MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No.	Press Mis.
Dated	18

Not to be folded or roughly handled

No. 55. Read the following Extract from the Minutes of Consultation in the Judicial Department, dated 9th April 1857, No. 421.

Read the following letter from Lieut. Colonel W. E. BAKER, Secretary to the Government of India; to J. D. BOURDILLON, Esq., Secretary to the Government of Fort Saint George, dated Fort William, the 12th March 1857, No. 1201.

SIR,

Public Works Department.
Judicial.

I am directed by the Governor General in Council to call the attention of the Right Honorable the Governor of Madras in Council to the Despatch from the Honorable the Court of Directors noted in the margin,* sanctioning the construction on the Neilgherries of a Penitentiary for European Convicts from the several Presidencies, and to state that the Government of India await the submission of estimates for the Jail buildings.

* Honorable Court's Judicial Despatch to the Government of India, No. 2 of 1857, dated 2nd January, and the letter to which it is a reply.

No. 70 OF 1856.

HOME DEPARTMENT.

JUDICIAL.

The 19th August 1856.

To

THE HONORABLE THE COURT OF DIRECTORS
OF THE EAST INDIA COMPANY.

HONORABLE SIRS,

We have the honor to acknowledge the receipt of your Honorable Court's Despatch No. 23 of 1856, dated the 27th May, regarding the establishment of Jails in India for the reception of Europeans sentenced to penal servitude under Act XXIV. of 1855.

2. The proposal which we submitted to your Honorable Court in our letter of the 17th December 1855, was for the establishment of a Central Prison on the Neilgherries capable of accommodating 100 Prisoners. It had been ascertained by us that the number of Europeans annually sentenced to transportation by Her Majesty's Courts throughout all India on an average of 11 years from 1843 to 1853 was under 3, as shewn in the margin; and though the number of Europeans resorting to this Country was undoubtedly on the increase, we were of opinion that one general prison, like that above mentioned would be ample for the reception of all Europeans likely to be condemned to penal servitude in India for many years to come.

Statement showing the number of Europeans sentenced to transportation annually, from 1843 to 1853 by all Her Majesty's Courts throughout India.

YEAR.	For life.	For 14 years.	For 10 years.	For 8½ years.	For 7 years.	Total.
1843...	1	1	0	0	0	2
1844...	1	0	0	0	0	1
1845...	0	0	0	1	0	1
1846...	0	0	0	0	1	1
1847...	0	0	0	0	0	0
1848...	0	1	1	0	3	5
1849...	0	0	0	0	3	3
1850...	0	1	0	0	0	1
1851...	3	0	3	0	0	6
1852...	5	0	1	0	0	6
1853...	1	0	2	0	2	5
	11	3	7	1	9	31
Average per Annum 29-11.						

3. Your Honorable Court, in your Despatch under acknowledgment, however, object to this scheme on the ground of "the inconvenience of having to send one or two "prisoners to a great distance under the requisite guard as "often as a sentence of imprisonment for a lengthened period may have been passed by the Supreme Court at any one of the Presidencies;" and you direct that unless some material advantage is gained by

keeping all European prisoners in one Jail there should be a separate Jail, of moderate size, for each Presidency—that for Bengal being located at Meerut, in the Plains of Upper India. The locality of the Jails for the Madras and Bombay Presidencies is not suggested by your Honorable Court.

4. Our selection of the Neilgherries for the site of the proposed General Prison was founded as well on the consideration of their accessibility from all the Presidencies as on that of the climate being well suited to the European constitution. Your Honorable Court would appear to have overlooked the fact that the Neilgherries are even more accessible from Calcutta than Meerut is. They are also very conveniently approached from Madras and Bombay, and this convenience of approach will be vastly improved at no distant date by the construction of Railroads.

5. As to the establishment of a Prison for Europeans on the Plains we feel that we cannot too strongly urge upon your Honorable Court the inexpediency of such a measure. The sentences of the Prisoners will be for various periods of years, and even for life; and we fear that any attempt to give effect to such sentences in a Jail establishment in the Plains will be attended with the most disastrous consequences to the health of the prisoners. We earnestly beg your Honorable Court will on this ground, if on no other, reconsider the decision conveyed in your letter under acknowledgment.

6. The establishment of one general prison on the Neilgherries for all India appears to us to be a more advisable measure in every way than the construction of separate prisons for each Presidency. Besides the advantage of having all European Convicts under one system of discipline in a temperate climate, the expense of constructing and maintaining one prison capable of holding 100 persons will be little more than one-third of the expense of three small prisons capable of holding 20 or 30 each; and the results shewn in the statement entered on the margin, of paragraph 2 of this letter will, we trust, convince your Hon'ble Court that a separate Jail for each Presidency is indeed not necessary, seeing that the wants of each are so very small and the united wants of all can be conveniently met by the establishment of a general prison such as that we have proposed.

7. For all these reasons we desire to re-submit the proposal made in our letter of the 17th December last, for your Hon'ble Court's consideration, and it will afford us much gratification to receive your Hon'ble Court's early permission to carry it out, the convicts now sentenced to penal servitude being of necessity confined in the Jails at the several Presidency towns.

We are, &c.,

FORT WILLIAM,
The 19th August 1856.

(Signed) CANNING,
(,,) G. ANSON,
(,,) J. A. DORIN,
(,,) J. P. GRANT,
(,,) B. PEACOCK.

(A true Copy.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

JUDICIAL DEPARTMENT.

No. 2 OF 1857.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Letter dated 19th August (No. 70) 1856.

Regarding the establishment of Jails in India for the reception of Europeans sentenced to penal servitude under Act No. XXIV. of 1855.

1. With reference to the decided opinion expressed by you as to the expediency of erecting one Jail for the reception of European Convicts in some healthy locality, rather than separate Jails for the serveral Presidencies, we approve, and accordingly sanction your recommendation for the erection of a Jail for the purpose mentioned, on the Neilgherries, which appear to combine the advantages of healthiness of climate, and facility of access from all the Presidencies of India.

2. We have transmitted a copy of this Despatch to the Governor in Council of Madras, in reply to a communication from that Presidency on the same subject.

LONDON,
2nd January 1857.

We are, &c.,

(Signed) W. H. SYKES.
(,,) ROSS D. MANGLES.
AND OTHER DIRECTORS.

(A true Copy.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

No. 297.

Extract from the Proceedings of the Right Honorable the Governor General of India in Council in the Home Department, (Judicial) under date the 25th February 1857.

Read again the letter written under date the 19th August 1856, (No. 70) to the Honorable the Court of Directors, suggesting the Establishment on the Neilgherries of a General Penitentiary for Europeans in India sentenced to penal servitude under Act No. XXIV. of 1855.

Read the Honorable Court's reply No. 2 of 1857, dated the 2nd January, sanctioning the construction of the proposed Penitentiary.

Ordered that a copy of the foregoing correspondence with the Honorable the Court of Directors be communicated to the Public Works Department where the necessary steps will be taken in communication with the Government of Fort St. George for the construction of the proposed Penitentiary for Europeans on the Neligherries.

(A true Extract.)

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

Honorable Court's Judicial Despatch to the Government of India, No. 2 of 1857, dated 2nd January.

The attention of the Government of Madras is called by the Supreme Government to the Despatch from the Honorable the Court of Directors noted in the margin, sanctioning the construction on the Neilgherries, of a Penitentiary for European Convicts from the several Presidencies, and it is stated that the Government of India await the submission of Estimates for the Jail Buildings.

2. It is observed that on receipt of the Despatch in question, the Madras Government deferred taking it into consideration in the expectation of receiving some communication from the Supreme Government relative to the kind of Jail required. From the papers now transmitted, it would seem to be a Jail capable of containing 100 European Convicts.

3. Copies of Colonel Baker's letter and its accompaniments will now be furnished to the Inspector of Prisons, and through the Department Public Works to the Engineer of the Coimbatore District. The Engineer will in communication with the Inspector submit, through the Department Public Works, Plans and Estimates of the required Building.

4. Mr. Rohde will also consider and report after an inspection of the localities and communication with the Collector of Coimbatore, the Judge of the Zillah and Principal Sudder Ameen of Ootacamund and District Engineer, what is the best site on the Neilgherries for a European Prison. The Medical Officers for the Hills should also be consulted both as to the site and plan of the Jail.

5. The Government are disposed to doubt whether it would be advisable to have the Prison at Ootacamund both for sanitary and other reasons.

6. The consideration of the Plan and Estimate for a small Prison at Ootacamund attached to the Principal Sudder Ameen's Court ordered in Extract Minutes Consultation 7th Ultimo, but

directed to remain in abeyance in Extract Minutes Consultation 24th Idem, may be resumed on the Inspector visiting the Hills. It would not under any circumstances be expedient to combine it with the Prison for Europeans now ordered, even if the latter were located at Ootacamund.

(True Extract and Copies.)

(Signed) T. PYCROFT,
Chief Secretary.

No. 56. ORDER THEREON, No. 1745; dated 14th September 1857.

Ordered to be communicated to the Chief Engineer.

(Signed) H. FORBES,
Acting Secretary to Government.

No. 421.

Extract from the Minutes of Consultation under date the 9th April 1857.

Read the following letter from Lieut. Colonel W. E. BAKER, Secretary to the Government of India; to J. D. BOURDILLON, Esq., Secretary to the Government of Fort Saint George, dated Fort William, the 12th March 1857, No. 1201.

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(Signed) W. E. BAKER, Lieut. Col.,
Secretary to the Government of India.

No. 70 OF 1856.

HOME DEPARTMENT,

JUDICIAL.

The 19th August 1856.

To

THE HONORABLE THE COURT OF DIRECTORS

OF THE EAST INDIA COMPANY.

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resumed on the Inspector visiting the Hills. It would not under any circumstances be expedient to combine it with the Prison for Europeans now ordered, even if the latter were located at Ootacamund.

(True Extract and Copies.)

Chief Secretary.

To the Inspector of Prisons.
" Department Public Works.
" Medical Board.

Exd. F. Cartlidge.

Public Works 1857 Department
D^o to Cons: 15th Septr.
No. 1797

Extract from the Mins: of
Cons: in the Judicial Dep^t

Dated 9th April
Received 9th Sept^r } 1857

No. 421
Jud: Cons: 24th Nov^r/57 No. 14 & 15

Communicating copies of Col. Baker's Letter and its accompaniments, and requesting the Engineer of the Coimbatore District in communication with the Inspector of Prisons, to submit Plans and Estimates for a Jail on the Neilgherries capable of containing 100 European convicts.

[illegible]

With an Order
No. 1745 14th Sept^r

From the Offg Secy to the Govt of India D/31st Oct^r/59
C. No. 2966 in Cons.

From the Chief Engineer
2 August/61 C. No. 1780 in

No. 55 & 56.

No. 1745

Ordered to be communicated to the Chief Engineer.

[illegible]

Fort St. George
14th Septr 1857

Copies to the Chief Engr. Sept. 15