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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 786. 787 Press

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, from 1st to 10th June 1853.

No. 14. Extract Consultation, Extract from the Proceedings of the Government of India, in the Foreign Department, under date the 16th May 1853, No. 2567.

From C. BRUCE, Esq., Secretary to the Government of India, to R. H. DAVIES, Esq., Secretary to the Government of Fort St. George, dated Fort William, the 16th May 1853, No. 2567.

I am directed by the Governor General in Council to acknowledge the receipt of your letter No. 124, dated the 28th February last, submitting for the consideration of the Government of India, a correspondence relative to the admission of Natives on to Juries.

2. It appears that in August 1852, Mr. F. H. Stevenson, on behalf of the Associated Missionaries of Southern India, applied to the Deputy Commissioner there (Mr. Prinsep) "to solicit their wishes on the subject of the Government Order for the purpose of being made the groundwork and extension of such a system throughout the Province of Tinnevelly. Mr. Stevenson stated his belief, that in the Central Jail at Palamcottah, the Gospel had in some instances been conveyed to the prisoners by confidential servants, and by the aid of Christian books and tracts, and that a few had secretly been placed within the reach of the prisoners at Cooperaumalle. He asked the question whether the Missionaries might have access at Early Hours to the Sentenced Jails" and "whether the Missionaries might not be allowed a quarterly opportunity of proclaiming the Gospel among men who, from their circumstances, might be disposed to listen and profit by it."

3. Mr. Stevenson also asked whether the Missionaries could have permission either to raise a Christian "or a mutually preferred text the Catechism, for the purpose of preaching to the Natives of that area who are duly sentenced to labour," or "to preach within the Government enclosure without a platform."

4. On the 8th December, Mr. Primsep forwarded Mr. Stevenson's letter to the Visiting Committee, Mr. Chief for opinion, stating that he was not, at present, disposed to grant the permission sought, but that the Committee, on the 26th November, promptly refused permission, observing that the practice of assembling Missionaries to preach to the Convicts had been introduced in the Salem Central Jail, and in other parts of the Salem Division.

5. On the 20th January, however, Mr. Chief sent the correspondence for the perusal of the Judicial Commissioner, observing that when employed as a District Officer in the North Arcot Province, he (Mr. Chief) had been in the habit of admitting Missionaries to the Jails that it had been a custom, he now thought the practice one which could not be forgotten.

6. On the 25th February, the Judicial Commissioner (Mr. Thornton) submitted the papers to the Government, observing that though he condemned the compulsory attendance of Convicts at Christian Classes of the preaching of the Christian Clergymen, yet he questioned the propriety of entirely excluding Missionaries from the Jails, and so preventing the Convicts from receiving at proper seasons such religious instruction as they might require. Mr. Thornton recommended that Missionaries should be allowed to visit the Jails and to preach to such, and such only of the Convicts as might wish to hear them.

7. The subject was then referred by the Lieutenant Governor to the Financial Commissioner (Mr. Hallett) who, on the 21st February, expressed a wish that gentlemen of character and the Judiciary in charge with the Jail might be allowed to do so, but that unless the existing system of Government, no private gentlemen could be allowed to be Missionaries, or the would assume the Office of Government, in their official character, to exercise any such functions of Missionary duties. Mr. Hallett, however, proposed the appointment of a Committee of Missionary the superintendency of communicating to those who wish to receive it, religious instruction, the Government to dispose for the withdrawing of the Gospel from him, and took the opportunity of proposing to discuss the question whether the Government should not be prepared to grant to Christian Government and Missionaries a site for a place of worship within the Jail enclosure, to be used by Convicts who may be willing to attend it, and by such persons as may be employed in the Jail, and to which the Convicts may be conducted by a guard, when the Government shall be prepared to do so.

8. In proposing the above scheme, the Lieutenant Governor has expressed his opinion that the number of Missionaries who would be willing to avail themselves of the

[illegible] that Missionaries should be allowed to [illegible] prisoners should not be "[illegible]" [illegible] Gospel preached [illegible] Natives [illegible] Missionary [illegible] should be allowed, as they have [illegible] allowed [illegible] it may be [illegible].

9. The Lieutenant Governor would not allow the Missionaries to erect a platform for preaching near the Cutcherry, thinking it sufficient that they are at liberty [illegible] preach to the people.

10. The Governor General in Council [illegible] Commissioners of the Punjab.

11. The chief arguments [illegible] the admission of Missionaries to preach in Jails [illegible] to be [illegible]. On this, His Excellency in Council [illegible] Jail, and that although in practice [illegible]

12. [illegible]

13. In the opinion of the Governor General in Council [illegible]

14. His Excellency in Council [illegible]

15. I am therefore directed to state for the information of the Lieutenant Governor [illegible]

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16. The Governor General in Council entirely approves of the late Lieutenant Governor's [illegible] the Missionaries from erecting a platform for preaching in the Cutcherry premises.

17. In conclusion, I am directed to annex in the margin, copy of a Despatch on this subject, addressed by the Honorable Court of Directors to the Government of Madras, No. 6, dated the 2nd April 1845, and to remark that the question relating to the policy of Government in matters connected with religion has been very inconveniently raised in connection with the subject [illegible] in Officers in the position of some of the [illegible]

JUDICIAL DEPARTMENT

No. 6 of 1845.

[illegible] IN COUNCIL AT FORT SAINT GEORGE.

[illegible]

We are, &c.,
(Signed) [illegible]

London,
The 2nd April 1845.

[illegible] local administration, may be entirely [illegible] and repressed.

I have, &c.,
(Signed) C. BEADON,
Secy. to the Govt. of India.

[illegible] that a copy of the above letter be sent to the Home Department, for information and communication to the said Government.

(Signed) R. SIMSON,
Under Secretary to the Government of India.

No. [illegible]

[illegible] Fort Saint George, North Western Provinces [illegible] for information and guidance.

By order,
(Signed) R. H. CHAPMAN,
Under Secy. to the Govt. of India.

Fort William,
The [illegible] May 1855.

No. 44. [illegible] dated 1st June 1855.

[illegible] and recommend that a copy of [illegible] that we take the same view of this important [illegible] and that he will be expected to follow [illegible] The [illegible]

(Signed) C. E. TREVELYAN.

No. 45. [illegible], 1st June 1855, No. 753.

[illegible] the Government of India forward copy of a letter, 19th May [illegible] to the Government of Punjab, conveying an expression of their views on the subject of the admission of Missionaries into Jails.

Proceedings of the Madras Government, Judicial Department, from 1st to 10th June 1859.

2. Resolved that a copy of the letter be furnished to the Supreme Government of India with the intimation that the Honorable the Governor in Council takes for some time of the employment and delicate subject on the Supreme Government. Mr. Bayley will be expected to follow the line of conduct prescribed, and to forbear from all Offices in his Department.

(Signed) T. PYCROFT,
Chief Secretary.

No. 62. To the Secretary to the Government of India, dated Fort St. George, 5th June 1859, No. 235.

I am directed by the Honorable the Governor in Council to acknowledge the receipt of the Proceedings of the Supreme Government, 19th May last, No. 2527, forwarded under the endorsement in the Home Department, 16th May, No. 991, on the subject of the employment of Missionaries into India.

2. In reference to the Despatch from the Honorable Court, quoted in the margin and para 17 of the letter under acknowledgment, I am instructed to observe, that the employment of Missionary agents into India was again brought before Government by the Supreme Council of India, in the letter 20th June 1857, No. 231, in connexion with the question of the secular and moral training of Convicts, but that in accordance with the rule which has been long established in the Presidency, it was determined to treat Orders that the Government would not favor any attempts at proselytizing, and only expressed their disapproval of the continuing to advocate the subject, after it had been fully considered and formally condemned.

Fort St. George, 19th July 1859, No. 2527.

3. The Supreme Council of India has been furnished with a copy of the present letter, containing an expression of the views of the Supreme Government on the employment and discussion of the subject, and it has at the same time been intimated that the Government of the same views, and will expect Mr. to follow the line of conduct prescribed, and to forbear from all Offices in his Department.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial.

No. 2527

To the Secretary to the Govt. of India.

Sir,

I am directed by the Honble the Governor in Council to acknowledge receipt of the proceedings of the Supreme Govt. 19th May last, No. 2527, forwarded under endorsement in the Home Department, No. 991, dated 16th May last, on the subject of the employment of Missionaries into India.

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that-

Excelsior Cons: 17 July 1857
No. 545.

in accordance with the rule which has been long standing in this Court, that no Counsel shall favour any attempt at personality in, & they expressed their disapproval of his continuing to address the Court, after the Petitioner fully considered & formally condemned.

3. ——— The Inspector General of Gaols has furnished the Court with a copy of the Journal & the, containing an expression of the views of the Supreme Court on this important & delicate subject, & also of the opinion that this Court take the same views, & will endeavour to follow the line of conduct prescribed, & indicate in all its decisions, this department.

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