

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1044

Dated 17 May 1895

INDEXED.

[Despatch Abstract.]

EXECUTIONS IN THE BELLARY DISTRICT JAIL.

Stating that the Government does not consider that there is any necessity to change the site now used for ---, and that it will suffice to provide tatties to be used as occasion requires in forming a temporary enclosure high enough to screen the gallows from the public view.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Dist Maps
BELLARY COLLECTOR'S OFFICE.

Dated 19th February 1895.

FROM

H. J. ...
Dist. ...
COLLECTOR OF
BELLARY.

To

THE *Chief Secretary to Government*
Judicial Department
Madras

SIR,

I have the honor to request that Government will be pleased to direct that sentences of hanging may be executed in Bellary in the Jail garden, and not, as at present, on land between the Club and my house, visible from my house, and open to all idle gazers.

From

828

The District Magistrate
Bellary

To

The Chief Secretary to
Government
Judicial Department
Madras

Ct.
For orders

Md Ref. 132

Dated 19. February 95

Recd 19

Recd 20/2

Abstract

Requesting to direct that
sentences of hanging may
be executed in the jail
garden Bellary

Re
20/2/95

The District Magistrate
has arranged
that the sentences
of hanging may be
executed in the jail
garden Bellary

The Dist. Mag. might easily
have arranged this with the jail
Supt. without coming up to Govt.
Submitted that in the meantime
the following reference be made

"Reference to the J.G. Prison, for
Remarks. The manner practice com-
plained of by Mr. Fremantle should
be put a stop to at once unless
"corrections present then

done
21/2

20/2/95
25/2/95

CURRENT No. 1367

JUDICIAL.

JAIL (1895) DEPARTMENT.

From

THE INSPECTOR-GENERAL OF PRISONS

To

THE CHIEF SECRETARY TO GOVERNMENT.

Dated 15

Despatched

Received 19

March 1895

CHIEF SECRETARY
No. 1405
19 MAR 1895
GOVERNMENT OF MADRAS

ENCLOSURES. Nil

Subject.

Submitting his reply to
G.O. No. 356 dt 21. 2. 95
regarding the complaint
made by Mr. Fremantle,
Collector Bellary District,
against the present site
of the gallows attached
to the District Jail Bellary

Ref 356-21-2-95
Ref. Bellary

HM

For orders

Perhaps the solution
suggested in para. 7 of the
letter is the best one. A tally
enclosure sufficiently high
bound altogether include the
following from view

25-3-95

It seems desirable to put
up a walled enclosure as
suggested in para 6. In view
while the tally enclosure
might be used

27/3/95

It seems a question whether it would
not be desirable to send condemned
criminals as much as possible
to Central Jail & stop as
much as possible so time
in Dist. Jail. From a small
court now added the sent
to Central Jail for trial
Chungat son for trial
Kunnot

25/3/95
Jeevar

to me a very misleading letter to Government, I should have been glad to have given him any information and all possible redress in the matter in question. If, as appears the case, Mr. Tremenhare's complaint is really made, not in his official capacity, but as a private individual, paragraph II of the Petition Rules appears to be applicable to it.

I have the honour to be,
Sir,

Your most obedient servant

A. G. Cardew
Inspector General of Prisons

§
If any change in the existing system. There are obvious objections to screening the gallows from view so that it cannot be seen by the public - The principle of the jail code evidently is that executions are to be public, for art 1030 actually provides for the admission of the public into the jail. Officers desirous of witnessing them, the enclosure therein mentioned being intended, not to prevent the gallows from being seen, but to prevent persons from entering the jail. Mr. Cardew seems to misapprehend the object of this clause. At least, in the absence of the origin of art. 1030, 20/3/95

CURRENT No. 136/
No. 14105

Ootacamund.
Prisons
OFFICE OF THE INSPECTOR-GENERAL OF JAILS,

Dated 15 March 1895.

From

A. G. CARDEW, Esq., M.A.,

INSPECTOR-GENERAL OF JAILS, Prisons.

To

THE

CHIEF SECRETARY TO GOVERNMENT,

SIR,

No. Enclosure.

In reply to Judicial Reference No. 356. Dated 21st February 1895, I have the honour to state that under Rule 1029 of the Jail Code, executions usually take place on jail premises but not within the walls of the Jail. In the case of the Bellary District Jail, however, there are no premises on which executions can conveniently be carried out. On my first inspection of this Jail in February 1892 the question of a site for the gallows was raised, and I then examined the spot which has been long used for executions and considered it fairly suitable. The then Superintendent of the Jail, Dr. O'Hara, whose acquaintance with

Bellary

Bellamy was long and intimate, stated that no objection to this site had ever been taken, and it was arranged that, on future executions a tatty enclosure should be erected in the manner directed in Rule 1030 of the Jail Code. This, however, appears to have been neglected, at least on recent occasions.

2. The distance between the Collector's house and the place of execution is reported to be about half a mile. I was not aware that the site could be seen from the Collector's house, and, if it can be seen at all, it cannot be very obvious, or previous Collectors would have considered it worth while to represent the matter. No such representation has ever reached me. The mention of the Club seems to be entirely irrelevant, for, so far as I remember, the site cannot be in any way seen from the Club, and it is, in my recollection, completely secluded by the hills from view in all directions except one.

3. In the Government Reference under reply, it is directed that the present site for executions should be at once abandoned unless

unless there are cogent reasons to prevent it. It has been found impossible as yet to carry out this change, first, from want of a suitable site and, secondly, from want of a scaffold at or near the Jail.

4. The site proposed by the Collector is the Jail Garden. From the Jail point of view there would be no objection to this, but as the Jail Garden immediately joins that of the Agent of the Bank of Madras and as the Gallows would be within 100 yards of his house, it appears to me that the Agent would have a much stronger cause of complaint if executions were removed thither than the Collector now has at the use of the present site.

5. If, however, the Government determine that executions shall, in future be carried out in the Jail Garden, I request that the Public Works Department be instructed to prepare an estimate for erecting a scaffold there on the standard plan.

6. It is certainly not convenient that executions shall take place at a distance from the Jail. If the Government concur with me that the carrying out of sentences of death in the Jail Garden might be fairly objected to by persons living close by, a site might be chosen behind the Jail and a walled enclosure of stone might be erected round it. This plan appears to me the best solution of the question, and, if adopted, the Public Works Department should be authorized to prepare estimates for the enclosure and scaffold.

7. Pending the further orders of Government on this matter, I have directed the Superintendent, District Jail, Bellary, if further executions at the present site become necessary, to erect a tatty enclosure which shall screen the Gallows from view as much as possible.

8. I beg to add that had the Collector of Bellary seen fit to address me in the matter before despatching what appears to

X make any change in the existing practice. I am certainly not going to spend money on building walled or even tatty enclosures because we have been living within $\frac{1}{2}$ a mile of the Jail.
 18/4/95
Cs (from order)
Order

The Govt does not consider that sufficient cause has been shown for altering the existing practice with regard to the execution of death sentences in the Bellary Jail.

(From order)

D
19-4-95

The S.G. of Jail
The Dist. Magt. Bellary } 9/4/95

Submitted to the Hon. Secy. Govt. and
1/2 The Secy. 28

20/4/95

Execution should be public but not too public as they are on an open plain I think the tatty enclosure arranged for in 1892 (from 1) should be removed. No need to work much. 28
Let him put up lattices where required. Once provided they should be put up & taken down as occasion requires. 24/4/95
25/4/95

Note for H. Secy.

Refr: H. Secy's remarks on C No 1361.

The Jail Committee (Messrs. Mathias & Debbelunge) expressed the opinion that undue publicity should not be given to the execution of condemned criminals and recommended that executions should be carried out in a walled enclosure (attached to the Jail) capable of holding from 50 to 300 spectators (respectable adult males). This recommendation was approved by the Local Board in G.O. of 18. Nov. 90, No 1804 (para 15) and acquiesced in by the S.G. of Jail vide para 24 of Home Dept. Resoln. recorded in G.O. of 18. Jan. 93, No 110. Para 1030 of the Revised Jail Code is based on the orders. ~~proposed reforms.~~

D
4-4-95

9/4/95

I see no reason to X

20/4/95

Papers to be read in proceedings:— *Int.* DEPARTMENT.

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 828 of 1895, dated 19 Feb. from *The Dist. Secy, Bellary*

Current No. 1361 of 1896, dated 1 Mar. from *The D.S. Prison*

ORDER.

of 17th May 1895 No 1044

The Govt does not consider that there is any necessity to change the site now used for executions in the Bellary District Jail. It will suffice to ~~provide~~ provide battens to be used, as occasion requires, in forming a temporary enclosure high enough to screen the gallows from the public view.

(from order)

26.7.95

The D.S. of Prison

The Dist. Secy Bellary

20 21/5

*Seen
H.D.
14/5/95*

RECEIVED

24 MAY 95

IN M.S.

Execution's Bellamy
Jail

H.M.

Draft in accordance with
the views of the majority

Issued
15

When given for copying _____
When copied _____
When examined _____
When signed _____

189 .

READ AGAIN G.O. No. _____
189 . DATED _____

CURRENT No. _____

ENCLOSURE TO G. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.:-
A = Copy in full.
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