

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1922	Press
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187-188		
Dated	26.11.1862	19

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Not to be folded or roughly handled

1922

*Proceedings of the Madras Government, Judicial Department,
26th November 1862.*

No. 187. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India ; to T. PYCROFT, Esq., Secretary to the Government of Fort Saint George, dated Fort William, the 8th October 1862, No. 5,566.

Home Department.

Judicial.

I am directed to acknowledge the receipt of your letter No. 1,545, dated the 19th ultimo, strongly deprecating the transmission of convicts from the Straits Settlement to the Madras Presidency, and in reply to state that the Governor General in Council considers it probable that, when your letter was written, His Excellency the Governor in Council was not aware of the very small number of convicts sent annually from the Straits.

2. The average annual number during the last three years has been under 40 ; and the difficulty and expense of carrying these convicts to Bombay has been so great, that it appears to the Governor General in Council to be almost imperative that some change should be made.

3. A report has only just been made from the Bombay Government regarding the bad treatment of, and consequent great mortality among, a party of convicts sent early in the present year from Singapore to Bombay ; and this lamentable case must be in a great measure attributed to the extreme difficulty which is ever experienced in procuring freight to Bombay.

4. Under these urgent circumstances, the Governor General in Council would hope that the objection expressed by the Madras Government to the reception of these few convicts will be overcome.

No. 188. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 26th November 1862, No. 1,922.

I am directed to acknowledge the receipt of your letter of the 8th ultimo, No. 5,566, stating the reasons which are considered to render it necessary that Convicts from the Straits Settlements under sentence of transportation should be sent to Madras, and observing that the average annual number is under 40.

2. I am to state in reply that His Excellency the Governor in Council, on full consideration of the circumstances set forth in your letter, adheres to the opinion that the system proposed to be carried out is most objectionable, not merely on the ground that the amount of Jail accommodation at present available in this Presidency is considerably below what is required for the number of prisoners now in confinement, but also on the higher ground that transportation as a system of punishment is unfair both to the country sending, and to the one receiving Convicts.

3. As there are but 40 prisoners on an average to be transported annually, it seems to this Government that provision might easily be made for their retention at the Straits, and that the saving of freight would in a great measure cover the cost of the Establishment that would be required for them.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Judicial Department.

Memorandum

I am still of opinion that the system proposed to be carried out is most objectionable. It is merely an extension of the Government's power over the people, and we have more prisoners in the country than we know what to do with. The higher ground is unfavourable to the Government of India. From the Secretary to the Home Department.

(dated 8th October 1862, N^o 5560)

It is difficult to maintain our objections in the face of this appeal.

Forty per annum will however accumulate to four hundred, less casualties, in 10 years or enough to fill a moderate sized Jail.

It does not appear why the Straits' convicts cannot be sent to the Andamans, but I conclude that there is some objection or it would be done.

The President has expressed a strong opinion

against

the country is a higher ground than we know what to do with. The higher ground is unfavourable to the Government of India. From the Secretary to the Home Department. (dated 8th October 1862, N^o 5560)

desp'd 27th

Judicial Department:
No. 1922

To

The Secretary to the Government
of India.

Home Department.

Sir,

I am directed to acknowledge the receipt of your letter of the 8th Ultimo N^o 5566, stating the reasons which are considered to render it necessary that Convicts from the Straits Settlements under sentence of transportation should be sent to Madras, and ^{stating} that the average annual number is under 40.

2. I am to state in reply that His Excellency the Governor in Council, on full consideration of the circumstances set forth in your letter, adheres to the opinion that the system proposed to be carried out

W.D.

G.M.

gpo

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R. A. 1000

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Fort St George
28th November
1862

W. R.

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