M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 131-132, 44-46 Press ~~Mis.~~

Dated 96-1-~~15~~ 1858

Not to be folded or roughly handled

No. 41. Read the following letter from the Honorable Sir CHRIS. RAWLINSON, Knight, Chief Justice of Her Majesty's Supreme Court; to the Right Honorable the Governor in Council, &c., &c., &c., Fort Saint George, dated 12th January 1858.

My Lord,

I have the honor to send herewith the Presentment made by the Grand Jury on the 7th Instant.

In the generality of the suggestions contained in it, I fully concur, I think however that the recommendation to increase the number of Wards for Europeans sentenced to long terms of imprisonment may be open to question; as neither the House of Correction, nor any Jail in the plains, can be in my opinion a proper place for the confinement of Europeans, whether sentenced to penal servitude for life, or for any period exceeding two years.

(Signed) CHRIS. RAWLINSON.

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1. In accordance with the suggestion made by your Lordship, a deputation from the Grand Jury visited the new House of Correction on the 6th Instant.

2. They find that most of the improvements suggested in the two Presentments which have been made since this building was adopted as a Prison either have been or are in course of being carried out. An outer wall 18 feet in height, which is being erected on the north and east side of the building is now nearly completed and will add materially to the security of the Prison as a place of confinement; with a view to the more effectual accomplishment of this object, the Grand Jury would suggest that four buildings which at present join the outer wall on the south and west sides should be detached from it, this may easily be effected by throwing down the wall for a few feet from the points where it joins the buildings in question and carrying it round them, leaving a space of a few feet between.

3. A supply of arms has been provided for the use of the Jail guard.

4. An extensive and substantial working shed has been erected in the centre of the yard, in which the prisoners, both European and Native, sentenced by the Supreme Court are worked daily. They are employed principally in rope making, but carpentering and smith's work have also been introduced.

5. It has been brought to the notice of the Jury that the salary sanctioned for the Jailor, viz., Rupees 35 per mensem, is insufficient to secure the services of a person possessing the necessary qualifications for this important office. At present, one of the Inspectors of Police has been placed by the Commissioner of Police in charge of the Prison and the person who receives the salary of Jailor is employed on other duty. This is obviously an unsatisfactory arrangement but it is one which the Commissioner states is unavoidable until a more adequate salary shall have been assigned.

6. The ventilation of the Prison has been much improved by the substitution of iron railed doors to the Wards for the wooden ones formerly in use. It is now all that could be wished for in this respect.

7. Four large and airy Wards for the accommodation of European prisoners sentenced to long terms of imprisonment have recently been erected. Each Ward is intended to hold two prisoners, and for this, the accommodation is ample. The Jury, however think it would be desirable to add to the number of these Wards with the view of providing for the contingency of an increase to the number of prisoners of this class, which, under present circumstances, seems not improbable.

8. The accommodation for European female prisoners appears to be ample.

9. The Jury learn that the erection of 22 additional single Wards for European male prisoners has been sanctioned by Government.

10. There is now a resident Apothecary in the Prison. No quarters, however, have been provided for this Officer, who at present occupies the Hospital; a portion of the building intended for female prisoners being used as an Hospital. The Jury would recommend that quarters should be provided for the Apothecary either in, or in the immediate neighbourhood of the Prison.

11. The number of night lights provided appears somewhat insufficient.

12. The Jury would remark in conclusion that the arrangements for the performance of Divine Service in the Prison, are defective. They learn that every other Sunday and once during the week, Divine Service is performed by one of the Chaplains of Vepery; but that on each alternate Sunday there is no Service at all. It is very desirable that provision should be made for the performance of Divine Service once at least every Sunday, in addition to the one weekly Service, and so long as there may be two Chaplains attached to the Church at Vepery, the Jury apprehend that there can be no difficulty in providing for this want.

(Signed) A. J. ARBUTHNOT,
Foreman.

(A true Copy.)

Grand Jury Room, 7th January 1858. (Signed) FREDK. ORME,
Deputy Clerk of the Crown.

No. 45. ORDER THEREON, No. 131; dated 26th January 1858.

1. Resolved that copy of paras. 2, 5 and 11, of the Presentment of the Grand Jury regarding the Madras Penitentiary, received with the foregoing letter, be furnished to the Commissioner of Police for report and for any observations and suggestions he may have to offer on the several points therein noticed; and, through the Ecclesiastical Department, of para. 12, to the Right Reverend the Lord Bishop of Madras, with a view to arrangements being made for conducting Divine Service every Sunday at the Penitentiary.

2. In regard to the suggestion of the Jury that an addition be made to the number of Wards for Europeans sentenced to long terms of imprisonment, it is observed that with the sanction of the Honorable the Court of Directors, arrangements are being made for the construction of a Penitentiary on the Neilgherries, capable of holding 100 prisoners, for the confinement of European Convicts from the several Presidencies.

Extract Minutes Consultation, 9th April 1857, No. 42.

Extract Minutes Consultation, 6th January 1858, No. 17.

3. Orders have also already been issued for the preparation of a plan and estimates for the erection of a suitable Bungalow with outhouses for the Apothecary attached to the Madras Penitentiary.

(Signed) T. PYCROFT,
Chief Secretary.

Ordered that the following letter be despatched.

No. 46. From Government; to the Honorable Sir C. RAWLINSON, Knight; Chief Justice of H. M.'s Supreme Court of Judicature at Madras, dated 26th January 1858, No. 132.

HONORABLE SIR,

1. We beg to acknowledge the receipt of your letter of 12th Instant, forwarding copy of the Presentment of the Grand Jury regarding the Madras Penitentiary; and, in reply, to transmit copy of the orders passed thereon, dated 26th January 1858, No. 131.

2. You will observe that arrangements are being made for the construction of a Penitentiary on the Neilgherries for European Convicts, and of a Bungalow for the Apothecary attached to the Madras Penitentiary. The other points noticed by the Grand Jury will be taken into consideration on the receipt of the report called for from the Commissioner of Police.

(Signed) HARRIS,
(,,) WALTER ELLIOT,
(,,) W. A. MOREHEAD.

Exd. F. Cartledge.

2

In accordance with the suggestion made by your Lordship, a deputation from the Grand Jury visited the new House of correction on the 6th Instant.

They find that most of the improvements suggested in the two presentments which have been made since this building was adopted as a prison either have been or are in course of being carried out. An outer wall 18 feet in height, which is being erected on the North and East side of the building, is now nearly completed and will add materially to the security of the prison as a place of confinement with a view to the more effectual accomplishment of this object the Grand Jury would suggest that four buildings which at present join the outer wall on the South and West sides should be detached from it. this may easily be effected by throwing down the wall for a few feet from the points where it joins the buildings in question and carrying it round them, leaving a space of a few feet between.

3. A supply of arms has been provided for the use of the Jail Guard.

4. An extensive and substantial working shed has been erected in the centre of the yard, in which the prisoners, both European and native, sentenced by the Supreme Court are worked daily. They are employed principally in rope making, but carpentering and Smiths' work have also been introduced.

5. It has been brought to the notice of the Jury that the salary sanctioned for the Jailor viz Rupees 35 per measem is insufficient to secure the services of a person professing the necessary qualifications for this important office. At present, one of the Inspectors of Police has been placed by the Commissioner of

of Police in charge of the prison and the person who receives the salary of Jailor is employed on other duty- This is obviously an unsatisfactory arrangement but it is one which the Commissioner states is unavoidable until a more adequate salary shall have been assigned-

The ventilation of the prison has been much improved by the substitution of iron railed doors to the wards for the wooden ones formerly in use- It is now all that could be wished for in this respect-

Four large and airy wards for the accommodation of European prisoners sentenced to long terms of imprisonment have recently been erected. Each ward is intended to hold two prisoners, and for this, the accommodation is ample- The Jury however think it would be desirable to add to the number of these wards with the view of providing for the contingency of an increase to the number of prisoners of this class, which, under present circumstances, seems not improbable-

The accommodation for European Female prisoners appears to be ample-

The Jury learn that the erection of 22 additional single Wards for European male prisoners has been sanctioned by Government-

There is now a resident Apothecary in the prison- No quarters, however, have been provided for this officer, who at present occupies the hospital; a portion of the building intended for female prisoners being used as an hospital- The Jury would recommend that quarters should be provided for the Apothecary Either in, or in the immediate neighbourhood of, the prison-

The number of night lights provided appears somewhat insufficient-

The Jury would remark in conclusion that the arrangements for the performance of Divine service in the prison, are defective- They learn that every other Sunday and once during the week, Divine service is performed by one of the Chaplains of Vepery, but that on each alternate Sunday there is no service at all. It is very desirable that provision should be made for the performance of Divine service once at least every Sunday, in addition to the one weekly service, and so long as there may be two Chaplains attached to the Church at Vepery, the Jury apprehend that there can be no difficulty in providing for this want-

A. J. Arbuthnot
Foreman

Grand Jury Room,
7th January 1858-
E. I. P.

A True Copy
Fred K. Auel
Clerk of the Crown-

4

Judicial Department.

No. 131

Extract from the Minutes of Consultation

Dated 26th January 1858.

Read the following Letter from the
Chief Justice of H.M. Supreme Court
(then entered 12th January/58)

4

1. Resolved that copy of Paras. 2, 5 and 11 of the Presentments of the Grand Jury regarding the Female Penitentiary, received with the foregoing letter, be furnished to the Commissioner of Police for report and for any observations and suggestions he may have to offer on the several points therein noticed; and, through the Ecclesiastical Department, of Paras 12, & the

Right Rev. the Lord Bishop of Madras, with a view to arrangements being made for conducting Divine service every Sunday at the Penitentiary.

2. In regard to the suggestion of the Jury that an addition be made to the number of rounds for Europeans sentenced to long terms of imprisonment, it is observed that, with the sanction of the Honble the Court of Directors, arrangements are being made for the construction of a Penitentiary on the Nilgherries, capable of holding 100 prisoners, for the confinement of European Convicts from the several Presidencies.

3. Orders have also already been issued

Ulk 6 April/57 No 421

Ulk 6 Jany/58 No 17.

5

issued for the preparation of a Plan and Estimates for the erection of a suitable Bungalow with outhouses for the Apothecary attached to the Madras Penitentiary.

4. Ordered that the following letter be despatched

To

The Honble the Chief Justice of
H. M. Supreme Court

(Here enter No 132)

Copy to Court of Police Dispd 29th
" Exec. Dept ~~with similar~~ Dispd 28th.
" ~~Chief Secretary's Office~~

Dispd 29th

4

Judicial Department

No. 132

To

The Honble the Chief Justice

of H.M. Supreme Court.

Honble Sir,

I. be beg to acknowledge the receipt of your letter of 12th inst forwarding copy of the Presentment of the Grand Jury regarding the Madras Penitentiary, and in reply, to transmit copy of the orders passed thereon dated 26th Jany/58 No 231.

2. You will observe that arrangements are being made for the construction of a Penitentiary on the Nilgherris for European convicts, and of a Bungalow for the Apothecary attached to the Madras Penitentiary. The other points noticed by the Grand Jury will be taken

Ex. Proc. 25th January/58
Judicial 185 Department

No. 131

Extract Mins. Cons.

Dated 25th January/58

F. A. Hallows

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Madras:—Printed at the Government Press.

C2 Vol
R25

In Cons. 26th January 1858
Judicial 1858. Departt.

No 132.

To The Hon'ble Sir C. Rawlinson
Chief Justice of
H.M's Supreme Court
of Judicature
at Madras.

Dated 26th January 1858.

Rec'd 30 Jan/58

Petition of Jn Stephen Rennie
& Walter Elliot
Praying
for the issue of a Writ of
Certiorari to bring up the
proceedings of the Commissioners
of Police.

with consideration on the receipt
of the writ sued for from the
Commissioners of Police.

44 @ 46

C24 dup
025.