M.R.O. 1—89,000—16-10-19.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 402 Press ~~Mis.~~

204-205

Dated 23.3.1861 ~~19~~

3/3

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
23rd March 1861.

No. 204. Read the following letter from J. ROHDE, Esq., Inspector General of Jails, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 14th March 1861, No. 114.

I have the honor to acknowledge the receipt of a printed copy of an address from the Bombay Association, dated the 5th August, against the continuance of Act III of 1858.

2. Constituted as Society is in India and callous as the Native mind is to the rising up of evils which do not immediately threaten the individual, averse as it is to incur the odium, or to take the trouble of checking crime by volunteering information or to exert a moral influence against it; concealing as it does the truth and perverting it to screen the offender, especially if that offender be a person whose wealth, station or supposed sanctity, induces a feeling in his favor I cannot think the powers vested in the Governments by the State Prisoner Regulations can be reasonably found fault with by any truly loyal person.

3. The term State Prisoner includes at present families whose influence has been exerted or whose presence in certain districts has been used for mischief.

4. When the mass of the people or even those of influence among them, cordially co-operate with the Government in detecting and checking conspiracy and other crimes, and when truth and justice are regarded otherwise than as epithets applied to acts whereby the person using them is benefitted and when moral courage becomes a prominent feature in Society, it will be time to relax in the few precautionary safeguards the Government retain. At the present moment the petitioners must very well know that, in case of sedition by any of the influential classes I have described, conviction could not be obtained in an *open* Court, and that the only safeguard for the people themselves is in the power vested in, though most sparingly used by, the Government.

5. The petitioners may rely on it that the best safeguard for their liberty consist in the Government being ordinarily vested by law with those powers which all Governments will resort to on extraordinary occasions, and that it is not that Government which makes a display of the greatest concessions of its necessary power that is the safest to live under.

6. I have submitted these views as called for by the transmission of the petition and as being well aware of the extent to which resort to the powers have been had recourse to by this Government.

No. 205. ORDER THEREON, 23rd March 1861, No. 402.

To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

Jndia 1867. Political Dispatch

From C. Rivers Esq
Inspector General
of Jails

To J. Bycroft Esq
Chief Secy to Govt
Fort Saint George

Dated 14th March 1867.
Rec'd 18th —

No. 114.

Re 455.

Encls: None

Submitting his views on the Petition of the Bombay Association against the Continuance of Act III of 1858 (to amend the Law relating to the arrest and detention of State Prisoners)

Re 402

23rd March 1867.

Cl'd Rec'd 22 " 2044 306