

(1) Number of pages 22
 (2) Date of repair 30.1.86
 (3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial. DEPARTMENT

G.O. No.	153	Press.
B.P. No.		Mis.
Dated	21.1.1868	197.

Not to be folded or roughly handled

Chinnaisampai

No. 100.

To
THE HONORABLE SIR C. H. SCOTLAND, KT.,
Chief Justice of the High Court of Judicature,
Madras.

HONORABLE SIR,
In continuation of the Proceedings of Government dated the 15th instant,
No. 51, I am directed by His Excellency
the Governor in Council to transmit

Dated 2nd January 1868, No. 153.
copy of a letter from the Inspector General of Jails, and of the correspondence received with it, regarding the detention of a convict in the Jail at Vellore nineteen days beyond the expiration of his sentence, and to request that the Honorable the Judges of the High Court will be good enough to pass an order prescribing the form in which warrants should be prepared, and directing the issue of a separate warrant in respect of each convicted prisoner, to enable the Government to give effect to the powers vested in them of removing convicts from one Jail to another.

I have the honor to be,
Honorable Sir,
Your most obedient Servant,

FORT SAINT GEORGE,
22nd January 1868.

Chief Secretary.

From the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Madras, 2nd January 1868, No. 153.

I have the honor to forward the correspondence regarding the detention in the Jail at Vellore of a convict, named Chengadoo, for nineteen days beyond the expiration of his sentence. It is stated in Mr. Gibson's letter that no warrant was received, but merely a descriptive roll containing the sentence only, and not the date of release, and that, in calculating the latter at the Mahal Jail, a mistake took place, and an erroneous entry was made in the Register, which was repeated in that of the Central Jail when the convict was transferred thereto. It now appears from Captain McLeod's letter that the warrant was sent from Chittoor, although it is not forthcoming. The absence of this document, however, does not affect the matter of detention; for, as the descriptive roll contained the date of sentence and the period of imprisonment awarded, the mistake ought to have been discovered at once when the prisoner made his complaint.

From E. GIBSON, Esq., Assistant Magistrate in charge of the Central Jail, Vellore, to the Inspector General of Jails; dated Vellore, 13th November 1867, No. 105.

In accordance with the provisions of paragraph 6 of the Circular Order, No. 185, dated 18th March 1867, I have the honor to inform you that one Chengadoo has been, on the 11th instant, released, after having been detained in Jail nineteen days beyond the date on which his sentence expired.

2. The mistake arose in the following manner:—The prisoner was transferred from Chittoor in November 1866; no warrant, but merely a descriptive roll stating the date of sentence and the term of imprisonment, but not the date of release, being sent with him. This roll was copied into the Mahal Jail Register at the time the prisoner was received at the Mahal, and in filling up the column headed "date of release" an error in calculation took place, and "23rd October 1865" was inserted instead of "23rd October 1867." This man was recently transferred to the huts, and his name entered in the Central Jail Register from the Mahal Jail Register, and thus the error was repeated. I greatly regret that the mistake should have occurred.

From the Inspector General of Jails, to the Superintendent of the Central Jail, Vellore; dated
Ootacamund, 12th December 1867, No. 1570.

Your letter, No. 105, dated 12th November 1867.

1. When did Chongadoo first make his complaint?
2. Was any reference made to Chittoor, and, if so, when?
3. Has the reason been ascertained why no warrant was sent with him? If not, is it good enough to inquire, and if it should turn out that there was only one warrant for a number of convicts, ask for a copy thereof.
4. I think you mentioned that, where there are several convicts in the same case, the Judges, although granting separate warrants, only write the sentence upon the back of one. Is this only done when the prisoners have been sentenced for different offences in the same case?

From Captain W. S. McLEOD, Superintendent, Central Jail, Vellore, to the Inspector General of Jails: dated Vellore, 21st December 1867, No. 111.

I have the honor to acknowledge the receipt of your Despatch, No. 1570, regarding one Chongadoo, and proceed to reply to your queries in the order given—

(1.) The prisoner first made his complaint on or about the date on which he ought to have been released.

(2.) No reference was made to Chittoor, as the mistake was discovered in this case.

(3.) The reason has not been ascertained.

(4.) The form of warrants received from different Courts vary. In those from Chittoor, when there are several prisoners in the same case, the full sentence is only written on one warrant, the remaining warrants having simply, for instance, charge "felony," sentence "six months imprisonment," vide copy of sentence in the first prisoner's warrant for further particulars. In some cases there is nothing whatever entered as the sentence, and simply "vide copy of sentence" in the first prisoner's warrant for further particulars. The first prisoner's name is not given, and in many cases he may not even be in this Jail. The calendar number of the case appears on the face of the warrant, but, in order to find out who the first prisoner is, such as may be, it is requisite to search all through the warrants and Register, and then frequently the first prisoner is not there at all. It is usual in Chittoor, to judge from warrants here, in offices with more than one prisoner, to only write the sentence on the first prisoner's warrant. The Bellary and Nellore warrants are correct.

2. The replies to queries 1, 2, and 3, have been kindly furnished me by Mr. Gibson.

3. I have addressed the Superintendent of Chittoor Jail, regarding the prisoner's warrant, but find from the Descriptive Roll referred to by Mr. Gibson, the words "warrant sent" opposite his name. It would appear, therefore, that a warrant had been sent, though no trace is now to be found of it.

Ed. J. H. Burns.

Recd. 21/

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Judicial Department

No. 100-

The Honorable Sir C. St. Scott and, Mr.
Chief Justice of the High Court of Judicature.

Honorable Sir,

In continuation of the
Proceedings of Government
dated the 15th instant, No. 51,
I am directed by His Excel-
lency the Governor in Council
to transmit copy of a letter
from the Inspector General
of Jails, and of the corres-
pondence received with it,
regarding the detention of
a convict in the Jail at
Vellore 19 days beyond the
expiration of his sentence,
and to request that the
Honorable Members of the
High Court be kept in your
mind.

D. 20 January 1868 No. 153.

enough to pass an order
prescribing the form in
which Warrants should
be prepared, and directing
the issue of a separate
Warrant in respect of each
convicted prisoner, to enable
the Government to give
effect to the power vested
in them of removing con-
victs from one jail to
another.

W. H. H.

Edw. M. G. G. G.
Edw. M. G. G. G.

W. H. H. H. H.

No 153.

2

From Lieut. Col. W. J. Wilson
Inspector General of Jails
To The Honble. R. S. Ellis C. B.
Chief Secretary to Government
Fort Saint George.

Sir, I have the honor to forward the
correspondence regarding the detention in the
Jail at Villore of a convict named Chengador
for 19 days beyond the expiration of his
sentence. It is stated in Captain M. Leeds
first letter that no warrant was received
but merely a descriptive Roll containing
the sentence only, and not the date of Release,
and that in calculating the latter at the
Mahal Jail a mistake took place and
an erroneous entry was made in the
Register, which was repeated in that
of the Central Jail when the convict
was transferred to there. It now
appears from Captain M. Leeds second
letter that the warrant was sent from
Chittoor although it was not the coming

15/12/31

15/12/31

15/12/31

15/12/31

15/12/31

15/12/31

15/12/31

The absence of this document however
does not affect the matter of detention,
for as the descriptive Roll contains
the date of Sentence, and the period of
imprisonment awarded, the mistake might
have been discovered at once when the
Prisoner made his complaint.

I have the honor to be

Sir

Your most obedt. servt.

W. M. M.

Insp. Genl. of Police

Madras

2^d Jan. 1868

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No 1576

6

From Lieut. Col. H. J. Wilson
Inspector Genl. of Jail
To The Supt. Central Jail
Mellore.

Your letter No 105 dated 13th Novr. 1867.

- 1 When did Changa-doo first make his Complaint?
- 2 Was any reference made to Chittoor and if so when?
- 3 Has the reason been ascertained why no Warrant was sent with him? If not be good enough to enquire and if it should turn out that there was only one Warrant for a number of Conicts ask for a Copy thereof.
- 4 I think you mentioned that where there are several Conicts in the same Case the J. J. although granting separate Warrants only write the sentence up on the back of one. Is this the case when the Prisoners have been

Recd 11 Feb 68

From Lieut. Col. H. J. Wilson
Inspector Genl. of Jail
To The Supt. Central Jail
Mellore.

No 153
4 3

Regarding the inmates
detention in 1867
Jail for 19 days of or
General manager Chm.
-Jailor.

We accept & think communicate
with the High Court & accordingly with
great pleasure & confidence which
we found to be well known from the
very system of having a number of
prisoners, & that the
Court will make the order for the
prison in 1867. It is not the intention
to withdraw upon that account
the order of the Court. We are in
the hope that a number of prisoners
will be sent to the Jail in 1867.
We are in the hope that the
prisoners will be sent to the Jail in 1867.
We are in the hope that the
prisoners will be sent to the Jail in 1867.
We are in the hope that the
prisoners will be sent to the Jail in 1867.

for the same periods, or in all cases?

Not answered - / Signed / H. J. Wilson
9 Dec. 1867 3 Resp. ful. of fail.

/ True Copy /

Wm. H. Wilson
Resp. ful. of fail.

187
7

June 13th 1867

1865

From E. Wilson Esq
Esq. Magistrate
in charge Central Jail
To
Lieut. Col. H. H. Wilson
Inspector General of Pails

Sir

In accordance with the
provisions of para II of the
Circular Order of 1855 dated
8th March 1857, I have the honor
to inform you that one Chingado
who was on the 11th Inst. released
after having been detained in
Jail so long beyond the date on
which his sentence expired.

E. Wilson Esq. was in the
following manner. The prisoner
was transferred from the

Separating Committee
Chengardas de la ciudad
que han traído

Después de 18 de 1855

18 de 1855

Alone 25 Dec 1857

To
From
Laid: H. V. Lee
Laid: General Lee

To
Laid: H. V. Lee
Inspector General

To
Alone the lower & adjacent
the receipt of your packet
No 15-6 regarding the General and
the receipt of your packet
153
10

The Prisoner first made his
claim on the 1st of the month of
the 1st of the month of the
the 1st of the month of the

The prisoner was made the
the mistake was discovered in the
the 1st of the month of the

The reason for the error was
the 1st of the month of the

From the office of
Inspector General

To the Prisoner

Alone 25 Dec 1857

Alone 25 Dec 1857

Alone 25 Dec 1857

Alone 25 Dec 1857

Alone 25 Dec 1857

1. The form of warrants received from different courts vary. In those from Chittown when there are several Prisoners in the same case the full sentence is only written on one warrant the remaining warrants having simply for instance "George Dapig" sentence "in years" or some imprisonment side line of sentence "in the 1st Prisoners warrant for further particulars". In some cases there is nothing whatever entered as the sentence and simply "side line of sentence" in the 1st Prisoners warrant for further particulars". The 1st prisoner's name is not given and in many cases he may not even be in the jail. The calendar No of the case appears on the face of the warrant but in order to find out who the 1st prisoner is such case may be, it is requisite to search all through the warrants and find in

and then frequently the 1st prisoner is not here at all. It is usual in Chittown to judge from warrants here, in all cases with more than one prisoner to only write the sentence on the 1st — Prisoners warrants. The Belknap and other warrants are correct.

2. The replies to queries 1, 2, and 3 have been kindly furnished me by Mr. G. L. L. L.

3. I have addressed the Dept of Chittown Jail regarding the Prisoners warrants, but find from the description Roll as referred to by Mr. G. L. L. L. the words "warranted" opposite his name. It would appear therefore that a warrant had been issued though no trace is now to be found of it.

I am the honor
Sir
Yours truly and most
Sincerely
H. J. McLean.
Capt. Central Jail

From

Frederick County
Maryland

To The Honorable
Governor

December 21st
Dear Sir,

I have

the honor to receive

your letter of the 19th
and thank you for the

information it contains

I am, Sir, very
Respectfully,
Your obedient servant,
J. M. Smith