

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1016-17	Press
268-270	~~His.~~
Dated 29.6.1863	H)

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
29th June 1863.*

No. 268. Read the following letter from Lieutenant Colonel W. J. WILSON, Commissioner of Police; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madras, 17th June 1863, No. 80.

I have the honor to forward a petition addressed to the Right Honorable the Governor General, by Charles Elliott Ross, at present undergoing a sentence of six years' Penal Servitude in the Madras Penitentiary.

2. Copy of a letter from the Medical Officer in charge of the Penitentiary containing his opinion as to the state of the prisoner's health is herewith annexed, as well as copies of extracts from certificates regarding the prisoner's conduct since his imprisonment.

From Surgeon W. AITKEN, M.D., in charge of the Penitentiary; to Lieutenant Colonel W. J. WILSON, Commissioner of Police, dated Madras, 11th June 1863, No. 25.

In reply to your letter, No. 100 of 1863-64, dated the 5th instant, I have the honor to state that Convict Ross was transferred from the Hills under the supposition that he was suffering from pulmonary Consumption; the symptoms of which had been aggravated by the climate of Ootacamund, and his life thereby more immediately endangered. Since his arrival here in March last, the urgency of all the symptoms has abated, and he has improved so much, especially since the appearance of an eruption of a syphilitic nature, that I now think there is reason to entertain hopes of his eventual recovery.

He still, however, is in a precarious condition and altogether in such shattered and unsatisfactory state that I should not be surprised by an equally unfavorable turn, which would in all probability terminate fatally.

(A true Copy.)

(Signed) W. J. WILSON,
Commissioner of Police.

To His EXCELLENCY THE RIGHT HONORABLE THE EARL OF ELGIN
AND KENCARDINE, K.T., G.C.B., K.S.I.,
Viceroy and Governor General of India, &c., &c., &c.
The humble Petition of CHARLES ELLIOTT
ROSS, late Cashier, People's Bank of India in
Calcutta, and now a prisoner in the Madras
Penitentiary.

MOST RESPECTFULLY SHEWETH,

That petitioner was tried in the Supreme Court of Calcutta, on the 7th December 1861, before His Honor Sir Mordaunt Wells, and upon being convicted of forgery, was sentenced to six years' Penal Servitude.

2. That on the 20th February 1862, petitioner was removed from Calcutta to undergo his sentence of Penal Servitude in Her Majesty's Jail, Ootacamund, in the Madras Presidency.

3. That about eight years ago petitioner suffered from a severe attack of pulmonary disease of the lungs, the progress of which had been checked; but upon petitioner being removed to the Neilgherry Hills and subjected to rigorous imprisonment in that cold climate, symptoms of his former complaint at once showed themselves, and increased to such a degree, that in February 1863, a Committee of Medical Officers deemed it necessary to recommend that petitioner should be at once removed to a warmer climate, and that in consequence petitioner was transferred to the Madras Penitentiary.

4. That petitioner since his removal to Madras has experienced palpable benefit, in a partial relief from the distressing irritation he experienced while on the Neilgherry Hills, but that the injury already sustained during petitioner's long imprisonment at Ootacamund renders it improbable that the progress of the disease can be again entirely checked.

5. That petitioner previous to his conviction always bore a high character for honor and integrity, and filled a position of responsibility and trust; that petitioner has already undergone a term of eighteen months' imprisonment greatly aggravated by his bodily sufferings during the greater portion of that period, and that the conduct of petitioner throughout since his confinement has been such as to merit the excellent testimonials of the various prison officials, herewith annexed.

6. That petitioner would respectfully urge upon your Excellency, his peculiarly pitiable condition, that the consequences of a removal to Ootacamund upon petitioner's health were doubtless not contemplated at the time of such removal, but that the irreparable injury petitioner has sustained therefrom can now never be wholly remedied; and

Proceedings of the Madras Government, Judicial Department,
29th June 1863.

7. That petitioner humbly prays that your Excellency will be graciously pleased to take a merciful consideration of his case, and bestow upon petitioner the only relief now within your Excellency's power, by granting to petitioner a remission of the remainder of his sentence, or bestowing upon petitioner a conditional pardon to proceed to the Andaman Islands upon the terms usually accorded to prisoners under sentence of Penal Servitude, in the hope that such freedom from restraint, and opportunity of beneficial change may lengthen as far as possible the term of petitioner's life, and ameliorate its condition; and your petitioner as in duty bound will ever pray.

MADRAS PENITENTIARY,
June 5th, 1863.

(Signed) CHARLES ELLIOTT ROSS.

EXTRACT FROM DESCRIPTIVE ROLL OF CONVICT C. E. ROSS.

Remarks.

Good up to this date.

30th December 1861.

(Signed) T. KING,
Governor, Calcutta Jail.

Remarks.

The conduct of this prisoner during the period he has been in this Jail has been good, orderly, quiet and respectful.

Ootacamund,
4th March 1863.

(Signed) W. S. NESBITT,
Sub-Judge in charge of European Prison.

(True Extracts from Copies of Descriptive Rolls.)

(Signed) W. J. WILSON,
Commissioner of Police.

No. 269.

ORDER THEREON, 29th June 1863, No. 1,016.

The Commissioner of Police is requested to inform prisoner Ross that his petition has been forwarded to the Government of Bengal, in reference to his prayer for a remission of the unexpired portion of his sentence, and that, as regards his prayer to be granted a conditional pardon to proceed to the Andamans, a report on his case will be called for from the Sub-Judge in charge of the Ootacamund Jail, which, on receipt, will be submitted to the Government of India. Mr. Nesbitt will send his report direct to the Government in this case.

(Signed) J. D. SIM,
Secretary to Government.

No. 270. To the Secretary to the Government of Bengal, dated Fort Saint George, 29th June 1863, No. 1,017.

I am directed to transmit a petition from prisoner Charles Elliott Ross, praying for the remission of the unexpired portion of his sentence.

2. Prisoner Ross, who is under sentence of Penal Servitude, was received from Calcutta into the general European Prison at Ootacamund. He there suffered severely from Consumption; and, on medical opinion, was removed to Madras. He is at present in the Penitentiary, and, as will be seen from the report of the Medical Officer in charge, a copy of which is annexed, his health is still precarious. A copy of the Medical Officer's report on the prisoner's condition at Ootacamund prior to his removal to Madras, is also enclosed.

Proceedings, 2nd March 1863, No. 240.

3. Prisoner Ross prays further, that, if not released, he may be granted a conditional pardon to proceed to the Andamans. A reference, as regards this application, has been made to the Subordinate Judge in charge of the Jail at Ootacamund, as the Government of India have desired that this privilege should be restricted to Convicts who have undergone the discipline of the Ootacamund Jail for at least six or nine months, and have behaved well, and have called for lists, giving certain needful information respecting the Convicts who may be recommended for transfer to the Andamans.

(Signed) J. D. SIM,
Secretary to Government.

Exd. T. McMootry,

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Com-
missioner of Police — Inter 17 June '63 N^o 30.

Order — 29 June 1863 N^o 1016.

The Commr. of Police is requested to inform prisoner Ross that his petition has been forwarded to the Govt. of Bengal, in reference to his prayer for a remission of the unexpired portion of his sentence, & that, as regards his prayer to be granted a conditional pardon to proceed to the Andamans, a report on his case will be called for from the Sub-Judge in charge of the Ootacamund Jail, which, on receipt, will be submitted to the Govt. of India.

Mr. Nesbitt will send his report direct to the Govt in this case.

It will expedite the case if the report is furnished through the Commr. of Police.

The Commr. of Police.
Subordinate Judge,
Ootacamund.
Inspector Genl. of Sails.

He will furnish through

Prisoner of War
 order of Jan 4 March
 1863.

Super July

Judicial.

No. 1017.

The Secretary to the Govt. of Bengal.

Sir,

I am directed to transmit
 a petition from prisoner,
 Charles Elliott Ross, praying
 for the remission of the un-
 expired portion of his sen-
 tence.

2. Prisoner Ross, who is under
 sentence of Penal Servitude,
 was received from Calcutta
 into the general European
 prison at Botasamund.
 He there suffered severely
 from ~~an~~ ^{an} ~~ill~~ ^{ill} ~~condition~~ ^{condition}, ~~and~~ ^{and} ~~by~~ ^{by} ~~the~~ ^{the} ~~medical~~ ^{medical} ~~opinion~~ ^{opinion}, was re-
 moved to the ~~general~~ ^{general} ~~prison~~ ^{prison} ~~at~~ ^{at} ~~Madras~~ ^{Madras}. He is a
 present in the Penitentiary,
 & as will be seen from the
 report of the Medical Offi-
 cer in charge, a copy of
 which

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3. Prisoner Roff prays further, that, if not released, he may be granted a conditional pardon to proceed to the Andamans. A reference, as regards this application, has been ^{made} to the Subordinate Judge ^{in charge of the Jail} at Port Blair, as the Govt. of India have desired that this privilege should be restricted to convicts who have undergone ~~a well regulated~~ the discipline of the Port Blair Jail for at least

six or nine months, & have behaved well, & have called for lists, giving certain needful information respecting the convicts ^{who may be} recommended for transfer to the Andamans.

1000 (1000)
29 June 1883

(1000)

To Mrs

Admiral Sirs. Cockett

1814

My dear Sir

I have the

pleasure to inform

you that

Yours