

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	148	Press
		Mis.
Dated 26. 1. 1865 19		

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
26th January 1865.*

No. 241. Read the following letter from A. COLVIN, Esq., Officiating Under Secretary to the Government of India, to J. D. SIM, Esq., Secretary to the Government of Fort Saint George; dated Fort William, 10th January 1865, No. 262.

Home Department.

I am directed to forward, for the information of the Government of Madras, the accompanying copy of a letter* from the Advocate General of Bengal, containing his opinion as to the illegality of putting to any work, against their will, prisoners sentenced to "simple imprisonment."

* Dated 16th December 1864.

2. I am to request that the usual steps may be taken for communicating the Advocate General's opinion to the various Officers administering Criminal Justice within the Madras Presidency.

From T. H. COWIE, Esq., Advocate General, to the Honorable R. N. CUST, Officiating Secretary to the Government of India; dated Calcutta, 16th December 1864.

I have the honor to acknowledge receipt of your letter, No. 6142 of the 5th instant.

2. I am not aware of any legal distinction between "hard labor" and light labor." In fact the law does not define hard labor, but leaves it to be determined as a matter of prison discipline by the Executive Government; and, however, this may be, I am clearly of opinion that "simple imprisonment," under the Penal Code, means nothing more than confinement in Jail, subject to the Jail Rules as to diet, &c., and that prisoners undergoing such a sentence cannot lawfully be put to any work against their will.

No. 242. ORDER THEREON, 26th January 1865, No. 148.

The Governor in Council directs that the foregoing papers be communicated to all Officers having charge of, or control over, Jails, for their guidance, and for communication to the Officers subordinate to them.

(True Extract).

Chief Secretary.

To the Commissioner of Police.
" Inspector General of Jails.
" Session Judge of
" Magistrate of

Exd. J. H. Burns.

No. 262

FROM

A. COLVIN, ESQUIRE

Offg. Under Secy. to the Govt. of India,

To

*J. D. Sim Esq^{re}
Secretary to the Govt. of Fort St. George*

SIR,

Dated Fort William, the 10th January 1865.

HONORARY DEPT.

I AM directed to forward, for the information of the Govt. of Madras the accompanying copy of a letter* from the Advocate General of Bengal, containing his opinion as to the illegality of putting to any work, against their will, prisoners sentenced to "simple imprisonment."

* Dated 16th December 1864.

2. I am to request that the usual steps may be taken for communicating the Advocate General's opinion to the various Officers administering Criminal justice within the Madras Presidency.

I have the honor to be,

SIR,

Your most obedient servant,

A. Colvin

Offg. Under Secy. to the Govt. of India.

Roll 1873-20th St.
 June 14th
 Huddesburgh & York & Pottsville
 Home Depot
 No 262

Patented Nov 24 - 1883

Dear Mr. Chapman

Rs 160

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Swift Order.

No. 148. 26 January 1855.
 The Government in Council directs that
 the foregoing, should be communicated
 to all Officers having charge of con-
 trol over Sailors for their guidance & for com-
 munication to the officers.
 The Commissioner of Police
 of Police
 Inspector General of Police
 Sessions Judge of Court
 Magistrate of Court