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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

G.O. No.	252	Press.
B.P. No.		Mis.
Dated	17. 2 —	1868 -197.

Not to be folded or roughly handled

V. S. M.

257/1

*Proceedings of the Madras Government, Judicial Department,
17th February 1868.*

No. 186. Read the following letter from the Under Secretary to the Government of India, Home Department, to the Secretary to Government, Fort Saint George; dated Fort William, 24th January 1868, No. 5-130.

Judicial.

With reference to the accompanying copy of a letter, No. 46, dated 12th December 1867, from the Resident at Hyderabad, in reply to the Circular* issued from this office on the subject of

* Dated the 16th July.

Reformatories, I am directed to request that, under the orders of the Government of Madras, you will have the goodness to report, for the information of the Government of India, whether Act XIX of 1850, "concerning the binding of Apprentices," has in any way been acted upon in Madras, and, if so, to what extent, and especially with regard to Section 3, and with what result.

2. It is presumed that if any action has been taken under Section 3, it has been ordinarily limited in some manner as that indicated by Sir R. Temple.

From J. G. CORDERY, Esq., First Assistant Resident at Hyderabad, to E. C. BAYLEY, Esq., Secretary to the Government of India; dated 12th December 1867, No. 46.

With reference to your letter, No. 2339, of the 16th July last, calling for an opinion on the measures that may be possible for the further separation of juvenile offenders from other convicts in Jails, and for the general reformation of such culprits, I am instructed by the Resident to give the following expression to his views on the subject, as connected with the Hyderabad Assigned Districts.

2. When the Jails are completed at Oomrawuttee and Akola, the wards for this class of culprits will be quite sufficiently separated from the remainder of the building to enable the Officer in charge to keep them free of any contact with more advanced criminals, and to subject them to a wholly distinct system of discipline, in which, as the Resident conceives, education might be made to form a far more prominent feature than it ordinarily does now. The same remark, too, is more or less applicable to other Jails. From this point of view, therefore, and so far as the question concerns the period during which these children are actual inmates of our prisons, the Resident believes that no changes are necessary beyond greater attention to the choice of labor in which they may be instructed. The great object to be kept in view whilst they are in Jail should be to enable them to support themselves when they leave it. On the other hand, unless this is supplemented by further action, the terms for which such culprits must be ordinarily sentenced are too short to permit of their being weaned from either their former habits or those former friends for whose benefit and in whose company they have been trained to thieve.

3. But the Resident would point out that Section 3 of Act XIX of 1850 would seem to have been devised precisely to enable Magistrates to take this further action. A Magistrate, under that Act, is placed in the position of guardian to any child belonging to the vagrant class and convicted before him of any petty offence, and is empowered to bind such child over to any fit craft or employment, not exceeding seven years, and till the age of twenty-one. And the Resident would suggest that general instructions might be advantageously issued, directing Magistrates and Officers in charge of Jails to make the period which juvenile offenders pass in prison a preparation for some apprenticeship to be subsequently enforced under the terms of Act XIX. In this manner it cannot be doubted that, in many places, artificers and other laborers of good character will be induced to take such children as apprentices, and to become responsible for their orderly behaviour whilst they remain with them, as they will have already learnt to make themselves useful, and have also been in some measure habituated to discipline and labor.

*Proceedings of the Madras Government, Judicial Department,
17th February 1863.*

4. It will be understood by the Government of India that the Resident offers this suggestion only as regards the children of members of the criminal class, or attached to criminal gangs—those, in short, bred to a life of crime—not to those who may have been guilty of an occasional offence, or whose parents have not forfeited the right of retaining them; for it is only the vagrant and dangerous class to whose children the question under reply really relates.

5. Should this suggestion meet the approval of His Excellency in Council, the Resident would request the extension to the Hyderabad Assigned Districts of the Act alluded to.

No. 187. ORDER THEREON, 17th February 1863, No. 252.

Resolved that a copy of the foregoing letter, with its enclosure, be sent to the several Magistrates in the provinces, as well as to the Magistrates for the town of Madras, with a view to their furnishing the information required by the Government of India, as to whether Act XIX of 1850, "concerning the binding of Apprentices," has been acted upon, and, if so, to what extent, especially with regard to Section 3, and with what result.

2. It is requested that the several Magistrates will furnish the information called for at an early date.

(True Extract.)

Chief Secretary.

To the Magistrate of

Exd-J. H. Burns.

From J. G. CORDEBY, Esquire, First Assistant Resident at Hyderabad, to E. C. BAYLEY, Esquire, Secretary to the Government of India,—No. 46, dated the 12th December 1867.

WITH reference to your letter No. 2339 of the 16th July last, calling for an opinion on the measures that may be possible for the further separation of juvenile offenders from other convicts in gaols, and for the general reformation of such culprits, I am instructed by the Resident to give the following expression to his views on the subject as connected with the Hyderabad Assigned Districts.

2. When the gaols are completed at Oomrawuttce and Akola, the wards for this class of culprits will be quite sufficiently separated from the remainder of the building to enable the Officer in charge to keep them free of any contact with more advanced criminals, and to subject them to a wholly distinct system of discipline in which, as the Resident conceives, education might be made to form a far more prominent feature than it ordinarily does now. The same remark, too, is more or less applicable to other gaols. From this point of view, therefore, and so far as the question concerns the period during which these children are actual inmates of our prisons, the Resident believes that no changes are necessary beyond greater attention to the choice of labor in which they may be instructed. The great object to be kept in view, whilst they are in gaol, should be to enable them to support themselves when they leave it. On the other hand, unless this is supplemented by further action, the terms for which such culprits must be ordinarily sentenced are too short to permit of their being weaned from either their former habits or those former friends for whose benefit and in whose company they have been trained to thieve.

3. But the Resident would point out that Section 3 of Act XIX. of 1850 would seem to have been devised precisely to enable Magistrates to take this further action. A Magistrate, under that Act, is placed in the position of guardian to any child belonging to the vagrant class and convicted before him of any petty offence, and is empowered to bind such child over to any fit craft or employment, not exceeding seven years, and till the age of twenty-one. And the Resident would suggest that general instructions might be advantageously issued, directing Magistrates and Officers in charge of Jails to make the period, which juvenile offenders pass in prison, a preparation for some apprenticeship to be subsequently enforced under the terms of Act XIX. In this manner it cannot be doubted that, in many places, artificers and other laborers of good character will be induced to take such children as apprentices, and to become responsible for their orderly behaviour whilst they remain with them, as they will have already learnt to make themselves useful, and have also been in some measure habituated to discipline and labor.

4. It will be understood by the Government of India that the Resident offers this suggestion only as regards the children of members of the criminal class, or attached to criminal gangs, those, in short, bred to a life of crime, not to those who may have been guilty of an occasional offence, or whose parents have not forfeited the right of retaining them, for it is only the vagrant and dangerous class to whose children the question under reply really relates.

5. Should this suggestion meet the approval of His Excellency in Council, the Resident would request the extension to the Hyderabad Assigned Districts of the Act alluded to.

Ms. 322

No. 5
100

FROM

A. P. HOWELL, ESQUIRE,

Under Secy. to the Govt. of India,

TO

The Secy to the Govt. of Madras.

SIR,

Fort William, the 21st January 1868.

With reference to the accompanying copy of a letter No. 46, dated 12th December 1867, from the Resident at Hyderabad, in reply to the Circular* issued from this Office on the subject of Reformatories, I

am directed to request that, under the orders of the *Government of India*, you will have the goodness to report, for the information of the Government of India, whether Act XIX. of 1850, "concerning the binding of Apprentices," has in any way been acted upon in *Madras*; and if so, to what extent, and especially with regard to Section 3, and with what result.

It is presumed that if any action has been taken under Section 3, it has been ordinarily limited in some manner as that indicated by Sir R. Temple.

I have the honor to be,

SIR,

Your most obedient servant,

A. P. Howell

Under Secy. to the Govt. of India.

Pro. 25th November 1867 No. 3245
 25th January 1868 No. 1962213.
 Feb 235.
 Act XIX of 1850.

Judicial Department

25th Jan
 The Public Secretary, Home
 Dept of India Home
 No. 5
 120

By 24th Jan 1868
 13th 10 July 1868

1868
 118 copies of Lth no.

No. 322

Forward copy of a letter
 from the Resident at Hyderabad
 on the subject of reforms
 & with reference thereto, to
 to what extent Act 19 of
 "concerning the binding
 of Apprentices" has been ac-
 cepted in Madras, & the
 what result.

186.

Judicial Department

25th
 18

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the

Under Secretary to the Government of India,
 Home Department.

Recd. letter 24 Jan 1868 No. 5
 130.

Order. No. 17. 24 July 1868 No. 252.

Resolved that a
 copy of the foregoing letter,
 with its enclosure, be
 sent to the several Magis-
 trates in the provinces, as
 well as to the Magistrates
 for the Town of Madras,
 with a view to their fur-
 nishing the information
 required by the Govt. of India,
 as to whether Act XIX of
 1850 "concerning the binding

52
of Apprentices' has been
acted upon, and if so, to
what extent, especially
with regard to Section 3,
and with what result.

2. It is requested that
the several Magistrates
will furnish the informa-
tion called for at an
early date.

100-2512
To the magte of the several
Districts at the
Chancery.

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hit of 25 Feb.

Indian Res. Department.

GC No. 252

PROCEEDINGS OF GOVERNMENT.

407-425-441-457-463-464-476-523
524-540-550-570-631-659-701-728
771-805-909-1045-1064-1085
724-886/69.

Dated 17 February 1888.

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