

MADRAS RECORD OFFICE.

Government of Madras.

Income DEPARTMENT.

G.O. No. 260	Press ~~Mis.~~
Dated 20.2.1867	

Not to be folded or roughly handled

Date of issue.	Particulars of records furnished.	Purpose for which furnished.	Remarks.
by 260 154557	20.2.1867	27366/1867	
25/8			

ANNEXURE.

Sect. II. 41.

415

*Proceedings of the Madras Government, Judicial Department,
20th February 1867.*

No. 154. Read the following letter from the Inspector General of Police, to the Chief Secretary to Government, Fort Saint George; dated Madras, 3rd January 1867, No. 4.

General Department.

I have the honor to request the instructions of Government as to the proper persons to have charge of the keys of Magisterial lock-ups and Subsidiary Jails, especially during the night.

2. Persons confined in these places are Magisterial prisoners. Those in the under-trial lock-ups are prisoners in cases before the Magistrate's Court. Those in Subsidiary Jails are prisoners convicted and undergoing sentence by the Magistrates. Of both, the Magistrate is the proper Officer in charge, responsible for all matters of internal economy, &c., while the Police are the watchmen, responsible for safe custody.

3. It is most important to create and maintain this double check. In regard to prisoners under trial, it is the policy of the law to remove them as much as possible from the reach of the Police, and Magistrates must be required to take more interest in the management of these Subsidiary Jails. It has been too much the practice to throw all on the Police. As a case in illustration of what would be prevented by the double check—A Head Constable was lately prosecuted in Tanjore, under circumstances which left no doubt that he had sexual intercourse with a woman in the lock-up; the prosecution failed, but he and the watchman were both dismissed.

4. An Officer, a Taluq Cutcherry Attender would be quite sufficient, under the Magistrate's control and responsible to him should, indeed generally does, sleep every night at the Magistrate's office or lock-up. He should keep the keys. The lock-up would then be opened (as now in Zillah Jails) by an Officer of the Magistracy in the presence of the Senior Police Officer on duty.

5. I beg that the Government will, if they see fit, issue general instructions to the above effect to all Magistrates.

No. 155. ORDER THEREON, 20th February 1867, No. 260.

The Government have already more than once laid down that the Subsidiary Jails shall be under the charge of the Sub-Magistrates, and are surprised to learn that these Officers take so little

interest in the actual management of these places of confinement. The Governor in Council now directs that each Sub-Magistrate be strictly held responsible for all matters of internal economy connected with each lock-up in which convicted prisoners undergoing short periods of imprisonment and persons under trial are confined, the Police being responsible simply for the safe custody of the prisoners. The keys should remain with the Sub-Magistrate, with whom it will rest to make such arrangements as may be necessary for opening and closing the lock-ups as proposed in the 4th paragraph of Mr. Robinson's letter.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Police.
of Jails.

"
" Magistrate of

Exd. J. Tulloch.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Insp. Genl. of Police.

Here under 3^d January 1867 N^o 4.

Order 20th February 1867 N^o 260.

G.O. 21st July 1862 N^o 1150 p. 2
G.O. 19th Sept/65 N^o 1340 p. 6.

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W. J. A.

To the Supr. Genl. of Police } des 23/2
" " of Jail }
" Magistrates of all Dist. } des 25/2

*Copy of Letter
to Dept. of Education*

*Case No. 179-1978
2/17/62 Case No.
138-88
1979-88
Page 6*

152.155

Judicial 1862. Department.

No. 260

PROCEEDINGS OF GOVERNMENT.

Feb. 20/68

Dated 20 January 1867.