

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1416	Press
	62.63	~~Mis.~~
Dated	29-10-1917	

Not to be folded or roughly handled

1416

Fort St. George, Judicial Consultation, 29th October 1857.

No. 62. Read the following Extract from the Minutes of Consultation in the Military Department, dated 17th October 1857, No. 3646.

Read the following letter from the Adjutant General of the Army; to the Secretary to Government, Military Department, dated 14th October 1857, No. 1227.

SIR,

Regarding the treatment of Military Convicts and the apparent inapplicability to them of the rules laid down for other prisoners in Zillah Jails.

Dated 9th October 1857,
No. 183.

With advertence to Minutes of Consultation in the Judicial Department, dated 25th Ultimo, No. 1235, communicated to the Commander in Chief on the 3rd Instant, I have the honor, by order of His Excellency to forward for submission to the Right Honorable the Governor in Council, the annexed copy of Report from the Acting Judge Advocate General on the subject referred.

(Signed) W. G. WOODS, Lieut. Col.,
Adjutant General of the Army.

ORDER.—Communicated to the Judicial Department.

(True Extract and Copy.)

(Signed) C. A. BROWNE, Colonel,
Secretary to Government.

No. 183.

MEMORANDUM.

The Acting Judge Advocate General has the honor with reference to para. 8 of the Minutes of Consultation No. 1235, dated 25th September 1857, to make the following observations:

It has not been the practice in case of sentences by Military Courts, to issue any further Warrant of commitment, with a Soldier of the Native Army, than that specified in the second Clause of the 84th Article of the Native Articles of War.

It is therein directed that any Officer in charge of a Jail shall give effect to a sentence of imprisonment on the offender being delivered into his custody, and on his being furnished with a copy of the sentence by the Officer Commanding the Station or Regiment wherein the trial is held.

In all cases a copy of the sentence is furnished. It invariably sets forth the exact period of imprisonment to be undergone by the prisoner. The date of the sentence is given. On the copy is notified that the period of imprisonment commences from the date of the original sentence, the sentence commences on that date and terminates on the day of release.

All the information which could be afforded by the Warrant sought for by the Inspector of Jails is already supplied by the copy of the sentence, the authority given by the Legislature for the reception into Jails of prisoners sentenced by Courts Martial, and it is considered that the practice should not be disturbed without reference to the Government of India, who alone have the power to alter any of the provisions of the Native Articles of War.

J. A. General's Office, Fort St. George, } (Signed) W. H. WAPSHARE, Major,
9th October 1857. } *Acting Judge Advocate General of the Army.*

(A true Copy.)

(Signed) W. G. WOODS, Lieut. Col.,
Adjutant General of the Army.

No. 63. ORDER THEREON, No. 1416; dated 29th October 1857.

Ordered to be communicated to the Inspector of Prisons with reference to Extract Minutes Consultation 25th September 1857, No. 1235.

(Signed) E. MALTBY,
Acting Chief Secretary.

Exd. F. Cartledge.

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Grounds communicated to
the Inspector of Prisons with reference
to G. No. 25th Sept. 1857 No 1235.

Fort George, &
29 October, 1857-3

W. H.

Copy to Inspector of Prisons. Disposed of 4th 11