M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	1542	Press Mis.
18-201 Dated	26-10-1864	

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Not to be folded or roughly handled

Read the following papers :—

No. 198. From F. S. CHILD, Esq., Session Judge of Cuddapah; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Madras, dated Cuddapah, 19th October 1864, No. 518.

With reference to the Proceedings of Government, dated 5th instant, I have the honor to report that the Acting Magistrate is ready to receive from me charge of the Jail at this station, but I am in doubt whether I am authorized to give up charge till some officer is appointed to immediate charge under the Magistrate, as contemplated in the order of Government referred to, and which appointment will, I presume, appear in the Government Gazette.

2. I shall be glad to receive the order of Government on the subject.

No. 199. From J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 21st October 1864, No. 255.

In reference to the Order of Government, 5th October 1864, I have the honor to state that, in consequence of several officers in charge of Jails having informed me that under that order they have handed over the charge to the Magistrate, I have issued the Circular, a copy of which is herewith forwarded. The latter paragraph refers to propositions from the Magistrates made without any regard to the close of the 9th paragraph of the order.

"A knowledge of the Vernacular of the District will be deemed essential."

2. It seems to me that the order of Government is a declaration of its intention, to be carried out in due course. In the first instance, by a repeal of so much of Act VII of 1843 as vests the charge in Sessions or Subordinate Judges; and, secondly, by sanction being obtained for an increase of allowances in the permanent establishment.

See Section 48.

3. It is not, in my opinion, now competent to the Government to declare any other officer than the Sessions Judge (when present) to have lawful charge of the Zillah Jail.

CIRCULAR, No. 138.

The Inspector General of Jails has received intimation from several Sessions Judges that they have delivered over charge of the Jails to the Magistrate, in accordance with the Order of Government of the 5th instant, No. 1458.

"A knowledge of the Vernacular language of the District will be deemed essential."

2. The Inspector General does not understand the order as authorising such transfer, nor is such transfer, to the best of his belief, yet legalized.

3. In other respects, he finds from references made by Magistrates that the order of Government has not been carefully read or understood.

OFFICE OF INSPECTOR GENERAL OF JAILS.
OOTACAMUND, 20*th October* 1864.

(Signed) J. ROHDE,
Inspector General of Jails.

To all Officers in charge of Jails.

No. 200. From G. A. HARRIS, Esq., Session Judge of Coimbatore; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Coimbatore, 22nd October 1864, No. 11.

Adverting to the Proceedings of Government, dated 5th October 1864, No. 1458, appointing the Magistrate to take charge of this Jail, I have the honor to request I may be informed whether it is the intention of Government that this should be done at once, leaving the Magistrate to nominate (so soon as he may be able to do so) the officer who is to be in the immediate management of it.

No. 201. ORDER THEREON, 26th October 1864, No. 1542.

The Governor in Council directs that the transfer of the Jails from the Session Judges to the Magistrates, ordered in the Proceedings of Government of the 5th instant, shall not take effect until an Act shall have been passed repealing Section 48, Act VII of 1843. A Bill for this purpose will be introduced into the Council of the Governor for making Laws and Regulations at its next meeting.

No. 1458.

2. The several Magistrates will in the meanwhile submit, through the Inspector General of Jails, the arrangements they propose for the superintendence of the Jails, as directed in paragraph 9 of the Proceedings in question.

3. The European and Native Jails at Ootacamund will not be affected by the orders alluded to, but will continue under the charge of the Civil and Session Judge.

(True Extract.)

A. J. ARBUTHNOT,
Chief Secretary.

To the Civil and Session Judge of
" Magistrate of
" Inspector General of Jails.

Exd. J. Tulloch.

Judicial Department.

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...CEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Sessions Judge of Coimbatore.

Rec'd Inter 19 Oct. No. 518.
Inspr. Genl. of Jails 21st Oct. No. 25

Order thereon 26 October 1864 No. 1542

Vide No. 1458?

The Governor in Council directs that the transfer of the Jails from the Session Judges to the Magistrates, ordered in the Proceedings of Government of the 5 Inst. shall not take effect until an Act shall have been passed repealing Section XLVIII Act VII of 1843

Bill for this purpose will be introduced into Council of Governor making Laws & Regulations at its next meeting.

2. The several Magistrates will in the meanwhile submit through the Inspector General of Jails the arrangements

arrangements they propose for the superintendence of the Jails as directed in para 9 of the proceedings in question.

3 The European and Native Jails at Cotacamund will not be affected by the orders alluded to, but will continue under the charge of the Civil and Sessions Judge.

I have &c

To the Civil & Sessions Judge of
— Magistrate —
— Sub-Assistant Commissioner
& Superintendent of Police

esp 22/10

1542

Judicial 1864. Department.

No. 1542

PROCEEDINGS of GOVERNMENT.

Ft. 2239.
— 204/65

Dated 26 October 1864

The transfer of Jails from the Sessions Judges to the Magistrates not to take effect until an Act shall have been passed repealing Section 48 of Act VII of 1840.—

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