

[illegible]

Proceedings of the Madras Government, Judicial Department,
4th April 1865.

No. 19. Read the following letter from A. P. HOWELL, Esq., Under Secretary to the Government of India, to the Honorable A. J. ARBUTHNOT, Chief Secretary to the Government of Fort Saint George; dated Fort William, 11th March 1865, No. 2320.

Home Department.

I am directed to transmit, for your information and guidance, the accompanying letter to the Chief Commissioner of British Burmah, dated the 6th October 1864, No. 4902, with reference to the question of conveying to Port Blair the families of convicts transported to that Settlement.

From E. C. BAYLEY, Esq., Secretary to the Government of India, to Lieutenant-Colonel PHAYRE, C. B., Chief Commissioner, British Burmah; dated Simla, 6th October 1864, No. 4902.

Home Department.

Judicial.

I am directed to acknowledge the receipt of a letter from the Superintendent of Port Blair, No. 40, dated the 15th July, containing proposals, with reference to the question of conveying to Port Blair the families of convicts transported thither; and, in reply, to request that the Superintendent may be informed that any such general and indiscriminate arrangement as he proposes cannot be sanctioned.

2. The Superintendent of Port Blair has sent up Lists of convicts, without the information as to the crimes for which they were convicted, or the terms of their sentences, or the periods of imprisonment which they have already undergone. Such Lists are wholly useless for the purpose for which they are sent.

4. The Governor General in Council desires that the following principles may be kept in view :—

(a).—In no case should the family of a convict be allowed to accompany the convict to Port Blair. Such a proposal the Governor General in Council considers to be quite inconsistent with the maintenance of the punitive character of a sentence of transportation.

(b).—The family of no convict who is sentenced for a term of years should be allowed to proceed to Port Blair. It is evident, from the tenor of the communication from Port Blair, where the prevailing feeling is to convert the Penal Settlement into a Colony, the proposed exception would become the rule; and that the Settlement would be deprived of the essence of its penal character—isolation from home and family—besides subjecting the public to indefinite expense.

(c).—With regard to life-convicts and exceptional term-convicts, some period of servitude should be fixed, at the end of which a convict, if he has been well behaved, and has consequently earned the position which the Rules of the Settlement should assign to well-conducted convicts, after fixed periods of servitude, may be permitted, as a great privilege, to send for his family.

4. It is requested that the Superintendent of Port Blair may be instructed to give the option to certain selected life and exceptional term-convicts of writing for their families, and to forward a List of those who accept the offer,—communicating full particulars of their cases, the crime for which they were convicted, the sentence, the date of sentence, the date of arrival at Port Blair, conduct since arrival, &c., &c.

5. The scale of allowances, as per margin, proposed by the Superintendent of Port Blair for the families

For each woman, for one year, two annas per diem, for which work is to be executed.
Boys under four years half anna per diem; above four and under eight years, one anna per diem; above eight and under twelve years, one and a half anna per diem.
Similar allowances for girls, save that their allowance, one and a half anna, is to be continued till they are 15; and after that, two annas a day, till they are married.
of convicts on arrival at the Settlement, is approved.

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Copy to the Financial Department, with reference to the concluding paragraph.

Copy of the above letter forwarded to the Bengal Government, for information, with reference to the letter therefrom, No. 1996T, dated 2nd August last.

Copy of the above letter forwarded to the Government, North-Western Provinces, for information, with reference to the letter from that Government to the Bengal Government, No. 931A dated the 9th July last.

(Signed) E. C. BAYLEY,
Secretary to the Government of India.

No. 20. ORDER THEREON, 4th April 1865, No. 517

Communicated to the Inspector General of Jails, to the Commissioner and the Superintendent of Marine.

(True Extract).

Chief Secretary.

To the Inspector General of Jails.

„ Commissioner of Police.

„ Superintendent of Marine.

Exd. J. H. Burns.

with Order.

*Forwarded for information & for
reference to the Bengal Government
of British India & to the
Government of North-Western
Provinces & to the
Government of Madras
dated 11th April 1865.*

Sept 20/68.

*No. 517 - 4 April 1865 -
Communicated to the Inspector Genl.
of Jails, to the Commissioner of Police,
& to the Superintendent of Marine.*

*The Inspector Genl.
of Jails.
„ Commr. of Police.
„ Subltt. of Marine*