M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1585 Press Mis.

5-6

Dated 21—11— 19-1879

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of November 1859.

No. 5. Read the following letter from Major W. J. WILSON, Acting Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th November 1859, No. 151.

1. With reference to the Government Order of the 4th Instant, No. 1490, I have the honor to submit the following observations.

2. Prisoners confined in the Grand Jail may be divided into five classes.

1st. Those imprisoned for life.

2nd. Those under sentence of transportation who remain until provided with a passage.

3rd. Those sentenced to simple imprisonment.

4th. Those committed by the Magistrates in default of sureties for their good behaviour.

5th. Those committed by the Magistrates for trial at the Sessions.

3. For sometime past it has been the invariable practice for the Judges to send all prisoners sentenced by them to hard labour, to the Penitentiary.

4. On the 15th of this month there were only ten Convicts in the Grand Jail, viz:

Imprisoned for life	1
For shorter periods	3
Sentenced to transportation	6
	10

5. The great majority of persons imprisoned in the Grand Jail therefore consists of those who have been committed for trial; and as the Criminal Sessions are held every three months, the imprisonment of such persons cannot exceed that period except when a case is traversed to the next Sessions, which rarely occurs.

6. I herewith forward a Statement shewing the number of prisoners so committed during each fortnight between Sessions and Sessions for the year 1859, which will give a sufficiently accurate idea of the time they are confined before trial.

7. All such persons being by Law in the custody of the Sheriff, I imagine that it would be necessary to place that Officer in charge of the Penitentiary in event of its being intended to transfer all prisoners thereto, but in all probability the Commissioner of Police would feel unwilling to lose control over all prisoners sentenced by the Magistrates, and whom he is now able to employ in a variety of ways for the public advantage.

8. Moreover, if the locality of the Grand Jail is deemed objectionable for Criminals, it must also be unsuitable for Civil Debtors, who have at least equal claims to consideration. The Penitentiary could not afford sufficient accommodation for all these prisoners, and it is not at all adapted for the safe custody of Europeans sentenced to imprisonment for life.

9. I therefore beg to suggest that prisoners for life, as well as those sentenced to imprisonment for any long period, be sent to such Jails in the Mofussil as may be approved of by Government, and that persons committed for trial be sent to the Grand Jail as heretofore.

10. It may not be out of place to call to mind that the Penitentiary itself was strongly objected to on the score of the supposed insalubrity of the situation, and that it remained in an unfinished state for several years in consequence.

11. The matter in question being one of considerable inportance, I venture to propose that it should not be decided until the return of Colonel Boulderson, in order that he may have an opportunity of stating his views regarding it.

Statement shewing the number of Prisoners committed by the Magistrates during each fortnight between the last Sessions of 1858 and last Sessions of 1859.

	Number of Prisoners committed during the first fortnight after the Sessions.	Number of Prisoners committed during the second fortnight.	Number of Prisoners committed during the third fortnight.	Number of Prisoners committed during the forth fortnight.	Number of Prisoners committed during the fifth fortnight.	Number of Prisoners committed during the last fortnight before the Sessions.	Total.
Prisoners tried at the 1st Sessions of 1859.	4	2	6	5	10	3	30
" " 2nd " "	3	5	3	6	3	10	30
" " 3rd " "	2	2	5	10	4	2	32
" " 4th " "	3	4	4	11	...	20	42

Madras,
17*th November* 1859.

(Signed) W. J. WILSON,
Acting Commissioner of Police.

No. 6. ORDER THEREON, 21st November 1859, No. 1585.

The Government will await the expression of Colonel Boulderson's views on the subject of the above letter on his return to Madras.

They would wish for a return of the total number of prisoners now confined in the Grand Jail, under the three heads—1. Committed for trial or in default of security—2. Convicted—3. Civil debtors, Europeans, East Indians, and Natives, being given separately under each class.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Order thereon 21 November 1859. No 1585. -2-

List

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To the Comr of Police

Colonel Boulderson

Long period he visit to the Hills in the Nilgherries

The matter enquired into being

Written order.

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I therefore beg to suggest that Prisoners for life, as well those sentenced to imprisonment any long period, be sent to the Gaols in the Mofussil as may approved of by Government, and that persons committed for trial be sent to the Grand Jail at Calcutta.

10 It may not be out of place to call to mind that the Penitentiary itself was strongly objected to on the score of the unhealthiness of the situation, and that it was ordered in an unfurnished state for

3. Civil debtors, Europeans, East Indians, and Natives, being given separately under each class.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

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Pres. 10th Nov. 1859 & 31 Jan 1832

List of 5th Dec.

Judl. Letter Dated 6th April
No. 13 of 1860.

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Pres. of Govt. 30 June

Judicial 1859 Dec. 5

From
Major H. P. Malleson
Commissioner of Police

To J. Pycroft Esqre
Chief Secretary to Government
Fort St. George

Dated 17th
Rec'd } November 1859.

No. 151

No. 1902 Encls. One

With reference to the order of Govt. 4th Inst. No. 11490 submits certain observations respecting the Prisoners in the Grand Jail being transferred to the Penitentiary, forwards a Statement showing the No. of Prisoners committed each fortnight between the sessions of the Grand Jury & suggests that Prisoners for life & those sentenced to long period be sent to the Jails in the Mofussil the matter requiring consideration

Wilkinson order

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seems of considerable importance & should not be decided until the return of Colonel Borradaile