M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 15	Press Mis.
24-26	
24-26	
Dated 5. 1. 1860	19 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of January 1860.

Read the following papers:—

No. 24. From Major W. J. WILSON, Acting Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 30th November 1859, No. 156.

With reference to the Order of Government, No. 1585, dated 21st instant, Judicial Department, I have the honor to forward the return therein called for.

Return shewing the total number of Prisoners now in confinement in the Grand Jail.

Committed for trial or in default of security.				Convicts.				Civil Debtors.			
Europeans.	East Indians.	Natives.	Total.	Europeans.	East Indians.	Natives.	Total.	Europeans.	East Indians.	Natives.	Total.
...	...	6	6	4	...	6	10	1	4	33	38

MADRAS, POLICE COMMISSIONER'S OFFICE, *20th November* 1859.

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

No. 25. From Colonel J. C. BOULDERSON, Commissioner of Police; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 22nd December 1859, No. 164.

1. In accordance with the Orders of Government under date 17th ultimo, No. 151, Judicial Department, I have the honor to submit my views respecting the proposed transfer of the prisoners and Convicts from the Grand Jail to the Penitentiary and to give in margin copy of a Return which shews the number of persons that were in confinement in the former building on the 30th day of last month, divided into three classes.

Return shewing the total number of Prisoners now in confinement in the Grand Jail.

Committed for trial or in default of security.				Convicts.				Civil Debtors.				Grand Total.
Europeans.	East Indians.	Natives.	Total.	Europeans.	East Indians.	Natives.	Total.	Europeans.	East Indians.	Natives.	Total.	
....	.....	6	6	4	....	6	10	1	4	33	38	54

1st Class.—Persons committed for trial or in default of security.

Accommodation can be provided for prisoners of this class in the Penitentiary. If transferred, they must be kept separate from the Convicts, and in order to secure that object, it may be necessary to make a slight alteration in the ward situated at the North West angle of the premises, which is now available for their reception, and to transfer with them 1 Naigue and 5 Peons to provide a Sentry for the new ward.

With respect to prisoners of this class, it may however be advisable to ascertain the wishes and views of the Honorable the Judges of the Supreme Court before any orders are given, as it is possible they may be opposed to the transfer.

2nd Class.—Convicts.

I see no objection whatever to all convicted prisoners, European and Native, being transferred to the Penitentiary.

3rd Class.—Debtors.

do not include the expenditure of one

As the Law now stands, all prisoners of this class are under the charge of the Sheriff, and that officer must have charge of the building in which they are confined. Before the transfer of this class into the Penitentiary is made, suitable buildings must be erected for their accommodation, on, or near that building; at present there is none.

1 *Daffadar Major.*	2. The strength of the Police Guard now on duty at the Grand
2 *Daffadars.*	Jail is noted in margin, if reduced by the transfer of 1 Naigue and 5
1 *Naigue.*	Peons, as above recommended, a very large body will still remain to
28 *Peons.*	provide for the safe custody of the debtors.
32 *Total.*	

No. 26. ORDER THEREON, 5th January 1860, No. 15.

Before passing Orders relative to the transfer to the Penitentiary of the persons now confined in the Grand Jail who have been committed for trial or in default of security, the Honorable the Governor in Council desires to know exactly what, if any, would be the cost of the "slight alteration" referred to by Colonel Boulderson, which would have to be made in the ward available for their reception, as also to be informed explicitly whether any other expence of any kind would be involved by their transfer, and if so, what that expence will be.

2. The Government infer that no extra expence will be entailed by the transfer from the Grand Jail to the Penitentiary of all convicted prisoners, European and Native, and if this is the case, the transfer may be made at once. If otherwise, the expence attending the transfer of this class of prisoners should also be stated.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

...ances of the Madras Government. Jud...

Memorandum of the European Criminal Prisoners in Her Majesty's Gaol — on the 24th December 1859.

When Received	Names	Charges	Sentences	Time Expired
1857 May 12th	Patrick McDonald	Sentenced General Court Martial for Embezzlement	Sentenced to be Imprisoned for the period of Three Years	Time Expires on the 6th April 1860 —
1858 February 3	John Hankins —	Manslaughter	To be Imprisoned in the Common Gaol of Madras for the Term of Two Years	Time Expires on the 14th April 1860 —
1855 August 26 / 1858 December 14	Martin Murphy —	Intent to murder — returned from Palamcottah	For Transportation beyond Seas to such Place as Her Majesty may Appoint for the Term of his Natural Life —	
1859 October 2	Donald Laurence	Sentenced General Court Martial for an Assault	To suffer Imprisonment in the Common Gaol of Madras for a period of Two Years approved & Confirmed but Limit 18 months of the Imprisonment awarded	Time Expires on the 1st April 1860 —
December 21st	Patrick Mahoney —	Sentenced General Court Martial for disgraceful Conduct, of a felony Nature	To Suffer Penal Servitude for the Term of Four Years be Transported to such Place or Colony as Her Majesty may be pleased —	Time Expires on the 20th December 1863 —

Her Majesty's Gaol
Madras
27th December 1859

H. Gibbs
Keeping Her Gaol

Exd. F. Cartledge.

Exd. F. Cartledge.

Medical Dept

Memorandum.

From the Commissioner of Police
dated 22d Decr 1859. No 611

With his letter of 26th Octr.
last the Director General of
Medical Dept forwarded an
extract from a report of the
Inspector General of Hospitals
on the Jails at Madras. The
Inspector strongly denounced
the Grand or Supreme Court
Jail in Black Town as
utterly unsuited for its pur-
pose and recommended that
all its inmates should be
transferred to the Penitentiary
The Director General supported
this recommendation.

I concur in the views taken
in this Memorandum. I have
carefully inspected both Jails.
The Penitentiary is a commodious
airy Building while the
in Blacktown is built
as if purposely to exclude
the air. [illegible] 31/Dec 59.

G.O. 4 Nov/59
No 1490

2. The proposal was
referred to the Acting Com-
missioner of Police for his
remarks.

I do not object if the
Inspector Genl does
not recommend

From
the Expenditure of one

Inspection of Prisoners - Jail
Objects most thoroughly
There is no [illegible] Dec/59.
Inhabitants no Locks
In the Doors for Prisoners
2 Prisoners [illegible]
Prisoners that Case for
by the Superintendent
of Prisons - Every day
Most unsatisfactory
Monthly Visitation of
Visiting Justices of
the Peace Daily
Inspection by
Prisoners [illegible]
Prisoners [illegible]
Confined [illegible]
Mr Moorhead
I shall [illegible] Correct in
[illegible] Remarks
[illegible]
[illegible] 59.

3. From the reports of Major Wilson and Colonel Boulder. now it seems that all prisoners sentenced by the judges of N. M. Supreme Court to hard labor are sent by them to the Penitentiary

4. The parties now confined in the Grand Jail may therefore be divided into three classes. —

Those committed for trial or in default of security.

Convicts, being, for the most part, persons awaiting sentence of transportation.

Civil Debtors.

5 The number of parties under the first class varies according as the Quarterly Sessions are more or less near; but even in the fortnight preceding the Sessions will not be more than from 30 to 40. At present there are only 6. —

6. Colonel Boulderson states that accommodation can't be provided for this class in the Penitentiary. If transferred they must be kept separate from the Convicts, and in order to secure that object it may be necessary to make a slight alteration in the Ward situated at the North west angle of the premises, which is now available for their reception, and to transfer with them 1 Navigue and 5 Peons to provide a Sentry for the new Ward. He suggests however that it may be advisable to ascertain the wishes and views of the Hon. the Judges of the Supreme Court before any orders are given, as prisoners now under committal are in the Eye of the Law in the custody of the Sheriff. —

7. Under the second class there are now only ten - viz,

6 Natives under sentence of transportation.
4 Europeans.

Of these four, one Martin Murphy is sentenced to penal servitude for life. On

On the ground of his health failing, he was sent last year to Ootacammund where he gave so much trouble that in the absence of a suitable place of confinement or proper means of coercion there, it was found advisable to send him back again. On his return to Madras, he should have been confined in the Penitentiary which has been declared by the Supreme Govt under Act XXIV of 1855 to be, until further orders the place in the Madras Presidency where persons sentenced to penal Servitude are to be imprisoned. For some reason however, which I do not now recollect, he was sent back to his old place of confinement. the Grand Jail.—

When the Ootacammund new Jail is finished all prisoners of this description -i.e. all sentenced to imprisonment and penal servitude

Notifications: Calcutta Gazette 10 January 1857. Page 47.
Fort St George Gazette 3rd Feby Page 186

* 3 years from 7 April 1857 for embezzling Govt money - Rs 8.
* two years from 15 April 1858 for an assault
§ Six months for an assault.

servitude under Act XXIV. 18 will be sent there -

The sentences of the others, Patrick M'Donald, John Hawkins and Donald Lawrence will expire in April next.

Colonel Boulderson says that he sees no objection to all convicted prisoners, European and Native being transferred to the Penitentiary. This therefore may be done at once.

8. There are now 38 Convicted Debtors in the Grand Jail.
1 European.
4 East Indians.
33 Natives.

9. They have presented a petition praying for certain reasons assigned that they may not be removed to the Penitentiary

10. In respect to these Prisoners the Commissioners of Police says-

"As the Law stands, all Prisoners of this Class are under

under the charge of the Sheriff, and that Officer must have charge of the building in which they are confined.— Before the transfer of this Class into the Penitentiary is made, suitable buildings must be erected for their accommodation, on, or near that building. At present there is none.

11. The establishment at present employed at the Grand Jail is

	Rs
Gaoler	150 p.m
Deputy	87½
Establ.t of Felons Jail	24. 5. 7.
Do of Debtors	42. 2.

Besides the Guard kept there and supplied from the Madras Police Force.—

12. It seems to me that all these prisoners, except the Civil Debtors, might at once be removed to the Penitentiary, and the Grand Jail be thenceforth used as a Civil Prison only. Reference might, as suggested by Colonel Boulderson, be made to the Judges in respect to the Committed Prisoners but they are not likely to object.—

13. If this be done the Naique & five Peons referred to by Colonel Boulderson and forming as I suppose a part of the regular Madras Police may, as proposed by him be withdrawn from the Grand Jail to the Penitentiary. The Commissioner of Police might be requested to report in communication with the Sheriff what reduction could be effected in the Jail Establishment proper as given above in para 11.

J.P.—

Civil Auditor's Manual
Chap VII. P. 51. 52.

Proceedings of the Madras Government

Dated 5th January 1860

No. 15

Judicial Department

From Chas. Huxley Esq.
Acting Commissioner
Nellore
Dated 22nd December
1859

Received 30th December 1859

Registered & Recorded

Submits a Petition from
Kistnamah Naidoo
Complaining of the
Conduct of the Police
Officers employed in
Searching for Stolen
Property

Referred to the Superintendent of Police

Rec'd 13th January 1860

Judl. Letter Engd. 6th
April No. 13. 1860

Proc. of Govt. 10th January.
Judicial 1860 Depart.

No. 15

Proceedings of Govt.

Dated 5th January 60.
Ord. No. 217.

by Lt Boulderson
which would have
to be made in the
Ward available
for their reception —
as also to be informed
explicitly whether
any other expence of
any kind would
be incurred by their
transp — and if
so what that expence
will be —

2. That for which the
no extra expence will
be entitled by the
transports on the
grand suit to the
Penitentiary of
all convicted prisoners
Lunatics & Natives —
and if this is the
case the transp

may be made at
once — If otherwise
attending the
the expence of the
transp of Irish
class of prisoners
should also be
stated —

Commissioners of Police
Straits of Madras

Dispatch

GPS

116 2 48 6