

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	576	Press
	248-250	~~Mis~~
Dated	23-4	1864

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
23rd April 1864.*

Read the following papers:—

No. 248. From J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 7th April 1864, No. 681.

In acknowledging the Order of Government of the 30th ultimo, relative to the admission of Inspectors General of Hospitals to visit Jails, I have the honor to state that I think the mode of communicating direct with Government in matters connected with the Jails in ordinary matters leads to inconvenience, and that the rule prescribed in letter, dated 26th April 1855, No. 322, should in all ordinary cases be carried out.

See also Extract Minutes of Consultation, 401, 17th July 1855.

2. The Order of Government now referred to is on an *ex parte* statement, and has been passed without reference to rules.

3. Mr. Ratliff placed me in possession of the facts of the case, and I consider that his view was correct, namely, that the rules laid down precluded all official inspection of Jails except by me; that he should be ready to give an order for Dr. Balfour's admission at any time but that it was desirable to adhere to the rules.

4. Had Dr. Balfour mentioned his desire to visit the Jail to Mr. Ratliff the order would have been given, unless Mr. Ratliff had taken advantage of the visit to accompany him to the Jail. I must say that I think it desirable that when Inspectors General of Hospitals are desirous of visiting Jails the ordinary courtesy of requesting an order should be followed.

P. S.—The Government will observe that the European Prison rules following those of English Prisons take the same ground.

No. 249. from J. RATLIFE, Esq., Session Judge of Bellary; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Judicial Department, Fort Saint George, dated Bellary, 8th April 1864, No. 46.

I have the honor, with reference to Proceedings of Government under date 30th ultimo, and to tenor of "Order," No. 423, to very respectfully explain that in acting as I did, I believed myself to have been merely carrying out the instructions of the Inspector General of Jails, as conveyed in the accompanying (copy of) Standing order. Surgeon Balfour would, however, have, on this occasion and ever, found the simple expression of a *desire* to visit the Jail most readily met. It was the assumption of *right* to do so, which I, and as I regret to find erroneously, resisted.

2. As regards the object of Mr. Balfour's proposed visit, I beg to respectfully represent that I did not understand, from the tenor of his communication, No. 526, under date 30th December, that the advised "inspection" was for the purpose of ascertaining, or reporting upon, its sanitary condition, an object indeed which seemed all the less likely, from the fact of Dr. Shaw, his superior officer, having only "five weeks," previously specially visited, and thoroughly inspected it, for (as I believed) the very purpose in question.

3. Mr. Cole is, I would further venture to explain, in error as regards the conclusion recorded in paragraph 3 of his letter to your address, under date January 11th, as the Jail hospital at this station is a building without the walls of, and quite distinct from, the Jail proper. Trusting that I shall stand excused for having ventured to submit this explanation.

CIRCULAR No. 82.

The Inspector General of Jails has reason to believe that persons are often admitted within the precincts of the Jail without authority; he now directs that no person, other than officers of the Jail, or the Magistrates or Superintendents of Police, the Zillah Surgeon, or persons in their company be admitted within the precincts of any Jail, unless under a pass signed by the officer in charge.

2. Jailers are prohibited from issuing passes, either general or special.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters

(A true Copy.)

No. 250.

The Governor in Council adheres to the opinion expressed in the Proceedings of Government under date the 30th ultimo, to the effect that Mr. Ratliff should have abstained from questioning the Deputy Inspector General's authority to visit the Jail.

2. If the Zillah Surgeon is entitled to visit the Jail without a pass the local head of his Department is clearly entitled to do so, and it was quite sufficient that he should intimate his intention to the officer in charge of the Jail.

(True Extract.)

Chief Secretary.

To the Inspector General of Jails.
 „ Session Judge of Bellary.
 „ Principal Inspector General, Medical Department.

Exd. J. Tulloch.

From the Inspector General of Mills - (Here enter 7th April 1861 N^o 681.)
 " " Session Judge of Bellary - (" " 8th " " N^o 46.)

Order thereon 23^d April 1864 c. 376

The Governor and Council adheres to the opinion expressed in the proceedings of Government under date the 21st of January to the effect that Mr. Ratliff should have abstained from questioning the Deputy Inspector General's authority to visit the

Medical 1864. Department.

No. *576*

PROCEEDINGS OF GOVERNMENT.

Dated *23^d April 1864*

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