

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1260	Press
	59-60	Mis.
Dated	7.8.1862	

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

7th August 1862.

No. 59. Read the following letter from *Æ. R. McDONELL, Esq., Magistrate of Trichinopoly*; to *A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George*, dated 23rd July 1862, No. 130.

Paragraph 1. I do myself the honor to enclose copy of a letter received this day from the Session Judge of Trichinopoly, notifying to me that he will not permit two offenders sentenced by the Town Magistrate respectively to 25 and 10 days' imprisonment to remain in the Jail, in consequence of their being so young, viz., 10 and 7 years old.

2. Section 433 of the Criminal Procedure Code lays down that it shall be lawful for a Magistrate or Court to direct that such offender instead of being imprisoned in the Criminal Jail shall be confined in any reformatory, which may be recognized by the Local Government as a fit place for confinement, &c., &c. I beg to propose that the Taluq Cutcherry in the Trichinopoly Taluq be for the present considered a fit place for confining such offenders, the Magistrate can thus personally supervise all that goes on; Mr. Harris has, by refusing these prisoners admittance to the Jail, practically cancelled the sentences passed, as I have no place where I can legally confine them; one of the prisoners is 14 years old, and the other 12, not 7; the younger offender is a female of the Koravun caste and is a confirmed thief; this offender has been already warned of the penalties incurred by thieving, and she perfectly well understands her liability to punishment. Under these circumstances she does not fall within the exception referred to in Section 83 of the Penal Code.

3. I solicit permission for the future to confine in the Taluq Cutcherry such juvenile offenders when sentenced to undergo imprisonment in the Taluq Cutcherry at Trichinopoly.

From *T. I. P. HARRIS, Esq., Session Judge of Trichinopoly*; to *Æ. R. McDONELL, Esq., Magistrate of Trichinopoly*, dated 23rd July 1862, No. 131.

I have the honor to bring to your notice that on visiting the Jail yesterday, I found the Sub-Magistrate of the town had sent two individuals to the Jail for the purpose of their undergoing a confinement respectively of 25 and 10 days for petty theft, the former of these being a boy of about 10, and the latter a little girl of about 7 years old.

2. As I consider it highly objectionable to admit such young children within the walls of the Jail, I beg herewith to return them, and request you will be good enough to issue instructions to the several subordinate authorities, not to forward in future persons of so tender an age unless charged with the commission of some very serious offence.

(True Copy.)

(Signed) *Æ. R. McDONELL,*
Magistrate.

No. 60. ORDER THEREON, 7th August 1862, No. 1,260.

In this letter the Magistrate of Trichinopoly brings to the notice of Government, the refusal of the Sessions Judge, to receive into the Jail, two juvenile offenders sentenced respectively to 25 and 10 days' imprisonment.

2. The Magistrate recommends, that as the Sessions Judge considers it objectionable to receive offenders who are very young, into the Jail, with the other convicts, the Taluq Cutcherry should in future be made a reformatory for juvenile offenders.

3. The Government observe that their Order on the subject of subsidiary Jails, dated the 21st July, No. 1,150, will meet cases of the nature of that to which the Magistrate refers.

(Signed) *T. PYCROFT,*
Chief Secretary.

Exd. F. Cartledge.

2 The Magistrate's room.

Judl Department

Proceedings of the Magistrate
Sgt.

Read letter from the
Magistrate of Trichinopoly
dated 23rd July 1862.
N-130

Order thereon 7 August 1862 No 1260.

In this letter the Magistrate
of Trichinopoly brings to
the notice of Sgt, the
refusal of the Sessions
Judge, to receive into the
Jail, two juvenile of-
fenders. sentenced
respectively to 25 and
10 days imprisonment.
2. The Magistrate recom.

W M

W M

meant. That in the hands
Judge considers it objec-
tionable to receive offenders
who are very young. into
the jail, with the other
convicts. But the Judge
Culcherry should in
future he made an
reformatory for juvenile
offenders.

3 The Government observe
that their order on the
subject of insubordinating
Jails dated the 21st
July 1850 ^{was}
not well met ^{as}
of the nature of that which
requisition of ~~the~~
^{was}
the Magistrate of Trichinopoly

P.M.

To the Magistrate of }
Trichinopoly. } Recd
8th

2
The Government observe
that their order on the
subject of insubordinating
Jails dated the 21st
July 1850 was not well
met as of the nature of
that which requisitioned
the Magistrate of
Trichinopoly.

June 1852 - week
to June 1852
\$1200.

Proceeds of sale.

July 1852

Returning that C. O. on the
subject subsidiary bill
dated 21st July 1852 will
masterly where juvenile
offender maintained to
undergo imprisonment.