M.R.O. 1—23,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 636 Press ~~His.~~

174-175

Dated 24.4.1862 ~~H~~ .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 24th April 1862.

No. 174. Read the following Extract from the Proceedings of the Right Honorable the Governor General of India in Council in the Home Department (Judicial), under date the 29th March 1862, No. 1,658.

Read again Resolution by the Governor General in Council in this Department, under date the 12th of September 1860, appointing under the provisions of Section 2, Act 35 of 1860, the places to which Convicts sentenced to transportation may be sent.

Read again the undermentioned papers relative to the question of the expediency of maintaining the present Jails for transported Convicts in Tenasserim; or of transferring all such prisoners to the Penal Settlement at Port Blair, *viz*:—

Extract, Public Works Department, No. 1,340A, dated 30th April 1861.

Extract, Foreign Department, No. 3,120, dated 14th June 1861, with Enclosure.

Letter to Commissioner of the Tenasserim and Martaban Provinces, No. 1,199 dated the 15th idem.

Office Memorandum to the Public Works Department, No. 1,181 of the same date.

Letter from Commissioner of the Tenasserim and Martaban Provinces, No. 136, dated 27th June 1861, with one Enclosure.

Letter to Commissioner of Pegu, No. 1,454, dated 31st July 1861, with Endorsement thereon No. 1,455 of the same date, to the Commissioner of the Tenasserim and Martaban Provinces.

Resolution No. 1,855 of the same date, to the Public Works Department.

Endorsement from the Public Works Department No. 2,843, dated the 8th of August.

Extract from the Foreign Department, No. 4,620, dated the 19th idem, with two Enclosures.

Ditto ditto No. 5,308, dated the 13th of September, with one Enclosure.

Read letter from the Commissioner of Pegu, No. 94, dated the 23rd of November 1861.

Read Memorandum dated the 1st of January, from the Commissioner of Pegu.

Read Extract Public Works Department, No. 1,115, dated 24th March 1862, with Enclosures.

Resolution.—The Governor General in Council entertains no doubt as to the expediency, and indeed the necessity, of maintaining the Settlement in the Andaman Islands which has been established there.

This being so, the question for consideration becomes practically whether the proposition made by Mr. Temple and Lieutenant Colonel Bruce, in their Report on British Burmah, *viz.*, that all Life Prisoners should be transferred from the Moulmein Jail to the Andamans, shall be carried out.

When Colonel Phayre was recently in Calcutta, the papers relating to the proposed abolition of the Penal Settlement at Moulmein were referred to him.

It appears from his Memorandum, dated January 1st 1862, that he attaches no value to the objections to this measure raised by the Officer then administering the Tenasserim Province, which Province was just about to be placed under himself as Chief Commissioner.

The objections to the abolition are purely local, consisting chiefly in the supposed value of the labor of the Convicts to the province, and the alleged financially profitable mode in which it is employed. The advantages, on the other hand, are broad and general, embracing the safer custody of the Convicts and the more speedy reclamation of the Andamans to a condition likely to attract free settlers. Economy is not looked for from the adoption of the measure.

The Governor General in Council resolves, therefore, that Moulmein shall cease to be a place to which Convicts under sentence of transportation are to be sent, and he is pleased to order that the second, third and fourth Rules contained in the Resolution of the 12th September 1860 be modified accordingly.

Proceedings of the Madras Government, Judicial Department,
24th April 1862.

His Excellency in Council is also of opinion that the Convicts now at Moulmein, excepting those of the 1st class, should be transferred to Port Blair as soon as may be convenient.

It is believed that the Superintendent of Port Blair can at once receive a thousand Convicts; and it is desirable, therefore, that as many, within that number, as can be removed before the setting in of the Monsoon should be transferred. Eventually the whole should be removed.

Madras, Bombay, Bengal, North-Western Provinces, Punjab.
Chief Commissioner of Oudh.
Resident at Hyderabad.
Chief Commissioner of the Central Provinces.
Chief Commissioner of British Burmah.
Commissioner of Coorg.
The Governor of the Straits Settlements.

Ordered, that a copy of the above Resolution be forwarded to the Governments and Administrations noted in the margin for information and guidance.

Ordered also, that a copy of it be sent for information to the Superintendent of Port Blair.

Ordered also, that a copy be sent for information to the Foreign Department and to the Public Works Department.

Ordered, that the Marine Department be requested to consider what arrangements can be most expeditiously and economically made for transporting from Moulmein to Port Blair the number of Convicts above mentioned.

(True Extract.)

(Signed) W. GREY,
Secy. to the Govt. of India.

No. 175. ORDER THEREON, 24th April 1862, No. 636.
Communicated to the Inspector General of Jails.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 636 — 24th April 1862
Communicated to the
Inspector Genl. of Jails.

The Inspector Genl. of Jails. Commissioner of Police dispd 24th
" Supdt. of Marine, dispd 24th

Proceedings of the Madras Government, Judicial Department,
24th April 1862.

No. 176. Read the following Proceedings of Government in the Revenue Department, dated 15th April 1862, No. 838.

With reference to the preparation of Registers suggested by the Secretary of State on the subject of the possession of landed property in India by public servants, observe that the course prescribed by the Circular Order of the Sudder Adalut of the 7th January 1850 in regard to the Registration of lands held or acquired by servants in the Judicial Department, seems to be sufficient.

(Vide Proceedings Revenue Department, dated 15th April 1862, Nos. 240 & 241.)

No. 177. ORDER THEREON, 24th April 1862, No. 637.

Communicated to the Sudder Court, in reference to their Registrar's letter, dated 28th February last, No. 32.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.