

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1500. Press
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148-152.

Dated 21.10.1865 19

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
21st October 1865.*

Read the following papers :—

No. 148. From the Superintendent Government Chinchona Plantations, Ootacamund; to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 5th October 1865, No. 82.

With reference to the Order of Government, under date 1st September 1865, No. 1364, I have the honor to solicit the favor of your being so good as to inform me if the above noted order applies to myself as Superintendent of the District Jails under my charge.

2. The convicts have been located in the Dodabet Jail since the 20th ultimo. The Chinese especially have been found to be most useful in performing the more delicate operations on the plantation, such as planting out, forming nursery beds, &c. I would, therefore, respectfully submit, for the consideration of Government, the advantages likely to arise from as many Chinese convicts as are available being allotted for employment on our plantations, our works being in harmony with their early training they therefore take to it kindly and contentedly.

3. Many of our other prisoners are short-sentenced men, the time of one having already expired, and that of two more will expire this month; this is productive of some inconvenience, and I would therefore most respectfully solicit the favor of the Government being pleased to order that the men allotted for our Jails here may be such as are sentenced to long terms of imprisonment, and when practicable that Canarese, Moplah, or Coorumber prisoners may be sent, as these men stand this climate better than the ordinary natives.

Referred to the Inspector General of Jails.

(Signed) A. J. ARBUTHNOT,

OOTACAMUND, 11th October 1865.

Chief Secretary.

No. 149. From the Superintendent Government Chinchona Plantations, in charge of Dodabet Jail; to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 10th October 1865, No. 86.

With reference to the enclosed correspondence, I would most respectfully solicit the permission of Government to remove the irons from such of the Chinese prisoners under my charge as by their good conduct and attention to their duties may prove to merit this indulgence.

2. The Chinese have not the same advantages as other prisoners in effecting an escape, and I do not think this will be attempted; however, should the Government see fit to grant this indulgence it will be exercised with caution, and only extended to a few prisoners at a time.

From the Superintendent Government Chinchona Plantations, in charge of Dodabet Jail; to the Acting Judge of the Session Court, Ootacamund, dated Ootacamund, 9th October 1865, No. 85.

I have the honor to solicit the favor of your being so good as to grant me permission to remove the irons from such of the Chinese or other prisoners as by their good conduct and attention to their duties may prove to merit this indulgence.

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From the Acting Session Judge, Ootacamund; to the Superintendent Government Chinchona Plantations, in charge of Dodabet Jail, dated Ootacamund, 7th October 1865, No. 170.

In reply to your letter of yesterday's date I have the honor to state, that it rests with the Officer in charge of the Jail to work his prisoners with irons or without, consequently I have nothing to do with it.

2. I think it as well, however, to state that I have never worked prisoners *myself* outside a Jail *without* irons, and I doubt much if the Police would take the responsibility of guarding such.

(True Copies.)

(Signed) W. G. McIVOR,
Supt. Govt. Chinchona Plantations.

Referred to the Inspector General of Jails.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

OOTACAMUND, 11th October 1865.

No. 150. From the Acting Inspector General of Jails; to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 13th October 1865, No. 371.

I have the honor to return Mr. McIvor's letter of the 9th instant, No. 86, with two enclosures, referred to me for report on the 11th instant, and to state I am of opinion that, except for special reasons, the irons ought not to be removed from any convict until he has served one-third of his sentence at least, and then only with the sanction of the Inspector General of Jails, which should be applied for in every case.

2. The present reference having regard to a matter of Jail discipline, it seems to me that it ought to have been made to the Inspector General of Jails direct.

No. 151. From the Acting Inspector General of Jails; to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 13th October 1865, No. 372.

I have the honor to return Mr. McIvor's letter, No. 82, dated 5th instant, and referred to me for report on the 11th.

2. The question put in the first paragraph appears to have already been disposed of by Government in the order noted in the margin, whereby the powers of punishment are vested in the Joint Magistrate of Ootacamund, and I see no necessity for altering that arrangement.

Judicial Department, 28th June 1865, No. 911.

3. With regard to the employment of all available Chinese convicts on the Chinchona Plantations, I am of opinion that, bearing in mind the aptitude of the people of that nation for intrigue and combination, it is not advisable to have a large number in any one Jail; certainly not in Jails such as those on the plantations.

4. As to the allotment of convicts of a particular description, it must be remembered that the rules to be observed in the selection of men for labor on the Hills are already so rigorous that it is not easy to supply the demand without bringing the convicts from a considerable distance, and this difficulty will increase as the able-bodied men are withdrawn from the nearer Jails. It is to be presumed

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that the Inspector General of Jails will always be ready to comply with any reasonable requisition on the part of an Officer in charge of a Jail as far as may be in his power with reference to the various other matters which it is his duty to consider; and I therefore hope that Government will not think it necessary to impose any restriction either as to the caste or length of sentence of convicts to be selected for labor on the Hills.

No. 152. ORDER THEREON, 21st October 1865, No. 1500.

The Order of the 21st ultimo, No. 1364, does not apply to the Superintendent of the Government Chinchona Plantations.

2. The Governor in Council thinks it desirable that the whole of the limited number of Chinese convicts recently transported to this Presidency should be confined in the Jail at Dodabet, or in such other Jails as may be established on the Chinchona Plantations.

3. It is obviously very inexpedient that convicts whose sentences are nearly expired should be sent to the Jails on the Plantations, and as a general rule the convicts to be transferred to those Jails should be healthy men, whose sentences have still some two years to run, Canarese, Moplah and Coorumber prisoners being preferred. With this expression of opinion, the Governor in Council will leave the matter to the Inspector General of Jails, whom Mr. McIvor should address whenever he may require orders regarding the Jails under his charge.

4. Adverting to the nature of the work on which the prisoners in the Plantations are employed, and the great difficulties which a Chinese convict must experience in effecting his escape, the Government would be inclined to allow the Superintendent of the Chinchona Plantations to work convicts of this class without irons, subject to such restrictions in regard to the number to be so worked at one time, and on other points as the Inspector General may deem it proper to impose.

(True Extract).

Acting Secretary to Government.

To the Superintendent Government Chinchona Plantations, Ootacamund.
,, Inspector General of Jails.

Exd. J. Tulloch.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers.

From the Supdt. Govt. Cinchona
Plantations. Colacamund. 7/5 & 9 Octr. 1865 Nos 82 & 86.
From the Ag. Insp. General of Jails. 7/13 Octr. 1865 Nos 375 & 372).

Order thereon. 21st October 1865 No 1500.

The Order of the 1st
ultimo, No 1366, does not
apply to the Superintendent
of the Govt. Cinchona
Plantations.

2. The Governor in
Council thinks it
desirable ^{that} the whole of
the limited number of
Chinese Convicts recently
transported to this
Presidency should be
confined in the jail at
Doddabett or in such
other jails as may be
established on the
Cinchona plantations.

It

2. It is obviously very inexpedient that Convicts whose sentences are nearly expired should be sent to the jails on the plantations, and as a general rule the Convicts to be transferred to those jails should be ~~mostly~~ ^{such} men whose sentences have still some two years to run, Canarese, Inoplah and Corrumber prisoners being preferred. With this expression of opinion, the Governor in Council will leave the matter to the Inspector General of Jails whom Mr. M. S. Fort should address whenever he may require orders regarding the jails under his charge.

3. Adverting to the nature of the work on which the prisoners in

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in the Plantations are employed and the great difficulties which a Chinese Convict must experience in effecting his escape, the Govt. would be inclined to allow the Superintendent of the Cinchona Plantations to work ~~convicts~~ ^{convicts} of this class without irons, subject to such restrictions in regard to the number to be so worked at one time and on other points as the Inspector General may deem it proper to impose.

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To the Supdt. Govt. Cinchona
Plantations - Bt. Ad. }
- Insp. Genl. of Jails }
desp 24/10 18.

*Convicts on the Con-
chona Plantations*

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Pro- of Govt
H. S. L. 1865, Department.

No. 1570

PROCEEDINGS OF GOVERNMENT.

Of 42431-2438.

Dated 21 October 1865

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Recd from City 20/10

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