

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>985</i>	Press
		~~Mis.~~
222-223		
Dated	<i>24.6.1863</i>	~~17~~

7/7

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

24th June 1863.

No. 222. Read the following letter from Major H. K. BURNE, Officiating Secretary to the Government of India; to the Secretary to Government, Fort Saint George, Military Department, dated Fort William, 4th May 1863, No. 81.

With reference to General Order by the Governor General, dated 23rd July 1849, and Government General Order, No. 327, of 12th March 1855, I am directed by the Honorable the President in Council, to transmit, for the information of His Excellency the Governor in Council, draft of a General Order containing modifications of the existing rules on the subject of the maintenance of Soldier prisoners at the three Presidencies, and to request that the Government of Madras may be moved to favor the Government of India with their opinion on the proposed rules, and with their suggestions (in as succinct a form as possible) in the event of any modifications appearing necessary.

2. I am instructed to solicit the favor of an early reply.

DRAFT GENERAL ORDER.

G. O. G. G., 23rd July 1849.
G. G. O., No. 1,077, of 1854.
" No. 327 of 1855.

In modification of the Government General Order, noted in the margin, the following Rules laid down for the future subsistence and maintenance of European prisoners at the three Presidencies.

1. The pay of European Soldiers forfeited under the several provisions of the Mutiny Act and Articles of War, will continue to be drawn in Regimental Abstract for all men under forfeiture, whether as prisoners under sentence or otherwise, so long as they continue to be borne on the strength of their Regiments, and will be credited to a Regimental Prison Fund, the accounts of which are to be kept by the Regimental Paymasters.

2. Prisoners struck off the strength of their Regiments will be subsisted and clothed by the prison in which they are confined, the cost being debited to the Prison Fund.

As at present: 3. Rations will cease to be drawn from the day following that on which a prisoner is transferred to a Garrison or Regimental prison.

This is a Rule in order to prevent the existing system of advances. 4. When prisoners are made over to a Garrison prison, the pay drawn in Abstract on their account is to be transferred from the Regimental to the Garrison Prison Fund, the accounts of which will be kept by the Brigade Major of the Station.

As at present: 5. The ordinary sum authorized for the subsistence of each prisoner is Annas (4) four per diem, from which the authorized rations and fuel for cooking it are to be provided.

As at present: 6. The prisoners are to be supplied with the rations laid down in the scale to be prescribed from time to time by the Commander-in-Chief with the sanction of Government.

The existing rule, with the addition of allowing recourse to be had to the Commissariat Department. 7. Commanding Officers may engage Contractors or employ the Provost Serjeants to supply the rations, or should they prefer to obtain the rations from the Commissariat Department, they will be supplied by the Commissariat Contractor at the contract rates. Bills for articles so supplied, countersigned by the Commissariat Officer to vouch for the rates, are to be presented at the close of each month by the Contractors to the Garrison or Regimental authorities, by whom they are at once to be paid and charged to the Prison Fund.

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8. In like manner Bills for articles supplied by Contractors or Provost Sergeants when the average cost of the rations for the month exceeds (4) four Annas each per diem, countersigned by the Commanding Officer to vouch for the rates, must be attached to the monthly accounts.

As at present.

9. Commanding Officers are responsible for the state of the prisons under them, and for the proper rationing and clothing of the prisoners.

As at present.

10. A Committee of three Officers is to be appointed to superintend under the orders of the Commanding Officer, the accounts, the equipments, &c., of each prison, and the food of the prisoners.

This is now the duty of the Committee.

11. All articles supplied to the prison, whether of food or equipments, to be subject to the approval of the Committee and of the Commanding Officer, who will also decide on the best mode of supply.

Forms of Accounts.

12. The accounts are to be prepared monthly in the form A for Regimental, and B for Garrison prison, and are to be forwarded with the regular Pay Abstracts to the Paymaster of the Circle.

A minimum establishment is here laid down to be charged in the accounts. The Staff Pay of the Provost Sergeant of a Regiment, and the full pay where they may be an effective Provost Sergeant in a Garrison Cell, will be drawn in this account.

13. Each Garrison and Regimental prison is allowed to charge the pay of the following establishment to the Prison Fund.

As at present.

- 1 Native Cook.
- 1 Bheestie.
- 1 Sweeper.

These are essentially as at present. Some slight changes have been made in requiring the Barrack Department to supply fixtures instead of the Prison Fund and vice versa. The articles are all required and allowed.

14. Any further aid required will be afforded by the Garrison or Regimental conservancy establishment, as the case may be.

Do.

15. Each prison will be provided by the Barrack Department with cots, benches, stools, tables, lamps, metal-washing basins, and in the absence of a bath, with bathing tubs. A chest for clothing, and another for cooking utensils, urine tubs, &c.

16. The following articles are to be provided and maintained as a charge to the Prison Fund.

- A sufficient stock of prison clothing, consisting of cotton shirts, trousers, jackets, socks, shoes, and warm clothing when requisite.
- Bedding, towels, and other necessaries.
- Cooking utensils.
- Plates, mugs, knives.
- Forks and spoons.
- Prison books and forms.
- Pick-axes, shovels, scrubbing and other brushes; and other articles required for the use of the prisoners, whether for their employment at labor or in keeping the prison and prison-yard in a proper condition; soap, oil, pipe-clay, and all other small articles required for the prison.

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These are essentially as at present. Some slight changes have been made in requiring the Barrack Department to supply fixtures instead of the Prison Fund, and vice versa. The articles are all required and allowed.

17. The cost of washing the prison clothes, of a barber for shaving and cutting hair of prisoners, and of tinning cooking and messing utensils, is also to be a charge to the Prison Fund.

18. When a prisoner is required to wear his own clothing for any portion of the period during which he forfeits his whole pay, an allowance of 1½d. a day will be made to him on such account.

As at present.

19. The conveyance of prisoners in transit from one station to another not far distant, when not accompanying their Corps on the line of march or to the Presidency or elsewhere, to be made over to the Civil authorities from any adjacent Military prison, or by rail from any station on the line of a Railway to a Military post or to the Presidency, will be provided in the same manner as for Soldiers.

As at present.

20. The cost of subsistence and of any incidental charges will be defrayed from the Prison Fund of the Garrison or Regiment from which the prisoner is proceeding.

The expenses of subsistence, &c., instead of being paid by the Commissariat, it is proposed should be paid by the Prison Fund.

Ditto.

21. For this purpose an advance is to be made to the person proceeding in charge, calculated for the requisite number of days.

22. But as a rule, where the rail is not available for the speedy transport of a prisoner, and invariably when the journey by ordinary marches is long, prisoners will be sent with parties of European Troops moving in the same direction, and in such cases rations will be supplied on their account by the Commissariat Department on the same scale as to the Troops; any necessary incidental expenses being charged to the prison from which prisoner is proceeding.

Ditto.

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24th June 1863.

General Account of the Prison Fund of

Regiment.

Class.	Number of Vouchers.		Dr.	Cr.
By				
		Amount remitted to Garrison Prison at		
		Paid to Captain of Company for cooking and Company charges...		
		Paid to clothing days of 11d... for wearing their own		
		Subsistence of prisoners in Regimental prison for days averaging per diem...		
		Bill for prisoners in transit...		
		Prison Establishment, Provost Serjeant, Staff		
		Cook...		
		Bheesties...		
		Sweeper...		
		Washerman and Barber...		
		Bill for articles of clothing supplied, repaired, &c..		
		Tools and other requisites...		
		Minor contingencies...		
To				
		Amount of forfeited pay...		
		Pay on account of prisoners...		
		Hospital stoppages for prisoners...		
		Balance*		

We do certify that the above amount of the Prison Fund of the Regiment is correct; that the charges have been authorized by us after full consideration of the reasons which rendered the expenditure in each case necessary.

*Balance in favor of Government will be entered in debtor column, and against Government in creditor column.

President, } Committee.
Members, }

Commanding Officer.

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24th June 1863.

Form B, Garrison.

General Account of the

Garrison Prison Fund.

Class.	Number of Vouchers.		Dr.	Cr.
		Subsistence of prisoners in Garrison ..		
		Prison for days averaging per diem...		
		Bill for prisoners in transit...		
		Prison Establishment...		
		Provost Serjeant...		
		Cook...		
		Bheesties...		
		Sweeper...		
		Washerman and Barber...		
		Bill for articles of clothing supplied, repaired, &c...		
		Tools and other requisites...		
		Minor contingencies...		
		Received from Regiment on account of...		
		Hospital stoppages...		
		Balance*		

We do certify that the above account of the Garrison Prison Fund at is correct; that the charges have been authorized by us after full consideration of the reason which rendered the expenditure in each case necessary.

*Balance in favor of Government will be entered in debtor column, and against Government in creditor column.

President, } Committee.
Members, }

Commanding Officer.

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I certify that the foregoing account of Soldiers in confinement is correct, and that all particulars in _____ against each man's name is correctly stated.

(True Copy.)

(d) H. K. BURNE, Major,
Offg. Secretary to the Government of India.

Brigade Major.

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

Exd. T. McMootry.

Order. 24. June 1862 No 985

Copy forwarded to the Inspector
General of Mills for his early report

To Inspector General of Mills. Sept. 25

To the Judicial Department

ditto of 20 June

June 26 1863 Sept 11

Per. of the

From the

Inspector to
Genl. of Mills Sept 11

Sept 29 1863

No 1133

Sept 28

Referring for
consideration latter
from the Genl. of
Mills transmitting
for the opinion of the
Genl. of Mills of the
order containing
modification of the
existing rules on
the subject of the
maintenance of
order in business at
the three Fisheries

With an Order