

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 610

Press
Mis.

164-165

Dated 22. 4. 1918

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
22nd April 1865.*

No. 164. Read the following Proceedings of Government in the Military Department, dated 7th April 1865, No. 1332.

Approving of the arrangement proposed
by the Commander-in-Chief for the pe-
riodical inspection of the cells to be
used in the system of separate imprison-
ment for Europeans. } Vide Proceedings, Military Department,
dated 7th April 1865, Nos. 117 &
118.

No. 165. ORDER THEREON, 22nd April 1865, No. 610.

Communicated to the Inspector General of Jails.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

To the Inspector General of Jails.

Edw. J. Tulloch.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

From Offg. Dy. Secy. to Govt. of India,
18th July 1864, No. 373, and 5th Sept.
1864, No. 68.
From Offg. Pl. Insp. Genl., Medl. Dept.,
5th Octr. 1864, No. 334.
From Offg. Dy. Secy. to Govt. of India,
18th October 1864, No. 221.
„ Adj. Genl. 5th Nov. 1864, No. 958.
„ Qr. Mr. Gl. „ „ „ No. ⁴⁹⁸_{10,107.}

Recorded in Proceed-
ings of Government,
No. 4282, dated 30th
November 1864.

Read again the papers
noted in the margin.

Read also the following papers :—

From the Deputy Quarter Master General, Fort Saint George, 23rd December 1864,
No. 11,719; to the Secretary to Government, Military Department.

With reference to the Orders of Government as per margin, I have the honor,
by desire of His Excellency the Command-

Order of Govt., No. 3792, 26th October 1864.

„ „ 4282, 30th Nov. „

No. 8839, dated 28th September 1864.

er-in-Chief, to forward, for the information
of Government, copy of a Circular from
this Office, and a summary of the replies
received from Divisions and Forces regard-
ing Cells, for carrying out a system of
separate imprisonment of Europeans.

2. A reply has not yet been received from the Officer Commanding the Pegu
Division.

Circular from the Deputy Quarter Master General, Fort Saint George, 28th September 1864,
No. 8839; to the Officer Commanding

The immediate adoption of a system of separate, not solitary, imprisonment, as explained in

Letter from the Advocate General, Calcutta, dated 19th April 1861, to the Offi-
ating Deputy Secretary to the Government of India, Military Department.
Para. 4. "I do not think there is anything in the Law now in force in India
which renders it necessary to keep a Prisoner in Company with others, both by day
and night, where solitary confinement forms no part of his sentence. The solitary
confinement which the Law does not permit, except in conformity with a sentence
expressly awarding it in* a state of confinement where the Prisoner is
kept both by day and night in continuous solitude for more than twenty-
four hours. None of the evils likely to arise from too long a continuance
of such a state can be incurred by keeping a Prisoner during some portion of every
twenty-four hours in a separate Cell: and provided he be not kept for an unreason-
able number of hours out of the twenty-four, full regard being had to his health,
both mental and bodily, and that the Cells themselves are of the description given
in Section IV, of the 1 and 2 Viet. Cap 56, i.e., of such a size, and lighted, venti-
lated and fitted up in such a manner as may be required by a due regard to health,
and furnished with the means of enabling the Prisoner to communicate at any time
with some Non-Commissioned Officer or person in charge of the Prison. I do not
think there can be any legal objection to confining Military Prisoners separately
during the night and a portion of the day."

the Extract noted in the
margin, from a letter from the
Advocate General, Calcutta,
has been authorised in the
Bengal Presidency in Cells of
a suitable description where
such at present exist, and here-
after in such other Cells as
shall be made so.

2. His Excellency the
Commander-in-Chief is desir-
ous that the same system of
separate imprisonment should

be enforced in this Presidency where Cells are suitable for the purpose. I am accordingly instructed
by His Excellency to request you will, at your earliest convenience, report fully on the Cells now
existing at Stations within your Command, specifying in detail those that are suitable for immediate
use as places of separate imprisonment for Europeans, and also noting those which, by alterations,
are capable of being made suitable in all respects for the purpose in contemplation.

SUMMARY OF THE REPORTS from Divisions regarding Cells for separate imprisonment of Europeans.

Stations.	What Cells are now existing at the Station suitable for immediate use as places of separate imprisonment for Europeans.	No. of Cells available, which, by alterations, are capable of being made suitable in all respect for the purpose.	No. of Cells that will be required for the purpose.	Remarks.
Fort Saint George.....	Six Cells and one Association Room.	None	2 more Cells, with an Association Room, will be required for the Regiment and Battery of Artillery which it is proposed to bring into the Fort, and Details.	
Saint Thomas' Mount.....	None	None	2 Cells with an Association Room.	There are 10 Cells for the British Infantry of old pattern, quite unfit for occupation.
Poonamallee.....	None	None	0 Cells with an Association Room.	At present 8 upper story married quarters are now for 8 Prisoners, the floor of the upper story having been removed; by this arrangement 16 married quarters have been lost.
Trichinopoly.....	None	None		
Wellington.....	None	None		But being used for Prisoners undergoing solitary confinement are not always available.
Bangalore. { 1st Dragoon Guards..... D Brigade Royal Artillery. A Battery 23rd Brigade 14th " Her Majesty's 66th Regiment.	None 2 Provost Cells	None Guard-room Cell		
Masulipatam.....	None	None None None		here are 0 Cells being 1 suitable
Vizagapatam....	None	None		there are now 2 Cells do.

Stations.	What Cells are now existing at the Station suitable for immediate use as places of separate imprisonment for Europeans.	No. of Cells available, which, by alterations, are capable of being made suitable in all respect for the purpose.	No. of Cells that will be required for the purpose.	Remarks.
Bellary.....	None	None		There are 15 Cells for solitary imprisonment, but not suitable for the purpose. Recommends that a Garrison Prison be erected as suggested in letter from Officer Commanding Ceded Districts, No. 112, of the 15th September 1864, and which he has been directed to include in the next Budget.
Secunderabad. { 17th Lancers No. 5 Battery 17th Brigade. Royal Horse Artillery. 108th Regiment 18th Royal Irish.....	None None None Six Cells None	None None None None None		A Block of suitable Cells recommended to be erected. Requires Cells, and it has been recommended that 2 of the octagonal buildings of the Regiment be converted into 8 Cells for carrying out Regimental punishment. The Military Prison contains 32 Cells admirably constructed; the number however has been found insufficient and a Plan has been sent shewing the design on which an addition of 20 Cells is to be made.
Kamptec. { C Battery D Brigade Royal Horse Arty. C Battery and 14th Bn. D Battery 20th Brigade Royal Artillery.	None None	None 5 Cells by the addition to each of them of an iron grated * door.		2 Prison Rooms existing, but not available for the purpose contemplated. * But from their position such an addition is not recommended. They can be used at night and so far the separate system will be carried out at once on them.
No. 3 Battery 17th Brigade Royal Artillery.	2 Prison rooms.†			† They have no regular or detached Cells. Grated iron doors are required for the better security of the Prisoners by day. The separate system is practically already carried out in this Battery. Should its Prisoners exceed two in number, they are transferred to the Royal Artillery Prison. This Battery being in temporary Quarters, no increased accommodation for its Prisoners are recommended.

Stations.	What Cells are now existing at the Station suitable for immediate use as places of separate imprisonment for Europeans.	No. of Cells available which, by alterations, are capable of being made suitable in all respects for the purpose.	No. of Cells that will be required for the purpose.	Remarks.
(Kampfec. Royal Artillery	New Prison			This Prison has one room capable of containing 10 Prisoners, also 4 separate rooms each large enough to accommodate 4 Prisoners, but each practically used for the custody of Prisoners. These rooms are unnecessarily large. In them both separate and solitary confinement awards will be carried out; the rooms are suitable for either purpose. To divide them into separate Cells would be very difficult, and is not recommended. Recommendations for the better carrying out of the system of separate detention, a block of six Solitary Cells be erected contiguous to the Artillery Prison. *The only objection to these Cells is that they are unbearable during the hot season, and for 11 but four months of the year, are considered prejudicial to the health of the Prisoners. Recommends that a block of 10 lofty and airy cells be erected contiguous to the Barracks of the Regiment, for the better carrying out of the system of separate confinement during certain hours of the day and throughout nights; of course Military Prison would be appreciated if Government were willing to incur the expense, failing that, it is recommended the suggestions made above will suffice to serve interests of discipline. †When required for <i>bonâ fide</i> solitary punishment, they can be used for the purpose in the Circular.
1st Battery Royals	None	2 detached * S Cells when iron doors have been attached to each.		
(Royal Artillery	3 Cells†			

102nd Regiment	5 Cells			There are 10 now very fine Cells which, when not occupied by men sentenced to solitary confinement, can also be used—4 or 5 of these are always available. The 2 Cells in use with the Royal Artillery in Fort Cornwallis, will be quite fit for separate imprisonment as soon as the sanctioned alterations to them have been completed. If the same Cells are intended to be used for men sentenced to solitary confinement, as well as for men undergoing simple imprisonment, the 2 Cells which now exist will be insufficient. 2 Cells more will be necessary.
Penang Royal Artillery	2 Cells			

QUARTER MASTER GENERAL'S OFFICE,
FORT SAINT GEORGE, 23rd December 1864.

(Signed) E. J. LAWDER, Major,
Dy. Qr. M^r. Genl.

ORDER, No. 315, 24th January 1865.

Ordered that the foregoing letter and Statement from the Quarter Master General be communicated to the Department Public Works, in view to measures being taken to adapt the buildings in use, and to provide others where required, for the purpose of carrying into effect the new system of imprisonment, ordered to be observed by the Government of India, in the Proceedings of Government above recorded.

2. The twenty-one Cells required at Wellington, and for which the foundations are already prepared, will be completed, conformably to the new system, as soon as funds can be provided. Meanwhile, the Plan of the Cells will be submitted to Government, as required in paragraph 2 of the Proceedings of Government above recorded.

3. It is observed that the extension of the Military Prison at Trimulgherry is under the consideration of the Government of India.

4. With reference to the Proceedings of the Right Honorable the Governor General in Council in the Home Department, (Judicial) No. 784, dated 29th January 1864, recorded in the foregoing Proceedings, the Governor in Council wishes to be informed of the arrangements proposed for the periodical inspection of the Cells on the new system being brought into practice.

(True Extract.)

Under Secretary to Government.

To the Quarter Master General.
 „ Public Works Department,
 with Pro. of Govt. No. 4282 of 1864.
 „ Adjutant General.
 „ Prinl. Insp. Genl. Medl. Dept., } for information.
 „ Judicial Department,

• President Sanitary Commission do

Exd. T. Stubbs.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter:—

From the Adjutant General, Fort Saint George, 18th March 1865, No. 209; to the Secretary to Government, Military Department.

With reference to paragraph 4 of the Order* of Government, dated 24th January 1865, No. 315, I have the honor, by order, to report for the information of His Excellency the Governor in Council, that the Commander-in-Chief considers that the Periodical Inspection of Cells, should be made by the Officers Commanding, and that previous to their being used in the first instance, a careful inspection of them should be made by the Inspector of Jails of the Presidency and the Sanitary Commission.

ORDER, No. 1332, 7th April 1865.

And communicated to the Sanitary Commission, and through the Department, to the Inspector General of Jails, to whom the Public Works Department will, in future, intimate the completion of Cells for Military Prisoners, in view to the necessary inspection being made before the buildings are delivered over to the Military Authorities.

(True Extract.)

Under Secretary to Government.

To the Adjutant General.
 „ President Sanitary Commission.
 „ Judicial Department. With Sanitary Office
 „ Public Works Department.
 „ General.
 „ General Medical Department, for information.

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