

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	830	Press
	59	~~Mis.~~
Dated	21-6-	1908

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 22nd June 1858.

No. 59. To HENRY FORBES, Esq., Member for Madras of the Legislative Council of India; dated Fort St. George, 21st June 1858, No. 830.

SIR,

I am directed by the Right Honorable the Governor in Council to forward, for your information, the accompanying copy of the remarks of the Inspector of Prisons on the Bill for "making further provision for the removal of prisoners" now before the Legislative Council.

(Signed) T. PYCROFT,
Chief Secretary.

Not to be printed

Memo. by the Inspector of Prisons.

A
BILL

TO

Make further provision for the removal of
Prisoners.

*S. XVIII No. VIII 1802 and S. VIII No. XV
of 1802 imply a power to transport
only in case of Convicts for life,
whether an order of the Judge
Drawn out after sentence is passed,
(at any period) would be legal is not
clear.*

WHEREAS, by the laws in force, the Ex-
ecutive Government of
any Presidency or place
is authorized to order the removal of any
person under sentence of imprisonment,
from the prison or place in which he is con-
fined, to any other public prison or place of
confinement within the same Presidency or
Government; and whereas it is expedient
to make provision for the removal of pri-
soners in certain cases beyond the limits of
the Presidency or Government in which the
place where such prisoners are confined is
situate: It is enacted as follows:—

I. Whenever it shall be judged neces-
sary for the safe custody
of any person, who has
been convicted of any
heinous offence and sen-
tenced to imprisonment
for life or for any term
exceeding three years, that such person
should be removed to some place of con-
finement beyond the limits of the Presi-
dency or Government within which he is
confined, it shall be lawful for the Governor
General in Council, or for the Executive

Executive Govern-
ment empowered to re-
move certain Prisoners
beyond the limits of
the Presidency or Go-
vernment within which
they are confined.

*Though the instances
in this Presidency of Con-
victs sentenced to 3 years
and under even being danger-
ous I see no objection
to the Act. Transportation
is no longer what it was
to*

Government of the Presidency or place
with the sanction of the Governor General
in Council, to order the removal of such
person from the prison or place in which
he is confined to any other prison or place
of confinement within the territories in the
possession and under the Government of
the East India Company.

II. Any prisoner who, previous to the
Past removals so passing of this Act, shall
made, legalized. have been removed in
manner aforesaid from any prison or place
of confinement to any other prison or place
of confinement in the said territories, shall
be held to have been lawfully removed.

to the native idea and
our own opinions in
regard to it are very
different from what they were

In reality transportation
is a boon to any prisoner
who is really imprisoned
unless my information is
incorrect.

If prisoners so transported
be liable to punishment for
escape I think this should be
stated. Under Clause 3 of the
Act of 1803 death is the penalty
for return from transportation
for life. I think of no other
penalty except that provided by
the Act of 1822 of the Madras
Code and there not here for the
local Government may have pro-
vision for the offence, for I
suppose it is not an offence at
present in Madras to have
escaped at long a piece of paper

under Act XV of 1803 which ap-
plies to life convicts only.

[Signature]
Inspector of Prisons

Legislative Council of India.

Removal of Prisoners.

A
BILL

TO
Make further provision for the removal of Prisoners.

(Prepared and brought in by Mr. Currie.)
READ A FIRST TIME ON THE 15TH MAY 1858.

Price 2 Annas.

Dispt 24th
with a Printed Bill.

Successor Department

1830.

To Henry Forbes Esq
Member, for Madras, of the Legislative
Council of India.

Sir,
I am directed by the Right
Honble the Governor in Council
to forward, for your information,
the accompanying copy of the
remarks of the Director of Prisons
on the Bill for "making further
provision for the removal of
Prisoners" now before the
Legislative Council.

H
J. M.

In 6th Dec 1830,
21st June, 1830.

J.P.

Director of Prisons } Dispt 24th
or information.

C15 June
219^a

Witness of Secretary
Prison, on a Bill to make
further provision for the
removal of Prisoners.

W. G. B.

Original 1830 Department
of Prisons
J. M. & Director of Prisons
to the Secy. Secretary & the Secy
for the Secy
Dispt 10th
Dispt 15th June 1830.

Chas. H. Jones, Esq., June
Judicial 1838 Sept 19th

No 830

To
Messrs. Foster & Son
Merchants for the sale of the
Legislative Council
of British

at 109 Prince St.

Forwarding copy of
the Journals of the Legislature
of the Province of the British
North America for the year
1838 for the use of the
Legislative Council.