, six months' domicile will be considered the period to constitute such residence as will preclude claims for compensation before the Courts of Vakils. In applying this rule the intention of the claimant in leaving his house must be always considered. Special protection must be afforded to persons who are forced to enter foreign territory for purposes which could not otherwise be accomplished.

A person is said to be domiciled in that State in which he habitually resides. If he changes his place of residence for a temporary purpose and with the intention of returning to his former place of residence his domicile is not changed. The jurisdiction of any State in which a man may be domiciled over any part of his property (in respect of any offence with which he may be charged) is not affected by any change of residence subsequent to the commission of the alleged offence.

### SECTION III.

#### *Of the responsibility of States.*

7.—The responsibility may be imposed upon or apportioned between any one or more of the following States as the Court thinks fit, that is to say:—

(1)—The State in which the offence was committed.

(2)—Any State into which the offender was followed in hot pursuit.





(3).—The State in which the offender is proved to reside.

(4).—The State in which the stolen property, or any part of it, is found.

In apportioning the responsibility, the Court shall have regard to the degree in which each State may have contributed by negligence to the commission of the crime or the escape of the offender. Provided that no State will be held pecuniarily responsible for the fraudulent mercantile transactions of either of its own subjects or those who may have absconded into it.

8. — In all offences committed within the limits of a State of which both the plaintiff and defendant are subjects, should the criminals escape into any other State, the latter shall not on this account be answerable for the offence, nor for blood-money, nor for compensation; but if the criminals or stolen property be pointed out by approvers or otherwise, the same must be given up to the accredited authorities, otherwise the State retaining persons or property of another State will be required to make good all losses.

9.—When an award has been given against a State on account of any offence committed by an outlaw or other criminal sheltered within its territories, and such person at any subsequent time returns to its allegiance, or is pardoned, the case shall not on that ground be re-opened with a view to the amount awarded being condoned or refunded to the State against which the decree was given.

10.—The State in which an offence of the nature referred to in Section I, Rule I, is committed will be held primarily responsible. Secondly, the State into which the offender or offenders are followed in hot pursuit, or in which they are proved to reside, and which has not surrendered them. Thirdly, the State



in which stolen property is discovered, and the inhabitants cannot account for its possession, and have taken no measures to restore it. Local peculiarities of the country, such as rocky ground and configuration of the border, will be duly considered and it will be the special duty of the Court to decide according to the merits of the case what share of the responsibility should attach to each State. Provided that no State will be held pecuniarily responsible for the fraudulent mercantile transactions either of its own subjects or of those who may have absconded into it.

11.—Whether tracks are carried in hot pursuit or not, the authorities of a State are bound to take up and carry on a track brought to their border, being duly accompanied by the original trackers and by the plaintiff or his agent. The State into which a track is thus carried otherwise than in hot pursuit, will not be held responsible on the evidence of the tracks alone, but a refusal to carry on a track, when distinguishable, will render it so liable.

12.—In cases of cattle theft, or of the pursuit of mounted robbers. a refusal on the part of the village where the tracks are lost to permit search for the animals will be considered opposition, and will render the village liable for the whole value of the stolen property

12A.—(1) In cases of loss of cattle, the burden of proof that they have not strayed but been stolen shall lie upon the claimant

(2) Where cattle are proved to have been stolen the burden of proof that he has come honestly by them, shall lie upon the person in whose possession they are found

(3) Persons who have openly purchased cattle, for full value, and without any reason to know or suspect that they have been stolen, and who have duly registered the cattle so purchased in the book of registry kept in their village, shall be deemed to have come honestly by them.





(4) Lost cattle found in the possession of persons who have, or are to be deemed, to have, come honestly by them shall be treated as having strayed.

13.—Rules for the guidance of tracking parties are noted in Appendix **A**.

14.—Rules regarding the restitution of stolen cattle are noted in Appendix **B**.

14A.—Rules regarding the restitution of strayed cattle are noted in Appendix **C**.

## SECTION IV.

### *Of precautionary measures required of travellers.*

15.—To entitle any claimant to compensation, it is necessary that he should have taken sufficient precautions. Any person travelling with valuables or goods must as a general rule, provide himself with an escort not less than two armed men for Rs. 1,000 worth of goods, with an additional sepoy for every additional Rs. 1,000 up to Rs. 8,000 beyond which only one additional man will be required for every additional Rs. 2,000 of goods

16.—Travellers must, if possible, halt for the night within the precincts of a village, reporting arrival to the village authorities and occupying the place assigned to them. They should also apply for *chowkidars*.

17.—Where travellers have a guard of four or more armed men they should place sentries around their property in the proportion of one sentry to every four men. At dawn the village *chowkidars* are bound to awaken the leaders of the party and ascertain from them that no thefts have occurred. *Chowkidars* and traveller's sentries will be held jointly responsible in proportion to their numbers for the occurrence of theft.

18.—Travellers *en route* should obtain village guides, where the custom prevails, at the rate of one for every five armed men; two for ten; three for twenty and so on.

19.—The armed men above-mentioned are to be *bona fide* fighting men, exclusive of camel-men, cart-men, household seryants, and other non-combatants.

20.—A number of armed travellers of fighting castes, joined together for mutual protection may be considered as coming within the requirements of clauses 14 and 18.

21.—In cases where European gentlemen and others are travelling with their personal effects, cattle, and camp equipage only, but with no merchandize or other property of greater value than is necessitated by their station in life they shall not be expected to provide themselves with armed guards. They must engage *chowkidars* and a guide, the number of the former being proportionate to the value and extent of their property.

22.—To regiments or detachments of His Majesty's service larger than a *Hawildar's* party compensation should be denied, unless thefts are clearly shown to have been committed by the people of the country.

23.—Marriage processions, where the females are usually loaded with valuable ornaments, must be accompanied by armed escorts as before described.

24.—On no account can bullion, jewels, or other valuable articles be entrusted to two or three carries (*Augrias*) unprovided with escorts. Compensation will not be given when such men travel singly or even by twos or threes.

## SECTION V.

### *Of the institution of suits.*

25.—All plaints are to be submitted primarily to the Political Officers of the State in which the offence complained of occurred, who, if satisfied with the fitness thereof, will send it for adjudication to the Court of *Vakils*.





26.—All cases must be instituted within six months from the date of occurrence.

27.—Prosecutors should appear in person whenever possible, but if this be inconvenient owing to distance of residence, or the plaintiff's trade or calling, or for other reasons, the Court may allow the prosecutor to appear by proxy, or to be represented by the Vakil of the State to which he belongs; but the proxy must be duly provided with a power of attorney, and no case will be re-opened because the plaintiff is dis-satisfied with the proceedings of his proxy.

28.—Insurers may claim compensation for plunder of insured property where due precautions are proved to have been taken.

## SECTION VI.

### *Of procedure of the Courts.*

29.—Five Vakils, inclusive of those belonging to the States interested, form a quorum. When British interests are involved, or at the request of the members or in cases of importance or difficulty, as *dakaities* or robberies with murder, the Governor-General's Agent or his Assistant in the Upper Court and the Resident or Political Agent in the Lower Court takes his seat as President with four or more members, and has a casting vote.

30.—In all cases relating to offences committed within British territories situated in Rajputana or affecting the interests or liabilities of the British Government or of any of its subjects, a person nominated by the Chief Civil Officer of the British District concerned is entitled to take his seat in Court and act as the representative of the British Government, but shall not take part in the deliberations or voting of the members of the Court.

31.—The Upper Court of Vakils is attached to the head-quarters of the Governor-General's Agent; the Lower Courts similarly are with the head-quarters of the accredited Political Officer of the State.



where the Court sits. But it is competent for the Governor-General's Agent or to each Political Officer to order his Court to assemble at any spot for special reasons. The Governor-General's Agent can transfer any case from the Lower to the Upper Court.

32.—The Governor-General's Agent and Political Officers will usually take their Courts with them on their district tours, taking occasion to decide cases, when possible, on the spot where the outrage occurred, but litigants should not be compelled to follow the camp unnecessarily.

33.—Political Officers superintend the operations of the Court of Vakils, and confirm or cancel their decisions; but do not, as a general rule, interfere with or control their deliberations, except in special cases in which the members of the Court cannot agree.

34.—The Upper Court is under the superintendence of an Assistant to the Governor-General's Agent, who is usually present at its sittings and conducts the proceedings. The Assistant should take English notes and submit an abstract of the proceedings to the Governor-General's Agent for confirmation with his own opinion.

35.—The numerous and onerous duties of a Political Officer preclude his invariable attendance during the sittings of his Court, but he must bear in mind that it is his duty to be present whenever other avocations will permit of his doing so.

36.—Superintending Officers may at all times suggest questions for cross-examination, or which may tend to elicit the facts of the case.

37.—Superintending Officers may at any stage of a trial adjourn any case for special and extraordinary reasons, which should be noted in the register.





38.—When Political Officers disapprove of the proceedings of their Courts, the whole file of the case should be referred to the Governor-General's Agent with their opinion for his decision.

39.—Each Political Officer will notify the decrees of his own Court to Political Officers and Vakils of States concerned therein. When awards in favour of the plaintiff are approved, he should be warned to attend within two months to receive payment.

40.—Each Court must keep a regular file of cases instituted, and call them up for hearing in regular succession, unless good reason is adduced for a contrary course. The President of the Court is jointly responsible with the members for the regularity of its proceedings. The President may return cases for additional enquiry or for re-consideration on special grounds to be fully explained.

41.—The members of the Court are bound, in the absence of a British Officer, to see that the case is fairly and correctly conducted; that the names of the members and other parties to the suit who are present are duly recorded; to ascertain that parties absent have been warned and the proper time been allowed for them to obey the summons; that the Vakils of the State concerned are present to watch the interests of their Courts, but that they are excluded from deliberating and voting on the decree; to be careful that the witnesses are fully and fairly examined; that an opportunity for cross-examination is allowed to all parties, and the whole facts are elicited before passing a decree; that all depositions and evidence be duly taken down, and that the general spirit of these rules is acted upon. They should make known to the Superintending Officer any peculiarities in the case which may strike them.

42.—When a complaint is preferred before a Court of Vakils, the evidence of the complainant and of any witnesses who may accompany him should

be immediately recorded in the form of a general narrative of the event; questions should be put by the Court with a view to facilitating the subsequent trial. The names, caste, and appearance of any persons who may have been present on the part of the local authorities should be enquired into, and information gleaned by cross-examination as to the circumstances of any local investigation held after the occurrence.

43.—No case of murder or grievous hurt or of robbery by more than five persons may be compounded. In other cases, should the claim, after registry and before the trial comes on, be settled by the Native authorities, the plaintiff's *razeenamah* should be presented to the Superintending Officer in person & be filed in the Office.

44.—Due notice of the time and place of trial must be given in every case to the Vakils of the States concerned, who are responsible that the notices are served without delay on any of their master's subjects and a reasonable time must be allowed, according to the distance, for the appearance of the plaintiff, defendant, and witnesses respectively.

45.—In each instance of an order being passed by any Court requiring the attendance of any person, or calling for any information, a period should be named within which such person or reply must be produced. Should such requisition not be complied with, the case will proceed and the onus of want of proof or dis-proof must fall on the defaulting party. Such period must be regulated by the distance and probable difficulty of obtaining what is wanted. If a person be a resident of Rajputana, the time allowed for his appearance should not exceed three months, and two months should suffice for either party to procure written information.

46.—When it is alleged that an offence has been committed in any State, or in the districts of Ajmer and Merwara, a copy of the information will be sent by the Superintending Officer of the Court to the proper authorities of the State or district concerned.





47.—The Vakil of each Court should be authorized to send direct for any persons subject to their respective Princes, without a reference to the capital, which entails delay but witnesses may be summoned through Political Officers also, if needs be.

48.—In place of calling on a witness to attend which might cause delay, inconvenience or hardship, the Court may, at its option, issue a commission of enquiry, the answers to which are to be received as evidence, if duly verified, and taken whenever possible before a British Officer or other trustworthy official

49.—When the prosecutor or his proxy after due warning neglects to be present, the Court may dismiss the case, or if it thinks fit, to take steps to compel attendance. In the former contingency, a note acknowledging the receipt of due warning should be filed with the proceedings.

50.—In like manner, if the defendant fails to attend after due summons, an *ex parte* decision will be given and the defendant be liable to such punishment as he would have incurred if present. In such case all available evidence for the prosecution must be taken to guard against the institution of false charges.

51.—All evidence is to be recorded in the presence of the Court by the *Sharistadar*, or, in his absence, by the *Naib*, or by an *Agency Munshi*. All questions to be put through the Court, and statement once recorded are not to be expunged.

52.—Every deposition and cross-examination should be taken down in writing before the Court, and all parties interested, who, as well as the Superintending Officer when present, should have full opportunity of cross-examining every witness.

53.—All witnesses to be examined on oath or solemn affirmation, and each separately, except when it may be necessary to confront two or more persons.



54 —The evidence shall not ordinarily be taken down in the form of question and answer, but in the form of a narrative. It shall be in the discretion of the Court to take down any particular question and answer if there shall appear any special reason for doing so, or any person who is a prosecutor or a person accused shall require it. When the evidence is complete, it shall be read over to the witnesses in the presence of the accused or his agent, and shall, if necessary, be corrected. If the witnesses shall deny the correctness of any part of the evidence when the same is read over to him, the Court may, instead of correcting the evidence, make a memorandum thereon of the objection made to it by the witness, and shall add such remarks as it may think necessary. If the evidence be taken down in a different language from that in which it has been given and the witness does not understand the language in which it is taken down the witness may require his evidence as taken down to be interpreted to him in the language in which it was given, or in a language which he understands.

55 —If the evidence is given in a language not understood by the accused or his agent, it shall be interpreted to him in open Court in a language understood by him or his agent.

56 —As a rule, no written depositions will be received except those taken in the presence of the Court or authenticated by the signature of a British Officer; but the Court should, when necessary, call for the original local investigation and may give due weight to the evidence it contains.

57. — No case will be adjourned for the production of evidence except such as the trial alone shows to be necessary and then only in special cases by permission of the Superintending Officer.

58 —The final *Roobacar* containing a summary of the evidence should be carefully drawn up by the members sitting on the Court.





59. One of the most important duties of members of the Court is to weigh the amount of credibility to be given to evidence. Where the Court believes that false evidence has been recorded, or that important facts have been suppressed, the circumstances should always be noted in the proceedings.

60.—So soon as a decree has been duly confirmed authenticated copies of the charge, finding, and decree, signed by the Superintending Officer, will be always given to the Vakil of each State to which the contending parties belong or which may be otherwise concerned, or to the agents accredited by the parties.

61.—All fines realized under the provisions of these rules will be applied in the following manner:—In the payment of the salaries of the officers of the different Courts of Vakils, in subsistence allowance to witnesses, and in providing proper accommodation for the Courts when required.

62.—These rules are to be considered as a general guide for the Courts of Vakils, but they must not be too inflexibly applied. Their spirit should in many cases be principally followed, and every case should be judged mainly on its own merits, and with reference to local usages. When any deviation may prove necessary, the reason and object should be noted on the proceeding.

## SECTION VII.

### *Of the finding sentence, and awards of punishment and compensation.*

63.—There should be no adjournment between the trial and deliberation of the Court on the finding and decree, which will be made with the Court closed to every one save the President and voting members. As soon as all have given their votes the Courts will be open, and the decision of the majority will be recorded on the proceedings; individual reasons for verdict not to be given, but the opinion of the majority to be summed up for sentence, award, or acquittal.

64.—The decision with the whole of the depositions and proceedings is submitted by the Upper Court to the Governor-General's Agent, whose decision is final, and by lower Courts to Political Officers for confirmation, without which no decision is held to be valid. Should the latter not confirm the proceedings, he may either return the case to his own Court for revision or further enquiry pointing out his objections, or he may refer it at once to the Governor-General's Agent. The Vakils concerned may be furnished with copies of the evidence and final *Roobacar*.

65.—The Courts of Vakils shall have power to decide all cases brought before them by the Superintending Officers, and award punishments of fine and imprisonment, as also compensation and blood-money, according to the decree and nature of the offence, provided that the decree is confirmed by the Political Officer superintending the Court, and in cases tried by any lower Court; subject to an appeal to the Governor-General's Agent.

66.—In cases of *dakaiti* or plunder by violence, the delinquents shall be punished by fine or imprisonment, or by both, at the discretion of the Court, in addition to any blood-money or compensation determined on; and should they escape, and the Court consider that it was through the connivance or apathy of the local police or of the inhabitants of any village, it shall be in power of the Court, in addition to the compensation awarded, to punish the police or the village by fine not exceeding in amount the value of property plundered.

67.—In cases in which the delinquents, or a considerable portion of them, are arrested and produced for trial before the Court, neither the Native State nor any of its subjects shall be subjected to any payment on account of compensation or on any other cause.





68.—It is deemed expedient not to lay down any regulated scale of punishments for criminal but to leave the Court which makes the enquiry to be guided generally by the Indian Penal Code, with such modifications as local custom may suggest.

69.—Subject to the conditions of clause 64, and except as provided for in the following clause, compensation is to be awarded in full in all cases of robbery with violence or *dakaiti*

70.—The following articles should suffer a diminution of the original cost in estimating compensation:—

Gold and silver ornaments ...	.. one-fourth
Substantial goods in common use such as arms, household utensils, &c.	... one-third
Personal clothing, &c. ...	... one-half

71.—In cases of cattle-lifting where the actual value of the animals stolen cannot be proved and the market rate is not fixed, compensation may be awarded at rates which must be determined by each Court for its own jurisdiction with the consent of the Governor-General's Agent.

72.—In cases where it is found impossible to secure the real perpetrators of a violent crime blood-money may be awarded according to the loss a deceased person may be to his family. Even in the lowest station of life, the amount must never be less than Rs. 150. Blood-money must never be awarded for person killed or wounded by men defending their own lives or property.

As an inducement to the arrest of actual offenders, no blood-money will be awarded where they are produced in Court.



72. A—If in any case the Court after hearing it, is satisfied that the complaint is false, frivolous or vexatious the Court may, when ordering the discharge or acquittal of the accused persons, decree such damages not exceeding Rs. 500, as the Court may in its discretion think fit.

73 — Compensation for value of losses will be given in addition to the remuneration to the informer (*markhar*) or person who proves the robbery.

74 — Remuneration to the *markhata* is not to exceed annas four in the rupee, and proof must be sought as to the amount paid. In cases of murder, however, the Court may at its option award the full value paid, even though it be in excess of the above rate.

## SECTION VIII.

### *Execution of sentences and payment of awards.*

75 — Awards of imprisonment for terms not exceeding five years will be carried out by the State to which the offenders belong if it possesses a properly organized jail. For terms above five years, prisoners will be committed to the Jail of Ajmer, or to such place as shall be appointed by the Governor-General's Agent with the concurrence of Government.

76.—All awards of fine, blood-money, or compensation must be recovered by the Superintending Officer of the Court from the State which is responsible, and not from the individuals found guilty.

77 — The State which is held liable is required to pay the full amount of the award within two months of the date of confirmation by the Superintending Officer, or, if there be an appeal, after the final orders of the Governor-General's Agent failing which the amount will be advanced by the Agency Treasurer under the orders of the Political Officer,





and the whole sum will be chargeable to the defaulting State with interest at 12 per cent. per annum until repaid. If not refunded within one year, the circumstance to be reported to the Governor-General's Agent for further measures.

78.—As a general rule payments made under the award of any Court of Vakils are to be disbursed by the Superintending Officer in person to the claimants or their agents, whose acknowledgment must be recorded on the proceedings. In special cases it is within the discretion of the Superintending Officer to direct that payment be made to the claimant through the Political Officer of the State or the district Officer of the district in which the claimant resides, or through any other person not being in any way connected with the Court, whom the Superintending Officer considers sufficiently authorized or qualified to receive the money and make the payment.

79.—It being very desirable that travellers, especially of the poorer classes, who are robbed in their passage through a State, should be promptly indemnified. Superintending Officers are authorized to sanction immediate payment of any amount awarded for losses in such instances, or part of it, to the extent of Rs. 200.

## SECTION IX.

### *Of appeals and confirmation of sentences.*

\* 80.—All awards by any lower Court of imprisonment exceeding a term of seven years must be forwarded, with the proceedings and with the recommendation of the Political Officer, to the Governor-General's Agent for approval and confirmation by himself, or for reference at his discretion to the Upper Court

---

\*NOTE—*Vide* Rajputana Agency Office Circular No.  $\frac{251}{C}$  dated 21st February 1882.

81.—In all cases referred by the Political Officers from the Lower Courts the Governor General's Agent can either dispose of the case summarily, or order a fresh trial in the Upper Court, as he may deem fit.

82.—Appeals from all decisions or orders of the Lower Courts are permitted to the Governor-General's Agent who, if he deems the reasons submitted to be sufficient, will direct the Upper Court to investigate the case.

83.—Fresh evidence shall not be admitted on appeals, unless the Governor-General's Agent requires it to be taken, but the Upper Court may require the Lower Court to take and to transmit to the Upper Court any further evidence which the Upper Court thinks necessary to be taken.

84.—All appeals must be presented within sixty days from the date of the order appealed from or, if the said order was not pronounced in the presence of the appellant, than from the date on which he was furnished with a copy thereof.

In computing the period of limitation above prescribed, the time requisite for obtaining a copy of the order appealed against shall be excluded.

Provided that the Agent to the Governor-General may receive and give effect to an appeal presented after the said period of sixty days if the delay is in his judgement satisfactorily accounted for. Such appeals may be presented personally or through an Agent, or through the Vakil, or the Political Officer of the State concerned. Appeals will be received by post only when transmitted by a Political Officer, the period of limitation being determined by the date of presentation to him.





No appeal against a judgement of acquittal shall be entertained, unless it is presented by the General Superintendent of the *Thagi* and *Dakaiti* Department, or by some officer of that Department specially authorized by him in that behalf, or by authority of the Darbar of a State whose Vakil formed one of the Court in which the judgment of acquittal was passed.

85.—No appeal will be entertained where Political Officers have sanctioned the immediate payment to poor travellers of compensation for losses by theft or robbery to the amount of Rs. 200.

---



**APPENDIX A.***Tracking Rules.*

I. — When a crime has been perpetrated and the tracks of the criminals are followed up, the injured party is invariably to accompany the trackers; when the principal is unable to do so from wounds, ill-health, or infirmity, or from urgent business requiring his presence elsewhere, an agent must take his place.

II — The trackers of the village or locality where the crime occurred, and who traced the foot-prints in the first instance, must also invariably continue with the trial as long as it is possible for them to do so. After the first change of jurisdiction they act as referees should the identity of the trace be disputed.

III. — The trackers of all intermediate villages should continue with the trial as long as the tracks are in the lands of the village next beyond their own.

IV. — The intention of the above Rules is to secure some impartial evidence as to the place and circumstances under which the traces were ultimately abandoned.

V. — If a village has no trackers, the village authorities should accompany the trackers of the last village and of the village where the crime occurred, who should conjointly carry on the trial.

VI — In ordinary cases, three or four persons only from any village should proceed beyond their own limits, but where there is reason to believe that a large armed band of plunderers is in the neighbourhood, this rule must not be insisted upon.

VII. — When the trace can no longer be found, the complainant, the trackers of the place from where the traces started, and of the last village through which it passed, must all proceed to the nearest responsible local authority if within a distance of three or four *koss*. If no authority resides within that distance, a special messenger should at once be despatched with information of the facts of the case





**APPENDIX B.***Rules for the restitution of stolen cattle.*

I.—In every case where cattle have been stolen the owner should give information of the same within five days to the chief local authority deposing to the description and value of the cattle and the circumstances of the theft.

II.—A notice in the language of the country should then be published in the surrounding districts in such a manner as may be determined upon by Political Officers in communication with the Chiefs; the notice to contain the date and place of robbery, with a description and valuation of the cattle.

III.—Whenever the owner may find his stolen cattle, he shall, in addition to making such depositions as may be required, and furnishing proof, if necessary, produce a certified copy of the notice in which his loss has been published to the chief authority of the village to which he has traced his cattle; and on this authority being satisfied of the correctness of the claim, the cattle should be at once restored to him, intimation being at the same time given to the authorities of the village whence the notice issued.

IV.—The restitution to be simple, in no way including consideration of a question of compensation on either side.

V.—Any claim preferred by the owner against the person in whose possession the cattle was found, or by the latter against the individual from whom he received the cattle, should be adjudicated in the Courts properly constituted, and having jurisdiction for hearing such cases.

VI.—Parties laying claim to cattle, as having been plundered from them, will be liable to be ordered to make good any expense caused to the defendants by such claim in the event of the latter proving unfounded. The liability in each such case should be adjudged by the Court having jurisdiction to decide the claim.

VII. No demand for the restitution of cattle under these rules will be attended to after a period of two years from the date of the robbery.

VIII—From a period of two months after the publication of these rules a book of registry should be kept in each village, in which should be entered the number and description of all cattle brought into the village, with the name of the person responsible for them. A failure of registration would be regarded as presumptive evidence that the cattle are stolen.

IX —Persons purchasing cattle from predatory classes or communities should insist on delivery, with the cattle, of a certificate from the *Thunadar* or headman of the village where the seller resides, stating that he is authorized to dispose of the property. Failing in this precaution, they will be presumed to have knowingly purchased stolen goods.

---

### APPENDIX C.

#### *Rules for the restitution of strayed cattle.*

1. The person in whose possession strayed cattle may be found, shall be entitled to receive from the rightful owner the cost of their maintenance in accordance with the scale of charges laid down in Schedule A.

2. Should the rightful owner be unable to pay the cost of the keep of the cattle at once, the person aforesaid may retain such a number of them as may be sufficient to cover the amount due.

3. Thirty days' grace, counting from the day on which the person aforesaid offered restitution of the cattle, shall be allowed to the rightful owner for the payment of the amount due.





4. Notice of the claimant having presented himself, and of the holders of the cattle having offered to make them over to him, shall be forthwith sent to the Vakils of the States in which such persons reside.

5. Should the rightful owner fail to attend within the thirty days allotted, the cattle retained may be sold by auction; after deducting the amount due for keep from the sum realised, the balance shall be held in deposit and paid to the said owner on his presenting himself.

6. No charge shall be made on account of cattle which may happen to die before the holder can deliver them to their owner.

7. Young animals born during the time that cattle have been absent from their owners, are to be delivered up in the same manner and together with the cattle of which they are the offspring.

8. The owner shall have no claim on account of milk taken from the animals while absent from him.

9. Cattle remaining unclaimed for a period of six weeks may be sold, and the proceeds of such sale, less the amount due for the keep of the cattle shall be kept in deposit until a claim to such proceeds is substantiated. Should no such claim be substantiated within two years, the sum held in deposit may be disposed of in such manner as the Political Officer of the State may direct.

10. Demands for the "chauthan" shall on no account be admitted.





# SCHEDULE A.

## Scale of charges for feeding strayed cattle.

CATTLE.	GOOD SEASON RATES.										FAMINE RATES										
	Mewar.		Banswara.		Patabgarh.		Doongarpore.		Hilly tracts.		Mewar.		Banswara.		Patabgarh.		Doongarpore.		Hilly tracts.		
	Udaipur City.	District.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Buffaloes, full-grown or young, per head per day ...	0 3 0 0	1 6 0 2	0 2 0 0	0 2 0 0	0 2 0 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 4 6 0	0 2 3 0	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3
Young of do, not subsisting on milk per day ...	0 1 6 0	1 0 0 1	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 2 3 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0
Cows, buffaloes, &c. per head per day ...	0 3 0 0	1 3 0 1	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 4 6 0	0 1 9 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0	0 2 3 0
Calves not subsisting on milk ...	0 1 6 0	1 0 0 1	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 2 3 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0
Horses, per head per day ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ponies do. do. ...	0 3 0 0	1 3 0 2	0 2 0 0	0 2 0 0	0 2 0 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 4 6 0	0 1 9 0	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3
Camels do. do. ...	0 9 0 0	1 6 0 2	0 2 0 0	0 2 0 0	0 2 0 0	0 1 6 0	0 1 6 0	0 1 6 0	0 1 6 0	0 7 0 0	0 2 3 0	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3	0 3 0 3
Goats, sheep, &c. per day ...	0 1 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 1 6 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0
Kids per day ...	0 0 6 0	0 3 0 0	0 3 0 0	0 3 0 0	0 3 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 6 0 0	0 0 9 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0	0 0 3 0
Donkeys per head per day ...	0 1 0 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 0 9 0	0 1 6 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0	0 1 0 0

States represented in the Mewar Court of Valis.

NOTE.—In severe famine years the actual cost of feeding should be paid.

# SCHEDULE A - Conoid.

## Scale of charges for feeding strayed cattle - Conoid.

CATTLE.	GOOD SERVICE RATES				FAMINE RATES			
	Tonks	Bundi	Belthi	Challawar	Tonks	Bundi	Belthi	Challawar
Buffaloes, full-grown or young, per head per day.	Rs. 0 1 0	0 1 0	0 1 0	0 1 0	Rs. 0 4 0	0 4 0	0 4 0	0 4 0
Young of do, not subsisting on milk per day.	0 1 0	0 1 0	0 1 0	0 1 0	0 3 0	0 3 0	0 3 0	0 3 0
Cows, buffaloes, &c. per head per day.	0 1 3	0 1 3	0 1 3	0 1 3	0 4 6	0 4 6	0 4 6	0 4 6
Calves, not subsisting on milk	0 1 0	0 1 0	0 1 0	0 1 0	0 3 0	0 3 0	0 3 0	0 3 0
Horses per head per day ...	0 1 6	0 1 6	0 1 6	0 1 6	0 3 0	0 3 0	0 3 0	0 3 0
Ponies .. do. do.	0 1 3	0 1 3	0 1 3	0 1 3	0 4 6	0 4 6	0 4 6	0 4 6
Camels do. do.	0 0 6	0 0 6	0 0 6	0 0 6	0 3 0	0 3 0	0 3 0	0 3 0
Goats, sheep, &c., per day ..	0 0 3	0 0 3	0 0 3	0 0 3	0 4 6	0 4 6	0 4 6	0 4 6
Kids per day ...	0 0 0	0 0 0	0 0 0	0 0 0	0 3 0	0 3 0	0 3 0	0 3 0
Donkeys per head per day	0 0 0	0 0 0	0 0 0	0 0 0	0 4 6	0 4 6	0 4 6	0 4 6

NOTE—In severe famine years the actual cost of feeding should be paid.

