M.R.O. 1—39,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 864 Press
55-56 Mis.

Dated 1/7/1880 19 .

313

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 11th July 1860.

No. 55. Read the following letter from E. B. THOMAS, Esq., Collector and Magistrate of Coimbatore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Coimbatore, 28th June 1860, No. 32.

1. Though unwilling to trouble Government with references, if I can avoid it, I have no other course open to me on the present occasion, as I have appealed to the Inspector General of Jails in vain.

Mr. G. Bird.
Mr. Roupell.
Mr. Ward.

2. I have for 10 years, with the concurrence of 3 Session Judges, directed, usefully and carefully, the convict labor at Coimbatore; no one else caring to take that trouble. There is not a tank bund, or road, or other public work in or near Coimbatore, that has not been so repaired or improved under me. The whole of the convicts have been lately, *suddenly* and *entirely*, removed from me, leaving several half finished works on my hands, and the prisoners entirely employed under the Engineer.

3. To their being worked by the District Engineer I make not the *slightest* objection, though I believe it is likely to last two years, on a project, which I think both unadvisable and needless, but *that* I have referred to the Chief Engineer, and it does not touch the point I am now desirous for orders upon. I desire only to know, 1st, whether as Magistrate and Collector, with many useful works on hand, to which the District Engineer has not time to attend, I am not *entitled* to ask for a *portion* of the convicts; and, 2ndly, whether I am not at liberty, provided all Jail and Police Rules are carefully attended to, to use such convicts on such public work as my own discretion and judgment may direct.

I asked, very moderately (after having had the whole for 10 years), only one gang of 36 out of 276.

4. With the *discipline* and *guarding* of the convicts, of course I have *nothing* to do. I distinctly said to Mr. Rohde I would conform to any Rules the new Police required, but as I have always kept up the station roads, with the District Engineer's concurrence, and done many other most useful works here, I think I am *entitled* on *public grounds* (leaving all local and personal ones out of the question) to have, as hitherto, the aid of at least a *portion* of the large body of convicts now in the Jail; and that I may be safely entrusted with working them, usefully. I do consider that the Inspector General of Jails has acted hastily, and treated me very uncourteously, in removing them in the way he has done; but I waive all personal discussion, and only request Government orders on the two points asked above.

In which he still concurs.

5. To show that I have previously appealed to Mr. Rohde, I add an extract from a correspondence on the subject.

Extract of a letter from the Magistrate, to the Session Judge of Coimbatore, dated 14th May 1860, No. 114.

* * * *

9. In reference to the Inspector's last paragraph 23, and your own letter No. 15 under reply, I do request (unless the Inspector see fit to modify his proceedings) a reference to Government, as requested in my former letter to you, on three points; 1st, whether, as Magistrate and Collector, I am not entitled to at least a portion of convict labor in the station (I asked only 36 out of 276), I undertaking to work them under the new Police Rules, and having *nothing* to do with their discipline; 2nd, whether if so allowed, I may or may not use my own discretion as to what public work best to employ them on, and, 3rd, whether Government deem the sanatory cleansing of a large populous town an unfit work for convicts.

10. I am always averse to trouble Government with any lengthy or personal reference. If the Inspector will simply refer these three points, as I put them, I shall be obliged, and it is all

that is necessary I think in *fact*, if the Inspector goes beyond the simple reference and enters further into the matter, *then*, in justice and fairness, I request that copies of the whole correspondence may go up.

(True Extract.)

(Signed) E. B. THOMAS,
Collector.

No. 56.

ORDER THEREON, 11th July 1860, No. 864.

Resolved that the Collector and Magistrate of Coimbatore be referred to the Orders passed by Government under date 27th ultimo, No. 804, upon the subject of his letter, on a reference made by the Inspector General of Jails—which orders he will consider final.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. S. T. Augustin.

Judicial Department.

Proceedings of the Madras Government

Read the following letter from the Collector and Magistrate of Coimbatore.

Rec'd inter 28 June 1860 No 32.

Order thereon 11 July 1860. No 864

Resolved that the Collector and Magistrate of Coimbatore be referred to the orders passed by Government under date 27 ultimo No 804 upon the subject of his letter, on a reference made by the Inspector General of Jails which orders he will consider final.

To the Coll.r & Magte of Coimbatore Dispd 12.