

MADRAS RECORD OFFICE.

Government of Madras.

Ins. & L. DEPARTMENT.

G.O. No. 1874	Press ~~Mis.~~
Dated 8-10-1918	1866

38-29

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
8th October 1866.*

No. 78. Read the following letter from the Magistrate of South Arcot, to the Secretary to Government, Fort Saint George; dated Cuddalore, 14th September 1866, No. 47.

In reference to the Order of Government, dated 28th ultimo, No. 1349, I have the honor to observe that their Order of the 21st July 1862, which legalized Taluq Cutcheries as places of confinement for prisoners sentenced to periods of imprisonment not exceeding one month, has not been inoperative in this District; but the Government appear to have overlooked the fact that this Order has been superseded by the new Jail Rules, circulated to Magistrates on the 10th July last, and paragraph 30 of which directs that "in Taluq Lock-ups and Subsidiary Jails shall be confined all persons committed to custody, pending trial, or preliminary investigation, before the Magistrate in charge of a division of a District, and all Criminal prisoners sentenced to less than thirty days' imprisonment—all other prisoners being transferred to the District Jails," and, further on, it is "provided that no convicted prisoner shall be confined for more than 14 days in a Subsidiary Jail, if there is a District Jail within a distance of 20 miles from the Magistrate by whom such sentence of imprisonment has been passed."

2. Government are aware that the new Subsidiary Jails, erected in this District, are now in use as such, in lieu of the Taluq Cutcheries, but one of those—the Subsidiary Jail at Tiruvady—is less than 20 miles distant from the District Jail, and, therefore, under the above rule, it cannot strictly be made available for prisoners convicted by the Magistrate as originally intended, and I must, therefore, seek a relaxation of the said Order, in view to meet the otherwise difficulty.

3. I beg to add that, in my opinion, it is highly desirable, especially at this season, when the District Jail is already much overcrowded, and when both Dysentery and Cholera have appeared in it, as already informed to Government, that the limit of 14 days for which, under the Jail Rules, a prisoner may be incarcerated, should be extended to one month to all Subsidiary Jails indiscriminately, as originally ordered by Government, in their Proceedings quoted in the first paragraph of this letter.

4. The prisoners sent from the Zillah to the Subsidiary Jails, as a temporary measure, have already been recalled, under instructions from Colonel Wilson, I believe; but the arrangement served its object, and involved no cost or charge to any but the Jail Department.

5. The use of Lock-ups, as places of confinement for convicted prisoners, has been prohibited.

No. 79. ORDER THEREON, 8th October 1866, No. 1574.

The limit of imprisonment laid down in the Jail Rules is the same as that prescribed in G. O., 21st July 1862, No. 1150, paragraph 2, namely, one month, except in cases in which there is a District Jail within a distance of 20 miles from the Magistrate passing the sentence of imprisonment. Under the circumstances stated in the foregoing letter as to the present overcrowded state of the District Jail in Cuddalore, the Governor in Council is pleased to waive the restriction in

*Proceedings of the Madras Government, Judicial Department,
8th October 1866.*

question, and to direct that all prisoners sentenced to one month's imprisonment and under, by the Magistrate at Tiruvady, be confined in the Subsidiary Jail at that station, instead of being sent to the District Jail, so long as the latter cannot properly accommodate them.

(True Extract).

Secretary to Government.

To the Magistrate of South Arcot.
„ Inspector General of Jails.

Ed. J. H. Burns.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following letter
from the Magistrate of South
Arcot.
(Received 1st September 1866)*

Order thereon 8 October 1866 No 1574

The limit of imprisonment laid down in the Jail Rules is the same as that prescribed in G. O. 25th July 1862 No 1150 paragraph 2, namely one month, except in cases in which there is a District Jail within a distance of 20 miles from the Magistrate passing the sentence of imprisonment. Under the circumstances stated in the foregoing letter as to the present overcrowded state

of the District Jail in Cuddalore, the Governor in Council is pleased to waive the restriction in question, and to direct that all Prisoners sentenced to one month's imprisonment and under by the Magistrates at Tirumaly be confined in the Subsidiary Jail at that station, instead of being sent to the District Jail. so long as the latter cannot properly accommodate them.
O.P.

J.S.

To the Magistrate of South Arcot
" Inspector General of Jails
12/11/00

Indian 1865. Department.

No. 672.

PROCEEDINGS OF GOVERNMENT.

Dated 8th October 1866.

18. 79.