MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT

G.O. No. 342 Press -Misc-

6-11

Dated 19

18/19

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 4th March 1863.

Read the following [illegible]

No. 6. From J. . ROH[illegible] J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort [illegible] November 1862.

1. I have the honor to forward Mr. Nesbitt's report of the conduct of the European prisoners under his charge together with my remarks on making my second quarterly visit.

2. The conduct of the prisoners has been good, one Leeman, who is deaf and I sus[illegible] altogether sane, being the only offender.

The employment of the prisoners is shown in the annexed statement and in Mr. Nes[illegible]'s report. Coir mat-making and tailoring have been the chief occupations, tools for shoemakers and saddlers have been lately received and several of the prisoners have sh[illegible] for the work.

The second and smaller cooking [illegible] be procured.

The leaking of the corridor roof, referred [illegible]r. Nesbitt's report, is only an appear[illegible] of damp, the [illegible], when thoroughly [illegible] monsoon.

6. The chimneys to the heating appara[illegible]ire iron [illegible] desired might be[illegible] I attribute the cracks to th[illegible] when the [illegible] thoroughly set ; probably the bonding of the brick has been neglected.

7. The water cans and slop pails were made here by a tin man ; Engli[illegible] will be substituted.

8. I am doubtful about the well, instead of finding earth below the boulders, still larger rocks appear as the work proceeds ; I have directed that the bottom of the well shall be levelled and it will then be well to build it up and go down with a smaller diameter of shaft. The well first dug, alluded to by Mr [illegible] cannot be carried down without danger. [illegible] too far from the Jail to allow of its being used by the European prisone[illegible] [illegible] to lessen the cost of water in building.

9. If Captain Farewell succeeds in bringing water near the Jail by a chan[illegible] be dispe[illegible] I should prefer having water within the prison enclosure.

10. Work sheds are necessary, I should propose one in each yard, a terraced building with [illegible]iched openings on four sides, secured at night. The employment of the prisoners in the corridor is objectionabl[illegible]

11. I had mentioned my views in regard to licenses to Mr. Ne[illegible] [illegible]d to this question in reference to the prisoners' representations.

12. Several of the prisoners enquired what prospect there [illegible]iming Ti[illegible] leave [illegible] killed mechanic, urged his claim to payment for services, and several expressed their desire for transfer to the Andaman Islands, were one of them stated Convicts received wages which in a case that he quoted, had, he said, amounted to a considerable sum.

The following table will show the number of months and the proportions of sentences which may be remitted [illegible] ward for good conduct and willing industry.

[illegible]tences to Penal [illegible] for	May be remitted on good conduct.	Term to be undergone.	Proportion which may be remitted.
		yrs. ms.	
3 y[illegible]	6 month[illegible]	[illegible]	[illegible]
4 ,,	9 ,,		One-fifth.
5 ,,	12		do.
6 ,,			One-fourth.
7 ,,			do.
8 ,,	24 ,, ...	6	
10 ,,	30 ,, ...	7	
			do.
			One-third.

13. It had already occurred to [illegible] pose that a graduated [illegible] remissions might be adopted as in England. I beg now to submit an extract from a "notice to Convicts" under sentence to Penal Servitude passed [illegible] furnished me.

14. Should His Excellency the [illegible] in Council see fit to declare any rule, defining the [illegible] which well conducted Convicts might expect the indulgence, I feel assured that it [illegible] not only by the direct encourage-

ment afforded,

[illegible] circumstances of the crime may [illegible] viet under sentence for life [illegible] for shorter [illegible] lony, to [illegible] eight years; but [illegible] not be eligible to [illegible] a remission until [illegible] of his sentence. [illegible] l Colony, he will [illegible] ed with a view to [illegible] least twelve years

15. In regard to [illegible] which the Convict on license would [illegible] several of the prisoners have expressed a [illegible] that they might be allowed, on release, to [illegible] living in this country, and I think that s[illegible] would do well here, but I am convinced in the case of m[illegible] ould be better that conditional pardons, or licenses, should provid[illegible] their removal from the scenes both of their former crimes and from their place of imprison[illegible] Artizans and artificers of good character would seldom have skill to enable the[illegible] successfully in a fully stocked Market, but they would find abundant encouragement here. bably the Government may be pleased to direct that such cases shall be exceptional, and [illegible] dant on the character and circumstances of the individual. On this point it seem[illegible] able that the views of the Government should be recorded.

16. One prisoner, Berry, urged the hope that he might, [illegible] purged of his off[illegible] be permitted to rejoin the Army, an indulgence that since his sentence has, he states, been [illegible] ers sentenced by Courts Martial; I sincerly trust that this may be grante[illegible] 10 years' service can seldom find other means of subsistence, and while I doubt not would prefer to be thrown on the world, I may be permitted to recommend the earnest an anxious solicitation of the prisoner named, should his continued good conduct justify the favo[illegible]

17. Several prisoners begged permission to write home; some, I found, had not u[illegible] their privilege; others had used it in writing to Miss Andrews, the lady whose visits had brough them to a knowledge of the truth in Calcutta. I desired that any prisoner who had thus spen[illegible] his privilege, should be permitted to write to his wife, or friends. I mentioned to the Rever[illegible] the Chaplain that in regard to the prisoners' desire to write to Miss Andrews out of turn, no ob[illegible] jection would be taken to his writing to her expressing their feelings.

18. Several prisoners employed during the day at sedentary occupations expr[illegible] that they might be permitted to take exercise, in the yards during the dinner hou[illegible] be objectionable as depriving the Warders of their leisure, the men certainly had the appearance of requiring more out-door exercise, and as I found that this might be conveniently arr[illegible] the prisoners wh[illegible] in separate confinement, I sanctioned their being 3 hour[illegible] out-door exercise till work sheds are erected, in which prisoners at labor will be in the op[illegible]

19. Leeman, a prisoner sentenced by a Sessions Court to 18 months' imprisonment, said he hoped for a remission, the question induces that of remissions generally to prisoners, sentenced by the local Courts, which is deserving of consideration, and which I have been deterred from urging under the impression that, without proper means of enforcing penal sentences, it would be out of place to recommend any system of remissions. In the present case I doubt not Leeman has undergone a more severe punishment than the Judge passing his sentence contemplated, and would recommend his case to the favor of His Excellency the Governor in Council, for a remission of one-sixth of the sentence.

20. During the quarter I had received a request through the Chaplain, that the prison[illegible] might be permitted to play at fives during the hour of exercise instead of being restricted to walking exercise. I had already noticed their appearances indicating a want of healthy exertion in the open air, and sanctioned the indulgence after 5 P. M. to such prisoners as had passed their term of probation in separate confinement.

21. In regard to remuneration for labor, I would submit that a scale similar to that of the English Prisons should be adopted, but that all sums earned by prisoners should be placed to credit to be paid on release, or within 3 months of the date of release as may be considered by the Inspector General most to the benefit of the prisone[illegible]

22. The scale of gratuities to prisoners wearing good conduct badges at Milbank and Pentonville varies from 8/ to 6/ and 4/ a week, varying according to the quantity and quality of the



Proceedi[illegible]

[illegible] ude on [illegible]
2: Sh[illegible]
[illegible]
t [illegible]
after the expiration of one-[illegible] and q[illegible] sente[illegible] ity of 3 Annas a
[illegible] placed to the credit of inde[illegible] prisoners. Th[illegible]
n.
ary grat[illegible]
[illegible]
[illegible] as to gratuities shall be especially dealt
[illegible]
[illegible]
[illegible] or who shall be guilty [illegible]
[illegible]
[illegible] fore thought it necessary to pr[illegible] of gra-
o to prisoners on public works.

28. One point requiring consideration is the expedience of introducing a probationary term in the case of prisoners qualifying for a license, and who are to be set at liberty in India, though aptain Crofton's suggestion on this head, I do not, in this case of the pris[illegible] nerally, see any way by which this may be conveniently carried out, some men might b[illegible] ould ed as Clerks, or Artificers, but this will not be the case with the majority, bu[illegible] come of detaining men who [illegible] in India, in field labor, which they would abandon re free. It would, in my opinion, be better to make all licenses revokable, and require from the Inspector General of Jails a quarterly report on the conduct of each individual holding such licenses in India.

[illegible] of the monthly Medical reports show a large number on the sick list; lurphy, continues constantly on the sick list under the plea of Rheumatism: I see were admitted in July with "debility," of whom 12 were exactly [illegible] nan, C. E. Ross, admitted with inflammation of bones was a month and [illegible] t, and is now under treatment for consumption; two, Vickery and H. Watson, have been each about six weeks under treatment for liver; and T. King is under treatment for [illegible] disease of the heart, otherwise the diseases shown are not such as afford any criterion to the salu[illegible] All the prisoners but two have gained weight considerably, and this I [illegible] much to the small increase in quantity of food as to the much improved cookery.

[illegible] the difficulty of finding such labor for the prisoners as would induce the skin to act in [illegible] is a serious drawback, and the sedentary occupations of shoe-making, mat-making [illegible] arried on within the corrido[illegible]

The heating apparatus is capable of raising the temperature in the cells from 58° or 60° to 70°; just now there are complaints of insufficient ventilation. [illegible] doubt that the sensations described are attributable to the wate[illegible] becomes charged, more or less, with carbonic acid, and am not disposed [illegible] on the remedy suggested, namely, the keeping open of the trap in the door as well as t[illegible] w at night, the latter being open must be sufficient, and the flues, though not inducing a [illegible] have proved when the cells are o[illegible]

[illegible] ould beg sanction for four work sheds, one in each yard, at a cost 800 Rupees each, this will not only facilitate the employment of the prisoners in th[illegible] would keep them apart, and way from idlers on the convalescent or

[redacted]

[redacted]

[redacted]

the Calcutta Jail for th
behaviour and stea
Blair has also bee

3.

order
has been customary
of Rupees 50 per
superintendence

as above to P
Superintendent has

4. The Governor Gen
lege of being sent to Port Blair under
who have undergone at least 6 or 9 months of Pe
such as at present is believed to be in for
have behaved themselves well. Of these the prefere
have any special qualifications that would render them particul
knowledge of any mechanical trade (as Carpentry, Brick-layi
Engineering, Quarrying, &c.,) or ability t

the Convicts wh
Port Blair, such as
making, Blac
clerks.

5. Should the proposed measure, as respects the Penal Servitu
mund Jail, meet with the concurrence of the Madras Government, I am desired to request that a
list may be furnished of those to whom it may seem advisable to extend the pr
information respecting crime, term of sentence, term of imprisonm
vious, and qualifications for employment in Port Blair,

prisoners in the Octaca-

Proceedings of the Madras Government, Judicial Department,
4th March 1863.

LICENSE

UNDER SECTION 9 ACT XXIV OF 1855.

TO ALL WHOM IT MAY CONCERN,
THE RIGHT HONORABLE
THE GOVERNOR GENERAL OF INDIA IN COUNCIL
SENDS GREETING.

WHEREAS
was on the
in the
tried for and convicted of
and was sentenced to Penal Servitude for
fit to the said Governor G
from that date. AND WHEREAS
in Council to grant to the said

hereinafter
NOW BEFORE I the said G
in Council do hereby grant
License to be at large within
the said
portion of India called the Andaman Islands, and within such other portion
said Territory
may be necessary for the said
to pass through or to be in order to reach the said Andaman Islands during the unexpired
tion of the said term of servitude of
under the conditions hereinafter expressed; that is to say that the said
do proceed in any ship that may be approved of for that
purpose by the Government of India to Port Blair in the Andaman Islands, and do while on
board such ship or of any other ship to which he may be removed for the purpose of the said
voyage until he reach Port Blair aforesaid obey and conform to the orders of the Master or
Commander of such ship or of such person as the Government of India shall appoint for that
purpose; and do while at the Andaman Islands aforesaid and until the expiration
term of
from the said

for which term he has been so sentenced as aforesaid perform any duty service or work which
the Superintendent of Port Blair may from ti
respects obey the lawful orders of the said Superintendent or of such other person as the Super-
intendent aforesaid or the Government of India shall from time to time appoint for that purpose,
and conform and submit to such Rules and Regulations as the said Superintendent or any such
person shall make in that behalf. But in default of performance of any of the above conditions
this License shall be null and void.

TAKE however that this License may at any time be revoked or altered by the
Government of India.

GIVEN UNDER THE HAND AND SEAL OF ME THE GOVERNOR GENERAL OF INDIA IN COUNCIL THIS
DAY OF 18 .

ORDER THEREON, 4th March 1863, No. 342.

The Governor in Council does not concur with the Inspector General of Jails as to the expediency of granting remissions of sentence for good conduct in Jail. The effect of such remissions is to neutralize to a great extent the effect of the punishment as an example both upon the prisoner himself and on his companions; and the fact that the prisoner has abstained from violating the rules of the Jail, is no ground for a diminution of the punishment awarded to him for the crime which led to his incarceration. The Government, however, do not object to the grant of gratuities to such prisoners as hold good conduct badges in remuneration for their work.

[redacted]

4th March 1863.

January

3. O
work sheds
hundred each,
nd will
cuted by
the re
prisoner Berry,
made in paragraph 16 o
the Military Departm
Mr. R
(Signe
Chief S

No. 11.
To the
George, 4t
to the Government of India, Hon
1863, No. 343.

ge
be
the rec
e of the European and An
Blair under licenses framed in accordance wi

2. The Officer in charge of the Jail has been instruc
General of Jails, a list of such prisoners as he may consider deserving of the indulgence, with the
particulars alluded to in the 5th paragraph of your letter.
bmit, thr

Dated 21st November 1862.
Do. 4th March 1863.

3. Meanwhi
directed to submit,
Honorable the President in Council, the encl
the prison in question and
the orders passed thereon by the Governor
in Council.

[redacted]
ecretary.

[redacted]

European Prison. Abstract of Medical Report for October 186

Names	Diseases	Remained	Admitted	Discharged	Died	Remaining	No. of days under treatment	
M. Murphy	Rheumatism	1	"	"	"	1	31	
C. E. Ross	Inflammation of Bones	1	"	1	"	"	16	
W. Burke	Dropsy of Testicle	1	"	"	"	1	31	
	Dyspepsia	1	"	1	"	"	17	
W. Vickery	Liver Complaint	1	"	"	"	1	31	
J. Watson	Do	1	"	"	"	1	31	
R. West	Intermt. Fever	"	1	1	"	"	8	
W. Fowles	[illegible] tion	"	1	"	"	1	21	
[illegible]	Ringworm	"	1	"	"	1	18	
[illegible]	Worms	"	1	1	"	"	12	
[illegible]	[illegible]	"	1	1	"	"	11	
[illegible]	Consumption	"	1	"	"	1	15	
[illegible]	Dyspepsia	"	1	"	"	1	13	
W. [illegible]	Disease of Heart	"	1	"	"	1	11	
W. Watson	Swelling of Bones	"	1	"	"	1	4	
[illegible] Douglas	Rheumatism	"	1	"	"	1	4	
[illegible] Smith	Influenza	"	1	"	"	1	4	
R. West	Dyspepsia	"	1	"	"	1	1	
[illegible] Summers	Do	"	1	"	"	1	1	
J. Ford	Disease of Heart	"	1	"	"	1	1	
	Total	6	14	5	1	15	281	

Potacamund
1st October
1863.

[illegible]
[illegible] Surgeon
Asst

Transcript of Medical Report for September 186[illegible]

Names	Diseases	Remained	Admitted	Discharged	Died	Remaining	No. of days under treatment in September	Remarks
M. Murphy	Rheumatism	1	"	"	"	1	30	
C. E. Ross	Inflammation of Bones	1	"	"	"	1	30	
J. W. Burke	Dropsy of Testicle	1	"	"	"	1	30	
A. Leeman	Inflamation of Ear	1	"	1	"	"	6	
J. Fowles	Dyspepsia	1	"	1	"	"	15	
W. Watson	Swelling of Bones of Leg	1	"	1	"	"	29	
H.	Influenza	1	"	1	"	"	6	
W. Stanley	Do	1	"	1	"	"	15	
A. [illegible]son	Worms	"	1	1	"	"	6	
J. [illegible]mith	Dyspepsia	"	1	1	"	"	13	
J. M[illegible]things	Inflamed State of the Heart	"	1	1	"	"	9	
(H. Watson)	Dyspepsia	"	1	1	"	"	13	
R. Le[illegible]	Do	"	1	"	"	1	15	
W. C[illegible]	Do	"	1	1	"	"	10	
H.	Phlegmonous Boil	"	1	1	"	"	10	
H. Martindale	Influenza		1	1	"	"	3	
J. Delany	Diarrhoea	"	1	1	"	"	10	
W. Pickery	Liver Complaint	"	1	"	"	1	8	
(H. Watson)	Do	"	1	"	"	1	4	
	Total	8	11	13	"	6	261	

Portacarmond
30th September
186[illegible].

[illegible]
Asst. Surgeon
In Charge

European Prison, Abstract of Medical Report for July 1862.

Names,	Diseases,	Remained	Admitted	Discharged	Died	Remaining	No. of days under treatment	Remarks
Pt. Murphy	Rheumatism	1	"	"	"	1	31	
T. W. Burke	Stricture	1	"	1	"	"	4	
J. Hutchings	Diarrhoea	1	"	1	"	"	21	
C. C. [illegible]	Swelling of Bone of arm	1	"	1	"	"	1	
W. Comack	Head Ache	1	"	1	"	"	21	
T. W. [illegible]	Diarrhoea	"	1	1	"	"	4	
C. Sands	Debility	"	1	1	"	"	6	
J. Pendergast	Do	"	1	1	"	"	6	
J. Nolan	Do	"	1	1	"	"	16	
J. Kin[illegible]	Do	"	1	1	"	"	6	
J. Wilki[illegible]	Do	"	1	1	"	"	6	
J. Davis	Do	"	1	1	"	"	6	
J. Delany	Do	"	1	1	"	"	6	
J. Fit[illegible]	Do	"	1	1	"			
C. C. [illegible]	[illegible]	"	1	1	"	"	6	
W. Douglas	Do	"	1	1	"	"	6	
J. Jackson	Do	"	1	1	"	"	6	
P. Flaherty	Do	"	1	1			6	
H. Martindale	Do	"	1	1	"	"	6	
J. Berry	Do	"	1	"	"	1	15	
W. Douglas	Do	"	1	"	"	1	9	
C. C. Sands	Diarrhoea	"	1	1	"	"	3	
W. Stanley	Do	"	1	1	"	"	3	
J. Pendergast	Do	"	1	1	"	"	3	
W. Lew[illegible]	Head Ache	"	1	"	"	1	1	
W. Vickery	Diarrhoea	"	1	1	"	"	3	
	Total	5	21	22	"	4	219	

Colaccamund
31st July
1862.

Dr Sturrock
Apist. Surgeon
In Charge of Guard.

Prison Hospital
Abstract of Medical Report
for July 1862

European Prison, Abstract of Medical Report for June 1862.

Names	Diseases	Remained	Admitted	Discharged	Died	Remain	No. of D. in Hos. this month	Remark.
[illegible]	[illegible]	1	"	"	"	1	30	
[illegible]	[illegible]	1		1	"	"	7	
[illegible]	Structure	1	"	"	"	1	30	
[illegible]	Insufficiency of brain	1	"	1	"	"	6	
[illegible]	Typhus	"	1	1	"	"	8	
[illegible]	Sore Mouth	"	1	1	"	"	8	
[illegible]	Diarrhoea	"	1	1	"	"	11	
[illegible]	Diarrhoea	"	1	1	"	"	9	
[illegible]	Head ache	"	1	"	"	1	14	
[illegible]	Swelling of Bones of arm	"	1	"	"	1	6	
[illegible]	Head-Ache	"	1	"	"	"	"	
							119	
Total		4	7	6	"	5	119	

Colacamund
30th June
1862

Lt Surgeon
Assist. Surgeon
In Charge of Jail

Ist Prison Statement
Ist Half
Report for

European [illegible] Abstract of Medical Report for August 1862.

No.	Diseases	Remained	Admitted	Discharged	Died	Remaining	No. of days under treatment in August.	Remarks
[illegible]	[illegible] Rheumatism	1	"	"	"	1	31	
[illegible]	Berry Debility	1	"	1	"	"	18	
[illegible]	Do	1	"	1	"	"	6	
[illegible]	Head Ache	1	"	1	"	"	4	
[illegible]	Swell— long bones arm	"	1	"	"	1	27	
[illegible]	Dropsy of Testicle	"	1	"	"	1	20	
[illegible]	Head Ach	"	1	1			12	
[illegible]	Inflammation of Eye	"	1			1	6	
	Dyspepsia	"	1	"	"	1	4	
[illegible]	Swelling of Bones	"	1	"	"	1	2	
	Dengue	"	1	"	"	1	2	
[illegible]	Stanley Do	"	1	"	"	1	2	
	Total	4	8	4	"	8	125	

Cotacan
31st August
1862

[illegible]
Asst Surgeon
In Charge

European Officers
Abstract of Records
Received for August 1820.

I cannot see Mr Pyncheon's views
I think that penal sentences should be carried
out, except in very special cases, where

No. Judicial Department.

To

The Secretary to the Government
of India.

Home Department.

Sir,

I am directed to
acknowledge the receipt of
your letter of the 28th Ultimo
№ 651, suggesting that some
of the Mussulman and American
convicts confined
at Calcutta may be sent
to Port Blair, under rules
framed in accordance
Section, Act 24 of 1855.

2. The Officer in charge
of the Jail has been instructed
to submit through the
Superintendent of Police
such prisoners
as desire the
indulgence
alluded
to in your letter hereunder
I am directed to add
for

def. 2d

of a Retort
question

Mr Hatch
ending
[illegible]

[illegible]
[illegible]
[illegible]

Judicial Department

[illegible] the Madras Government.

[illegible] the following papers:—

[illegible] of Joints Offr Salem 21 Novr 62 No

[illegible] Salem 10th [illegible]

[illegible] Ho [illegible] to the [illegible] 11th March 1863.

[illegible] of Madras Home Dept 5

[illegible] 1st March 1863. No 342.

The Governor in

Council does not concur

with the Inspector

General of Jails as to

the expediency of granting

remissions of sentence

for good Conduct in

Jail. The effect of such

remissions is to neutralize

to a great extent the effect

of the punishment as

an

No 11

Dept. Judl. 11/63.

Fort St. George 25th March 1863.

In transmitting Mail Petition of George [illegible] Salem at Astrampatti imprisoned in Dindigul Hill Fort Inspector General of Jails a List of such European Prisoners as he may consider deserving of the indulgence mentioned in the Resolution of the Govt of India dated 5th March 1863 and No 342 of the 25th January last.

an example both upon the prisoner himself and on his companions; and the fact that the prisoner has abstained from violating the rules of the Jail, is no ground for a diminution of the punishment awarded to him for the crime which led to his incarceration. + +

+ The Government, however, do not object to the grant of Gratuities to such prisoners as hold good conduct badges in remuneration for over work.—

2. Mr. Rohde's letter and the Report submitted with it will be forwarded to the Government of India for consideration. And in the meantime, the Officer in charge of the Jail will submit through the Inspector General, the names of such of the prisoners, now in Confinement, as he may consider deserving of the privilege of being sent to Port Blair under licenses framed in accordance with Section 9, Act 24 of 1855, as suggested in Mr. Secretary Bayley's letter of the 28th January last.

3. Orders will be issued in the Public Works Department for

The construction of four workshed in the European Prison at Port Blair and at a cost not exceeding Rupees (800) Eight hundred each, as soon as the necessary funds may be available.

As Mr. Rohde is now on a tour of inspection, and will be occupied on inspecting duties for some months, the building of the sheds must be executed by the Dept of Public Works in communication with Mr Rohde.

4 The recommendation made in paragraph 16

of Mr Rohde's report with reference to the Prisoner Berry, will be disposed of in the Military Department.

To
The Inspr Genl of Jails
Public Works Dept
Military Department
Port Blair

Sept. 14

No.

The Secretary to the Governmen
of India.

Sir,

[redacted]

[redacted]

[redacted]