

# Public Works (1899) Department.

G.O., No.

1541 W

DATED

14 June 1899.

[Despatch Abstract.]

Sentence of Death by Hanging passed on a British  
Soldier; P.D. Judicial Dept recording and  
of the Govt of India forwarding certain memo-  
randa for guidance in carrying into execution  
a - by a General Court Martial, Comd  
to Officers of the P.W.D.

Government (1899) of Madras.  
JUDICIAL.

Enclosures 1 (95c)

Spare copies 10.

B No: 1541 W. 3/14 68  
 Communicated  
 to Officers of the P.W.D  
 for information & guidance  
 APRIL  
 APR  
 1-6-99  
 To All Supts. Insps. ✓  
 The C.A. to Gov. ✓  
 1-6-99

Recording endorsement of the Government of India forwarding certain memoranda for guidance in carrying into execution a sentence of death by hanging passed by a General Court-Martial on a British soldier.

o.l.s 154 n<sup>3</sup>/6

## GOVERNMENT OF MADRAS.

## JUDICIAL DEPARTMENT.

REAL—again the following paper:—

G.O., No. 1362, Judicial, dated 1st September 1898.

ABSTRACT.—Communicating to the Inspector-General of Prisons, for information and guidance, resolution of the Government of India suggesting certain measures to prevent the possibility of accidents or delay in the execution of a sentence of death by hanging passed on a British soldier by a General Court-Martial.

READ—also the following paper:—

Endorsement of the Government of India, Home Department, No. 552, dated Simla, 12th April 1899.

Read—the following letter from the Adjutant-General in India, to the Secretary to the Government of India, Military Department, dated Simla, 3rd February 1899, No. 274-D:—

With reference to the correspondence ending with Military Department memorandum No. 1899-C., dated 10th October 1898, I am desired by the Commander-in-Chief to forward, for the information of the Government of India, six copies of each of the marginally-noted memoranda “for guidance in carrying into execution a sentence of death by hanging passed by a general court-martial on a British soldier”; and to invite special attention to revised paragraph 4 in memorandum A and revised paragraph 5 in memorandum B.

Memorandum A.  
“ B.

## ENCLOSURES.

## MEMORANDUM A.

*Memorandum for guidance in carrying into execution a sentence of death by hanging passed by a General Court-Martial on a British soldier.*

As soon as possible after the sentence has been confirmed as required by the Army Act, and approved by the Governor-General of India in Council in cases where such approval is necessary (section 54, sub-section 8, of the Army Act), the condemned man should be made acquainted with his fate, in order that he may prepare himself for death, and the Military Chaplain of the creed to which the man belongs, attached to the station, should visit the condemned as frequently as possible.

2. The warrant for the execution will be sent to the Officer Commanding the station at which the soldier was tried and sentenced to death, and the sentence will be carried into effect on the earliest practicable date, not being Sunday, Christmas day or Good Friday, nor less than three clear days, after the receipt of the warrant by the officer to whom it is addressed. When the date for the execution has been finally fixed, it shall at once be communicated to the condemned man.

3. Wherever there is a civil jail, the gallows (when not a fixture) should be obtained from the officer in charge of it and erected by the Public Works Department; and, with the consent of the Civil authorities, who should at once be communicated with on the subject, the execution should be carried out in the jail. At other stations the Executive Engineer must make all arrangements for the provision of the gallows; and the place of execution should be carefully selected away from the bazaars and not too near the barracks.

4. The hangman should be obtained from one of the Civil authorities detailed in the appendix to this memorandum; and he should be required to bring with him all requisites, including a rope, the strength of which must be properly tested. All necessary charges will be paid by the Chief Commissariat Officer of the district or his Assistant in charge of the outstation at which the execution may take place, as the case may be. Application for the services of a hangman should be made by the Military authority concerned by telegram immediately on receipt of intimation that the death sentence has been confirmed, the Civil authority to whom such application is made being, at the same time, informed at which station the execution is to take place. When a convict hangman is supplied, he will be sent in charge of a minor jail official, who will be responsible for the presence of the man and for his behaviour at the place of execution.

5. On the day appointed for the execution to take place, the troop or company to which the prisoner belonged, together with a detachment from every British and Native corps in the station, will be assembled to witness it, and should be formed in three sides of a square with open angles, the gallows being on the vacant side, and a cordon of sentries (mounted if available), under a European officer, should be placed so as to prevent any crowd from intruding nearer than 400 or 500 yards of the place of execution.

6. The condemned man should be conveyed in a cart if necessary (under the escort of the sergeant's party of his own regiment), entering the square at one of the angles facing the gallows, and proceeding up the centre. When in front of and near the scaffold, the escort should be halted and turned about: and the charge, finding and sentence, and confirmation of the Court-Martial, also the Warrant, be read aloud by a Staff Officer.

7. The condemned man should then be conducted to the gallows by the escort which accompanied him from the prison, and the sentence carried into effect.

8. A Medical Officer should be in attendance for the purpose of reporting when death has taken place.

9. The troops will then be marched back to quarters, leaving only a party to superintend the interment of the body.

10. The body should then be taken down, put into a coffin in the presence of a Staff Officer, and taken away for burial.

11. The following copy of a letter explains the duties of Chaplains on such occasions; and defines the condition under which the body may be buried in consecrated ground; when this is not done, the interment should be made just outside the cemetery walls by the Officer Commanding the deceased's company.

COPY of a letter from Ven'ble J. BALY, Archdeacon of Calcutta, to the Adjutant-General, No. 124, dated 24th September 1873.

In reply to your letter No. 3118-D., I beg to say that, neither in India nor England does any rule, known to me, prescribe the position of the Clergyman near the condemned on his way to the place of execution.

On the only occasion that I had to attend an execution, I acted as follows: after visiting the condemned as frequently as possible between sentence and execution, and on his voluntary confession and expression of penitence, administering to him the Lord's Supper, I went to his cell about an hour before his execution, read and prayed with him for a short time, selecting prayers and passages of scripture suited to his condition. When the time came, I put on surplice, hood and stole, and walked by the side of the condemned (the Governor of the prison, Civil Magistrate and one or two other officials preceding) reading the opening sentence of the burial service—“I am the Resurrection and the life,” etc.; also the first burial psalm for which there was time between the cell and the place of execution. Arrived there, I spoke a few words of comfort to the man as the last preparations were made, and remained at the foot of the gallows until the drop fell, and afterwards until the corpse was removed.

A grave had been dug near the gallows, of course in the precincts of the prison where the execution had taken place, and a coffin was at hand. The corpse was placed in it, and I then read the portion of the burial service usual at the grave, beginning "Man that is born of a woman," etc., and conducted the funeral as on every ordinary occasion.

Under the same circumstances, I believe that most Clergymen would adopt the same course, but cannot be laid down as a precedent for all cases—for—

(1) The man himself was as steady and collected as on parade, and desired the presence of the Clergyman; if he had refused this, or had been violent or prostrate from fear, and had to be carried to the scaffold, the Clergyman could not have walked by his side, repeating the proper portion of the burial service. Still, nothing of this kind standing in the way, I think that the Clergyman should accompany the condemned, at his side, from the cell to the place of execution (care being taken that these are as little distant from each other as possible), and remain with him till he is hanged.

(2) In the case described above, the man acknowledged, and, as far as one could judge, repented of his crime, and as a Clergyman I should have no objection whatever, but rather prefer to bury such in consecrated ground with the rites of the church. It would however be for the Civil or Military authorities to decide the point, whether, as a deterrent measure, all persons suffering the last penalty of the law should not be refused Christian burial. The English law or custom on this point I did not know; but individually I should distinguish between those who confessed and expressed penitence and those who do not; I do not think it would be expedient nor just to the Clergy, to enforce the Christian burial of murderers, who had died either not confessing (after clear proof) or impenitent.

(3) The execution took place within the precincts of the civil jail; the prisoner, although a soldier, having been handed over to the Civil authorities, and the grave was dug immediately at the foot of the scaffold. In a military execution on the parade ground, this would be impossible; and I should suggest that, according as the man confessed and expressed penitence or not, he should be buried in the usual cemetery with the rites of the church (although privately), or in some convenient spot without them.

The above must only be regarded as an expression of my private opinion, but in case of immediate necessity it may serve as a guide. For a general rule, the Bishop of the Diocese should be referred to, and care should be taken that the rule for India should follow the English as far as possible.

P.S.—Since writing the above, I have received the following notes from the Chief Justice of the North-Western Provinces, bearing upon the subject:—

Condemned criminals throughout the United Kingdom are executed and buried within the precincts of the jail. The places where they are buried are simply portions of the jail enclosure, and sometimes the interment is made under flag-stones. You may thus imagine the place is not consecrated. Where the condemned person is a member of the Church of England, the Burial Service is read as a matter of course, whether confession and penitence is expressed or not, unless the prisoner distinctly objected to it.

COPY of a letter No. 3725-D., "Discipline," dated 2nd October 1877, from the Adjutant-General in India, to the Domestic Chaplain to the Right Revd. the Lord Bishop of Calcutta.

In 1873 a difficulty arose in regard to the duties and position of a Military Chaplain in the case of a British soldier condemned to death, and the procedure to be observed on the day of execution and for the man's burial.

2. A reference was made to the Venerable the Archdeacon to which he replied in the enclosed copy of a letter, dated the 24th September 1873.

3. Since then whenever a British soldier has been condemned to suffer death, a copy of the Archdeacon's letter has invariably been sent to the local Military authorities concerned, for information and guidance; and the course it indicated has apparently been accepted, as no question of its correctness or otherwise has reached this office.

4. But as the Archdeacon, in the last paragraph of his letter, desired that what he said should be regarded as an expression of his private opinion only, and suggested a reference to the Bishop of the Diocese for a general rule, I am now directed by the Commander-in-Chief to request you will be good enough to submit the matter for the consideration of His Lordship the Right Reverend the Bishop of Calcutta.

COPY of a letter from the Bishop's Chaplain, to the Adjutant-General in India, dated 12th November 1877.

I have the honour to acknowledge your letter No. 3725-D. of 2nd October 1877, enclosing a copy of the Archdeacon of Calcutta's letter of 24th September 1873, regarding the duties and position of a Chaplain in the case of a British soldier condemned to death, and the procedure to be observed on the day of execution and for the man's burial, and also requesting that the matter might be submitted to the Bishop of Calcutta for his consideration.

I am directed to reply that the Bishop considers it to be the duty of any Clergyman ministering to troops, should a British soldier be condemned to death, to attend him to the last and accompany him to the place of execution, unless the man distinctly objects to his presence or ministrations.

2. The Bishop cordially endorses the opinion of the Archdeacon as to the injustice and inexpediency of compelling the Clergy to give Christian burial to convicted murderers, who are plainly impenitent at the time of death; and, whilst unable to propose a special rule which might run counter to the law of Christian burial in the Church of England, desires to express his hope that in such cases the Chaplain who, after conference with the Military authorities on the spot, refuses to bury the man, or only uses portions of the burial office, may be held blameless: he is of opinion that a refusal to bury should be at once reported to His Excellency the Commander-in-Chief and the Bishop, by the Officer Commanding and the Chaplain respectively.

3. The place of interment (with or without the service) would perhaps be best decided by the custom of the jail if the prisoner be in civil custody, or should be effected in the consecrated portion of the station cemetery.

#### APPENDIX.

Sources of supply of a hangman for the purposes of carrying into effect a sentence of death by hanging passed on a British soldier (vide paragraph 4 of Memorandum A).

In the Madras Presidency.—The Inspector-General of Prisons.

In the Bombay Presidency.—If the execution is to take place—

|                                                     |       |                                                            |
|-----------------------------------------------------|-------|------------------------------------------------------------|
| In Bombay                                           | .. .. | The Superintendent of Her Majesty's Common Prison, Bombay. |
| At Poona, Kirkee, Ahmednagar, Purandhar, or Satara. | .. .. | The Superintendent, Yerrowda Central Prison.               |
| At Deolali                                          | .. .. | The Superintendent, Thana Special Prison.                  |
| At Belgaum                                          | .. .. | The Superintendent, Dharwar Prison.                        |
| At Ahmedabad or Deesa                               | .. .. | The Superintendent, Ahmedabad Central Prison.              |
| At Karachi                                          | .. .. | The Superintendent, Karachi Prison.                        |
| At Hyderabad                                        | .. .. | The Superintendent, Hyderabad Central Prison.              |
| At Aden                                             | .. .. | The Superintendent, Aden Prison.                           |

*In the Province of Bengal.*—The Deputy Inspector-General of Jails, Alipore, Calcutta, ten days' notice being required.

*In the North-Western Provinces and Oudh.*—The Magistrate of one of the undermentioned districts:—

|              |            |
|--------------|------------|
| Mirzapur.    | Meerut.    |
| Badaun.      | Bareilly.  |
| Saharanpore. | Cawnpore.  |
| Agra.        | Benares.   |
| Lucknow.     | Allahabad. |

*In the Punjab.*—The Superintendent, Lahore Central Jail, or the Superintendent, Rawal Pindi Jail.

*In Burma.*—The Superintendent of the Central Jail at one of the undermentioned places:—

|           |            |
|-----------|------------|
| Rangoon.  | Thayetmyo. |
| Mandalay. | Myingyan.  |

*In the Central Provinces.*—The Superintendent of the Nagpur or Jubbulpore Central Jail or the Superintendent of the District Jail at Saugor.

*In the Province of Assam.*—The Inspector-General of Jails, Assam.

#### MEMORANDUM B.

*Memorandum for guidance in carrying into execution a sentence of death by hanging passed by a General Court-Martial on a British soldier.*

As soon as possible after the sentence has been confirmed as required by the Army Act, and approved by the Governor-General of India in Council in cases where such approval is necessary (section 54, sub-section 8, of the Army Act), the condemned man should be made acquainted with his fate, in order that he may prepare himself for death, and the Military Chaplain of the creed to which the man belongs, attached to the station, should visit the condemned as frequently as possible.

2. The warrant for the execution will be sent to the Officer Commanding the station at which the soldier was tried and sentenced to death, and the sentence will be carried into effect on the earliest practicable date, not being Sunday, Christmas day or Good Friday, nor less than three clear days, after the receipt of the warrant by the officer to whom it is addressed. When the date for the execution has been finally fixed, it shall at once be communicated to the condemned man.

3. The place of execution should be carefully selected away from the bazaars and not too near the barracks.

4. Wherever there is a civil jail, the gallows should be obtained from the officer in charge of it and erected by the Public Works Department. At other stations the Executive Engineer must make all arrangements.

5. The hangman should be obtained from one of the Civil authorities detailed in the appendix to this memorandum; and he should be required to bring with him all requisites, including a rope, the strength of which must be properly tested. All necessary charges will be paid by the Chief Commissariat Officer of the district or his Assistant in charge of the outstation at which the execution may take place, as the case may be. Application for the services of a hangman should be made by the Military authority concerned by telegram immediately on receipt of intimation that the death sentence has been confirmed, the Civil authority to whom such application is made being, at the same time, informed at which station the execution is to take place. When a convict hangman is supplied, he will be sent in charge of a minor jail official, who will be responsible for the presence of the man and for his behaviour at the place of execution.

6. On the day appointed for the execution to take place, the whole of the troops at the station, both European and Native, will be assembled to witness it, and should be formed in three sides of a square with open angles, the gallows being on the vacant

side, and a cordon of sentries (mounted if available) under a European officer, should be placed so as to prevent any crowd from intruding nearer than 400 or 500 yards of the place of execution.

7. The condemned man should be conveyed in a cart if necessary (under the escort of a sergeant's party of his own regiment), to within two hundred yards of the troops; from whence he should be marched, preceded by the Band of his regiment playing the Dead March, entering the square at one of the angles facing the gallows, and proceeding up the centre. When in front of and near the scaffold, the escort should be halted and turned about, and the charge, finding and sentence, and confirmation of the Court-Martial, also the warrant, read aloud by a Staff Officer.

8. The condemned man should then be conducted to the gallows by the escort which accompanied him from the prison, and the sentence carried into effect.

9. A Medical Officer should be in attendance for the purpose of reporting when death has taken place.

10. The troops will then be marched past the gallows and return to quarters without music, leaving only a party to superintend the interment of the body.

11. After the troops have passed the gallows the body should be taken down, put into a coffin in the presence of a Staff Officer, and taken away for burial.

12. The following copy of a letter explains the duties of Chaplains on such occasions; and defines the condition under which the body may be buried in consecrated ground; when this is not done, the interment should be made just outside the cemetery walls by the Officer Commanding the deceased's company.

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2. A reference was made to the Venerable the Archdeacon, to which he replied in the enclosed copy of letter, dated the 24th September 1873.

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4. But as the Archdeacon, in the last paragraph of his letter, desired that what he said should be regarded as an expression of his private opinion only, and suggested a reference to the Bishop of the Diocese for a general rule, I am now directed by the Commander-in-Chief to request you will be good enough to submit the matter for the consideration of His Lordship the Right Reverend the Bishop of Calcutta.

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2. I am directed to reply that the Bishop considers it to be the duty of any Clergyman ministering to troops, should a British soldier be condemned to death, to attend him to the last and accompany him to the place of execution, unless the man distinctly objects to his presence or ministrations.

The Bishop cordially endorses the opinion of the Archdeacon as to the injustice and inexpediency of compelling the Clergy to give Christian burial to convicted murderers, who are plainly impenitent at the time of death; and, whilst unable to propose a special rule which might run counter to the law of Christian burial in the Church of England, desires to express his hope that in such cases the Chaplain who, after conference with the Military authorities on the spot, refuses to bury the man, or only uses portions of the burial office, may be held blameless; he is of opinion that a refusal to bury should be at once reported to His Excellency the Commander-in-Chief and the Bishop, by the Officer Commanding and the Chaplain respectively.

3. The place of interment (with or without the service) would perhaps be best decided by the custom of the jail if the prisoner be in civil custody, or should be effected in the consecrated portion of the station cemetery.

#### APPENDIX.

Sources of supply of a hangman for the purposes of carrying into effect a sentence of death by hanging passed on a British soldier (vide paragraph 5 of Memorandum B).

In the Madras Presidency.—The Inspector-General of Prisons.

In the Bombay Presidency.—If the execution is to take place—

|                                                     |                                                            |
|-----------------------------------------------------|------------------------------------------------------------|
| In Bombay .. .. .                                   | The Superintendent of Her Majesty's Common Prison, Bombay. |
| At Poona, Kirkee, Ahmednagar, Purandhar, or Satara. | The Superintendent, Yerrowda Central Prison.               |
| At Deolali .. .. .                                  | The Superintendent, Thana Special Prison.                  |
| At Belgaum .. .. .                                  | The Superintendent, Dharwar Prison.                        |
| At Ahmedabad or Deesa .. .. .                       | The Superintendent, Ahmedabad Central Prison.              |
| At Karachi .. .. .                                  | The Superintendent, Karachi Prison.                        |
| At Hyderabad .. .. .                                | The Superintendent, Hyderabad Central Prison.              |
| At Aden .. .. .                                     | The Superintendent, Aden Prison.                           |

In the Province of Bengal.—The Deputy Inspector-General of Jails, Alipore, Calcutta, ten days' notice being required.

In the North-Western Provinces and Oudh.—The Magistrate of one of the undermentioned districts:—

|              |            |
|--------------|------------|
| Mirzapur.    | Meerut.    |
| Badaun.      | Bareilly.  |
| Saharanpore. | Cawnpore.  |
| Agra.        | Benares.   |
| Lucknow.     | Allahabad. |

In the Punjab.—The Superintendent, Lahore Central Jail, or the Superintendent, Rawal Pindi Jail.

In Burma.—The Superintendent of the Central Jail at one of the undermentioned places:—

|           |            |
|-----------|------------|
| Rangoon.  | Thayetmyo. |
| Mandalay. | Myingyan.  |

*In the Central Provinces.*—The Superintendent of the Nagpur or Jubbulpore Central Jail, or the Superintendent of the District Jail at Saugor.

*In the Province of Assam.*—The Inspector-General of Jails, Assam.

*Endorsement*—No. 552, Home Department (Judicial), dated 12th April 1899.

Copy forwarded to the Government of Madras for information, in continuation of Home Department Resolution No. 918—929 (Judicial), dated the 8th August 1898.

(By order.)

(Signed) R. NATHAN,  
Under Secy. to the Govt. of India.

ORDER—No. 689, Judicial, dated 28th April 1899.

Recorded.

(True Extract.)

*A. Edgington*  
for Chief Secretary.

To the Public Works Department. ✓  
" Surgeon-General.  
" Inspector-General of Prisons.  
To all District Magistrates.

# Government {1898} of Madras.

## JUDICIAL.

Recd.

Enclosures

1898.

Reqd.

Spare copies

G.O., No. 1362, 1st September 1898.

SEPTEMBER.

### Execution of a sentence of death by hanging passed on a British Soldier.

Communicating to the Inspector-General of Prisons, for information and guidance, resolution of the Government of India suggesting certain measures to prevent the possibility of accidents or delay in the— by a General Court-Martial.

This latter point settled would do away with the necessity of officers having to perform most distasteful duties to which I think they may well raise objection and of which they have no knowledge, and also minimise the chances of what might some day turn out a revolting spectacle.

Endorsement by the Lieutenant-General Commanding the Forces, Bombay, dated Poona, 16th June 1897, No. 847-4499.

Forwarded and recommended for the consideration of His Excellency the Commander-in-Chief in India.

*Death Warrant.*

By \* Lieutenant-General \_\_\_\_\_ }  
 \_\_\_\_\_ Command } By H. E. Sir George  
 \_\_\_\_\_ } White, etc., etc., etc.

To \_\_\_\_\_  
 or other Officer Commanding at \_\_\_\_\_  
 for the time being :—

Whereas, upon a trial held on the \_\_\_\_\_ day of \_\_\_\_\_ 189- before a General Court-Martial convened by competent authority, at \_\_\_\_\_ No. \_\_\_\_\_, Private \_\_\_\_\_ of the \_\_\_\_\_ was found guilty of committing the offence of murder, and was sentenced to suffer death by being hanged; and whereas, in the exercise of the power conferred upon me by warrant of Her Majesty, I have confirmed the said sentence of death; now, therefore, I do hereby require you,

\_\_\_\_\_ or other Officer Commanding at \_\_\_\_\_  
 for the time being, to carry the said sentence into execution on the earliest practicable date, not being Sunday, Christmas day or Good Friday nor less than three clear days after the receipt of this warrant, by causing the said Private \_\_\_\_\_ to be hanged by the neck until he be dead.

And for so doing this shall be to you, and to all others concerned, a sufficient warrant and authority.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and ninety

(Assistant) Military Secretary.

(Lieutenant) General  
 \_\_\_\_\_  
 \_\_\_\_\_  
 or  
 Commander-in-Chief in India.

From the Secretary to the Government of India, Military Department, to the Adjutant-General in India, dated Simla, 29th September 1897, No. 1802-C., Judicial—Courts-Martial.

With reference to your letter No. 2533-D., Discipline—Soldiers—Courts-Martial, dated the 25th August 1897, regarding the procedure and formalities for carrying into execution a sentence of death by hanging passed by a General Court-Martial on a British soldier, I am directed to request that under the orders of His Excellency the Commander-in-Chief the Government of India may be informed what is the annual average number of such executions in each of the four Commands.

From the Adjutant-General in India, to the Secretary to the Government of India, Military Department, dated Simla, 4th November 1897, No. 3283-D., Discipline—Soldiers—Courts-Martial.

| Command.                                                                    | Year.                                         | Number of executions. | With reference to Military Department letter No. 1802-C., Judicial—Courts-Martial, dated 29th September 1897, I have the honour, by direction of the Commander-in-Chief, to state that the annual average number of executions of British soldiers by hanging, pursuant of death sentences passed by General Courts-Martial, is as follows for each Command, taking the figures * for the five years 1892 to 1896 :— |
|-----------------------------------------------------------------------------|-----------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| * Stations now comprising the Bengal Command.                               | 1892                                          | 1                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | 1893                                          | 0                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | 1894                                          | 1                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | 1895                                          | 1                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | 1896                                          | 0                     |                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Stations comprising the Punjab Command, and the Madras and Bombay Commands. | No execution in any of the above-noted years. |                       |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | Bengal Command—Decimal 6.                     |                       |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                                                             | Punjab, Madras and Bombay Commands—Nil.       |                       |                                                                                                                                                                                                                                                                                                                                                                                                                      |

2. There has been only one such execution during the current year, and that in the Bombay Command.

Endt. No. 33.

Referred to the Inspector-General of Prisons for report.

(By order.)

(Signed) A. R. KNAPP,  
 Acting Under Secretary.

6th January 1898.

From A. G. CARDEW, Esq., M.A., Inspector-General of Prisons, to the Chief Secretary to Government, dated Madras, 13th January 1898, No. C-15.

I have the honour to return the paper referred to me for report by Mr. Knapp's Endorsement No. 33, dated 6th January 1898, and to report as follows :—

(1) It is not the practice to employ free hangmen in the jails of this Presidency. The work of hangman is carried out by convicts as in Bombay.

(2) A jail official and a convict hangman could be supplied from any of the Central jails in this Presidency.

(3) The Military authorities requiring a hangman should apply to me, stating the place at which the execution has to take place.

(4) The jail official attending the execution of a sentence of death passed by Court-Martial should be entirely responsible for the due carrying out of the hanging. As, however, the hangman is a convict and untrained, the jail official would not be responsible for mistakes which he could not have foreseen and prevented.

2. If the prisoner to be executed were made over to the nearest jail for execution the jail authorities would be better able to conduct the duty of executing the prisoner properly, because the gallows and scaffold would be known to and understood by them. This would, therefore, be the best course.

Order—Mis. No. 190, Judicial, dated 2nd February 1898.

The Government of India will be addressed.

(True Extract.)

(Signed) A. T. ARUNDEL,  
 Chief Secretary.

To the Inspector-General of Prisons.

Letter—No. 191, Judicial, dated 2nd February 1898, to the Secretary to the Government of India, Home Department.

I am directed to acknowledge the receipt of Mr. Nathan's letter, No. 1637, dated 27th December 1897, regarding the procedure and formalities to be observed in carrying into effect by the Military authorities a sentence of death by hanging passed on a British soldier by a General Court-Martial.

2. In reply to the enquiries in paragraph 2 thereof I am to state—

(i) that it is not the practice to employ free hangmen in the jails of this Presidency, the duty being performed by convicts, as in Bombay;

(ii) that a jail official and a convict hangman could be supplied from any of the Central jails \* in this Presidency.

(iii) that the Military authorities requiring a hangman should apply to the Inspector-General of Prisons, stating the place at which the execution is to take place; and

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