

EAST INDIA (CORPORAL PUNISHMENT AND MORTALITY IN JAILS).

EXTRACTS

FROM AND

COPIES OF CORRESPONDENCE

ON THE SUBJECT OF

CORPORAL PUNISHMENT AND MORTALITY  
IN INDIAN JAILS.

Presented to both Houses of Parliament by Command of Her Majesty.  
*July 1882.*



VII  
VIII  
1882

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1882

# EAST INDIA (CORPORAL PUNISHMENT AND MORTALITY IN JAILS).

A.

\*EXTRACT (No. 1) from the RESOLUTION of the LIEUTENANT-GOVERNOR of BENGAL  
on the JAIL REPORT for 1879, dated 20th July 1880.

PARA. 12. The stricter discipline now enforced in the Bengal jails, and the orders to enter every offence and punishment in the registers, have resulted in a great increase in the number of recorded offences by prisoners. With an average convict population of 17,258 in 1879 against 17,274 in 1878, there were 51,670 such offences last year as compared with 31,672 in 1878; and whether this increase is, as the Inspector-General believes, due solely to the increased efficiency of the subordinate staff and the more regular recording of offences or to other causes, the Lieutenant-Governor cannot accept with satisfaction the facts that the figures indicate. Sir Ashley Eden has no fault to find with the facts being clearly and fully recorded; indeed this is the most satisfactory feature in the chapter on prison discipline. Many of the offences committed in jail can only be brought to the notice of the Superintendent by and through subordinates, who would certainly abstain from mentioning the facts if the head of the department showed the least unwillingness to accept them as recorded. Taking the figures as they stand, it appears that the punishments in jails and subsidiary jails in Bengal in 1879 were 299.3 per cent. of the average convict population, while in Central and District Jails alone they were 303.1 per cent. of the daily average strength. The Inspector-General mentions that, when some years ago he enquired into the subject, he found that the punishments in English jails were between 350 and 400 per cent. of the average convict population; but Dr. Lethbridge must, the Lieutenant-Governor thinks, be mistaken, as the reports for 1878 on the English, Scotch, and Irish prisons show that the proportions of punishments to the total and average convict population do not even approach the corresponding figures in the Inspector-General's present report. No fair comparison can, however, be made between the jails and convicts in England and India, and the Lieutenant-Governor would not have referred to the subject but for the Inspector-General's remark. An English prisoner at work alone in his cell has neither the desire to commit, nor the opportunity of committing, the numerous petty offences which in India result from the construction of the jails, the habits and prejudices of the convicts, their ignorance of systematic work and discipline on admission, and their aversion to them when taught. Of the offences committed in jails and subsidiary jails, and punished departmentally, 4,246 were smoking and having possession of forbidden articles, 31,729 related to short work, and 15,563 were miscellaneous breaches of jail rules. The total number of punishments was 51,654 against 31,669 recorded in 1878. In 2,221 cases the punishment was solitary confinement; in 10,341 cases it was reduced diet; in 3,304 solitary confinement with reduced diet; in 8,324 corporal punishment; and in 27,349 cases other punishments were inflicted. The number of criminal offences committed in District and Central Jails was 104 as compared with 58 in 1878, 257 in 1877, and 669 in 1879; these offences were, with few exceptions, connected with escapes from jail. Out of the total increase of 19,863 in the number of offences committed in District and Central Jails, 13,058 related to work. Now that large manufactures are carried on in all the Central Jails, the task required from each prisoner is strictly regulated, and he is compelled to work according to his capacity. Many of the strong and able-bodied convicts refuse to do the task which experience has shown can be performed even by those in weak condition, and when they are placed on reduced diet they resist even still more obstinately than before. As is pointed out by the Superintendents of the Bhagulpore, Alipore and Presidency Jails, it is difficult to suggest any form of punishment, except flogging, that will have any effect upon these prisoners; but the Lieutenant-Governor cannot help regarding as unsatisfactory the enormous increase in the number of cases in which corporal punishment was inflicted in District and Central Jails in 1879 as compared with previous years. The number of these cases last year was 8,232, or nearly twice the number in 1878, more than twice the number in 1877, and more than three times

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\* The rest of the Resolution does not refer to corporal punishment and mortality in jails.

the number in 1876; while the daily average number of prisoners was almost the same as in 1878 and 1877, and nearly two thousand below that of 1876. The increase shown by the returns of this form of punishment cannot of course be explained by any failure in previous years to record petty offences and punishments, and the Lieutenant-Governor is glad to find that the Inspector-General has already drawn the attention of all Jail Superintendents to the subject, and the necessity of restricting the use of corporal punishment to the most serious cases. The Lieutenant-Governor cannot, however, allow the matter to rest here. There is probably no form of punishment available which has so powerful an effect upon prisoners as flogging, if it is severely inflicted, and only on rare occasions and for offences about which there is no doubt. Rash and indiscriminate flogging, and the infliction of a few light stripes for a petty offence, have, on the other hand, little or no deterrent effect. In the Presidency Jail, where the number of cases of flogging increased from 398 in 1878 to 1,201 in 1879, the number of stripes in nearly each instance is said to have been small, and it is probably owing to the lightness of the punishment in the majority of cases that it had to be resorted to so frequently. In several other jails also the number of cases in which corporal punishment was inflicted appears from Statement No. VI. in the appendix to have been excessive, and the Lieutenant-Governor can scarcely believe that Rules 442 to 446 of the Jail Code have been strictly observed. The Inspector-General should now carefully inquire into the subject and submit a full report to Government. If necessary, the power of the Superintendent to inflict corporal punishment must be restricted by more stringent rules.

## B.

\*EXTRACT (No. 2) from the RESOLUTION of the LIEUTENANT-GOVERNOR OF BENGAL on the JAIL REPORT for 1879, dated 20th July 1880.

Para. 18. The Inspector-General has rightly devoted a large portion of his report to a consideration of the vital statistics of the year, which show a most serious increase of sickness and mortality in the majority of the jails in the province. Although the average daily jail population was below that in 10 out of the previous 16 years, the average number of prisoners in hospital was higher than in any of the 16 years, and in only one year (1863) did the ratio of the average number sick to the average daily population exceed that in 1879. The total number of deaths in jail in 1879 was higher also than the number in any of the previous 16 years except 1866, when both the jail population and the mortality were raised by the pressure of famine. Excluding cholera cases, the percentage of deaths on the daily average jail population was higher last year than in any of the preceding 16 years, and the year 1866 was the only year that, even including cholera cases, showed a higher mortality compared with the population than 1879. Taking the actual figures of the past three years, the Lieutenant-Governor finds that, while the average daily population (excluding civil prisoners) has remained nearly stationary, being 18,709 in 1877, 18,611 in 1878, and 18,483 in 1879, the average daily number sick has risen from 730 in 1877 to 803 in 1878 and 947 in 1879; the number of deaths from cholera from 151 in 1877 to 215 in 1878 and 341 in 1879; and the number of deaths from other causes from 763 in 1877 to 1,072 in 1878 and 1,411 in 1879. The returns relating to convicts only present similar features. With a daily average strength slightly below that of 1878, the number of admissions to hospital rose from 23,548 in 1878 to 28,368 in 1879, and the daily average sick from 750 to 903. No less than 40 jails out of 47 show an increase on the number of sick admitted; all the jails in which the prisoners were employed on extramural labour, except two, and all the large central jails which have special industries, being in the list of those showing increased sickness. It is specially necessary to inquire into the causes of the extreme unhealthiness of the jails during the past year, for the year was not generally an unhealthy one. The death-rate in the Calcutta Municipality was lower than in either of the preceding two years; the admissions to the Calcutta hospitals were fewer than in 1877 or 1878; and although owing to a special cause which did not operate in 1878, and to the exceptionally low mortality in the lunatic asylums in that year, the death-rate for 1879 compares unfavourably with that of the previous year so far as asylums are concerned, still the proportion of sick to the average asylum population was lower in 1879 than in 1878. The great sickness and mortality among the jail population cannot therefore be attributed to the general state of public health. No doubt the high prices that have prevailed since 1877 have somewhat reduced the lower classes of the

\* See foot note on page 3.

non-agricultural community who form the bulk of the jail population, but prices were more favourable in 1879 than in 1878, and the improvement in the condition of the people shown by a reduction in crime and in the number of admissions to jail should, but for some counterbalancing cause, have been accompanied by an improvement in the health of the prisoners. Dr. Lethbridge calls attention to the heavy mortality from cholera which was more prevalent than in any of the previous 16 years, except 1863 and 1866, the two years that show next to 1879 the highest mortality from other causes; but the Lieutenant-Governor cannot accept the conclusion that the "prevalence" of cholera has a wider influence on the general sickness and mortality than is shown "either by the number of cases or the mortality from that disease." Indeed, Dr. Lethbridge's own remarks in paragraph 102 of the report seem to combat this conclusion, and to show, not that cholera is the cause of general sickness and mortality, but that its prevalence and fatality are indications of other causes which have their effect not only on the mortality from cholera, but on the general mortality of the classes affected. The Lieutenant-Governor must express his conviction, after an examination of the statistics of the past year, that the chief cause of the increased sickness was the adoption of the diet scale proposed by the Prison Conference and recommended by the Government of India. The scale may be sufficient for prisoners on light labour, but it is certainly insufficient for men who are frequently in a poor state of health on admission, and who are subjected to the hard labour and strict discipline now enforced in all the jails in this province. When the new scale was introduced, Superintendents were instructed to watch its effect very closely and to report any tendency to sickness. Probably the effect was so gradual that it was not noticeable by any one who was constantly with the prisoners; and no important report on the effect of the new diet was received by the Inspector-General during the nine months during which it was in use, although omitting the 1,679 prisoners who died during the year, 19,229 of those discharged lost weight against 14,623 who gained weight. As soon as its defects were brought to notice, a change was made, and the Inspector-General reports that the extra allowance of food which has been given since the 1st April 1880, and the regulations restricting the hours for extramural labour, have already had a very beneficial effect on the general health of the prisoners. Although a provisional change was at once made in the diet, the whole question of a suitable diet scale for Bengal is so far from being satisfactorily settled, that the Lieutenant-Governor at the same time directed a special committee consisting of the Surgeon-General, the Inspector-General of Jails, and the Sanitary Commissioner to take up the subject and prepare a suitable scale on the experience which has now been gained. Prisoners under trial, who have been more than a month in jail, should be allowed the scale of diet for convicts sentenced to labour.

19. The jails that showed the highest daily average of sick convicts in proportion to the average strength of their convict population were Baraset (16.72 per cent.) Singbhoom (11.14), Dinagepore (10.72), Russa (9.58), Bogra (9.03), Malda (8.93), those which had the highest number of admissions to hospital as compared with their average population were Dinagepore (339 per cent.), Pooree (329), Bogra (321) Presidency European (310), Singbhoom (281), and Maldah (264); while those in which the death-rate per cent. of the average strength was heaviest were Dinagepore (36.0) Baraset (28.8), Julpigoree (28.3), Bogra (26.2), Maldah (25.9), and Chumparui (22.2). The diseases which caused the largest number of deaths during the year were dysentery, diarrhoea, cholera, anaemia, and diseases of the respiratory organs, the mortality from each of these causes being higher than in the previous year. There was a slight decrease in the number of deaths from remittent fever, but the mortality from intermittent fever was more than double that in 1878.

## C.

\*EXTRACT (No. 1.) from the RESOLUTION of LIEUTENANT-GOVERNOR of BENGAL on the JAIL REPORT for 1880, dated 1st July 1881.

Para. 11. The great increase in recent years in the number of prison offences and punishments, and especially in the number of cases of corporal punishment in jails, was dealt with by the Lieutenant-Governor at considerable length when reviewing the report for the year 1879, and has since then formed the subject of a special correspondence between this Government and the Inspector-General of Jails. The following statement shows the number of offences committed by prisoners in jail during each of the past six years, and

\* See foot note on page 3.

the percentages of those offences on the daily average number of prisoners, and the total number of prisoners who passed through the jails in each year :—

| Years. | Daily Average Number of Prisoners. | Total Number of Prisoners who passed through the Jails. | Total Number of Offences. | Number of Offences per cent. of average Daily Number of Prisoners. | Number of Offences per cent. of Prisoners passing through the Jails. |
|--------|------------------------------------|---------------------------------------------------------|---------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------|
| 1875   | 19,561                             | 56,540                                                  | 25,209                    | 128.8                                                              | 44.6                                                                 |
| 1876   | 19,832                             | 58,891                                                  | 25,615                    | 129.1                                                              | 43.5                                                                 |
| 1877   | 17,170                             | 57,577                                                  | 30,258                    | 176.2                                                              | 52.5                                                                 |
| 1878   | 16,936                             | 58,217                                                  | 31,581                    | 186.4                                                              | 51.2                                                                 |
| 1879   | 16,974                             | 57,897                                                  | 51,447                    | 303.1                                                              | 88.8                                                                 |
| 1880   | 16,422                             | 53,930                                                  | 61,832                    | 376.5                                                              | 114.6                                                                |

The figures given in this statement do not include those for subsidiary jails, of which the total average population was during the past year only 251, and the total number of offences only 181. It appears therefore that in district and central jails, while the average daily population and the total number of prisoners passing through the prisons have considerably decreased since 1875, there has been an enormous increase of 145 per cent. in the number of offences committed in jail. Two-thirds, however, of the total number of prison offences in the past year related to work, and the special reports that the Inspector-General has submitted have shown conclusively that no real comparison can be made between the figures prior to and since the development of jail manufactures and the enforcement of penal labour, any more than a comparison can be made between the recorded jail offences of the years 1866 and 1876, in the former of which the number was only 2,445 as compared with 25,615 in the latter year. In the year 1872 an entire change was made in the system under which jail offences are recorded, and a further change has resulted from the increased supervision and more careful measuring and exacting of task-work, necessitated by the development during the past three years of special jail industries. The Lieutenant-Governor has always recognised that under a strict system of discipline, according to which every offence against jail rules, however petty, is recorded, the total number of offences will necessarily be very large, and, as was explained in the Resolution on the report for 1879, no comparison can fairly be made between jails and convicts in England and India. Whether or not a reduction in the number of offences committed is possible under the strict system of discipline and labour now in force can only be ascertained by experience. It is quite possible that the view taken by Dr. Lethbridge may be correct, and that the 61,832 offences recorded against the 53,930 prisoners who were last year subjected to prison discipline and task-work were not excessive in number. As, however, has already been pointed out to the Inspector-General, the record of a great number of offences should not be considered to be full and complete evidence of strict discipline and good management. If a jail is well managed, and everything is done according to rule, and in a thoroughly systematic way, the temptations to commit offences are much diminished. It is in jails where the discipline is lax, and the management unsystematic and irregular, and the establishment lazy and corrupt, that temptations chiefly occur. The Lieutenant-Governor is certainly not prepared to put any pressure upon jail officers with a view to a reduction in the number of offences; for when superior officers are so much dependent on subordinates, as they are in a jail, a small number of recorded offences would not necessarily mean a small number committed. It will be sufficient for the present if the subject is not lost sight of by either the Inspector-General or the jail superintendents, and if every effort is made to enforce system and discipline in every detail of jail administration. Of the total number of offences (62,013) committed in all the jails and subsidiary jails of Bengal in 1880, 59,613 were committed by men and 2,400 by women; 40,527 of the offences related to short work, 3,690 were smoking and having possession of forbidden articles, and 17,715 were miscellaneous breaches of jail rules.

12. The orders and remarks of the Lieutenant-Governor recorded in paragraph 12 of the Resolution on the report for 1879, and a further order issued in January last, directing the submission to Government of quarterly returns, showing the number of corporal punishments inflicted on convicts in each district and central jail in Bengal, have had the desired effect in checking the infliction of corporal punishment by jail superintendents, except for the most serious offences and habitual idleness. The total number of corporal punishments inflicted in district and central jails during each of the past six years, and

their proportion to the total number of punishments in jail, are shown in the following statement :—

| YEAR. | Corporal punishments. | Ratio per cent. of corporal punishments to total number of punishments. |
|-------|-----------------------|-------------------------------------------------------------------------|
| 1875  | 2,973                 | 18.7                                                                    |
| 1876  | 2,370                 | 13.4                                                                    |
| 1877  | 3,014                 | 14.2                                                                    |
| 1878  | 4,789                 | 15.1                                                                    |
| 1879  | 8,232                 | 16.0                                                                    |
| 1880  | 4,654                 | 7.5                                                                     |

The total number of corporal punishments in subsidiary jails was only 81. Of the 4,654 cases in which corporal punishment was inflicted in district and central jails in the year 1880, 3,386 occurred in the first six months of the year, and only 1,268 in the six months after the issue of the Resolution on the last annual report. At the latter rate the number of cases of corporal punishment per annum would be 2,536, or less than in any of the six years above-mentioned, except 1876. Since the close of the year 1880 there has been a further reduction, the return submitted by the Inspector-General for the first quarter of 1881 showing only 284 cases of corporal punishment, or only 1.85 per cent. of the average daily population of the jails. This number cannot be considered excessive, and, having regard to the great reduction since the views of Government have been made known, the Lieutenant-Governor has decided that it is not necessary now to curtail the powers given to superintendents of jails by the rules of the departmental code regarding corporal punishments. The quarterly returns of corporal punishments prescribed in January last will enable both the Inspector-General and Government to watch the action of the superintendents of the different jails, and to see that rash and indiscriminate flogging for petty offences is not resorted to.

#### D.

\*EXTRACT (No. 2) from the RESOLUTION of the LIEUTENANT-GOVERNOR OF BENGAL on the JAIL REPORT for 1880, dated 1st July 1881.

Para. 20. The excessive rates of sickness and mortality in the jails of the province during the year 1879 were noticed by the Lieutenant-Governor at length in his review of the year's administration, and Sir Ashley Eden then expressed his conviction that the chief cause of the increase was the adoption of the diet scale proposed by the Prison Conference. The report for the past year entirely confirms the view taken by the Lieutenant-Governor, and there seems now no room for doubt as to the cause of the heavy mortality in 1879. The increase in the diet scale made in March last had almost immediately a marked effect on the health of the prisoners, and in each month from that date there was a decrease as compared with the previous year in the proportion of death to the mean convict population. The Lieutenant-Governor concurs with the Inspector-General that it is not desirable to have a reduced scale of diet for short-term convicts, as these prisoners are nearly all employed on the oil-mill, the most severe form of penal labour, and any reduction of diet has been found to result in a loss of weight which the prisoner cannot recover during the short term of his sentence. The scale proposed in paragraph 110, which largely increases some of the most valuable constituents of a native diet, should at once be tried for a year, and if it is found to succeed the scales for Bengal and Behar respectively may be permanently adopted. The subject should have the constant attention of the officers in medical charge of jails, and they must at once bring to the notice of the Inspector-General any alteration in the health of the prisoners, which seems to indicate the necessity of a change of diet. The system of fortnightly weighments of all labouring prisoners introduced in consequence of the falling off in their weight, noticed in the last Resolution on the administration of the Jail Department, had an excellent effect. Superintendents, jailors, and head-warders can now, without any medical knowledge, tell at once when a prisoner should have his labour changed, or his task reduced. Out of 54,042 prisoners discharged during the past year 32.3 per cent. gained weight, while 26.5 per cent. lost weight, whereas during the previous year only 25 per cent. of those discharged gained in weight and 33.1 per cent. lost weight. The Inspector-General has forbidden the infliction of punishment for short work when

\* See foot note on page 3.

prisoner is losing weight, and this order, as well as directions for holding the fortnightly weighments and for the action to be taken upon them, will be embodied in the Jail Code. The Inspector-General should now submit draft rules on the subject for the approval of Government.

21. Although there was a great improvement during the past year in the health of prisoners in jail, and a decrease in the mortality among convicts and under-trial prisoners from 6.91 per cent. of the mean daily population in 1878 and 9.48 per cent. in 1879 to 6.35 per cent. in 1880, the rates both of sickness and mortality were still unduly high. The proportion of the average number of prisoners under treatment in hospital to the average jail population was indeed slightly higher last year than in 1879, but this was due to the weak state of the prisoners at the beginning of the year, and the necessity of keeping many of them under treatment for long periods. Unless any unforeseen epidemic or outbreak of disease should occur during the rest of the current year, the report for 1881 should show a decrease in both the sickness and mortality in Bengal jails. The jails that showed the highest daily average of sick convicts in 1880 in proportion to the average strength of their convict population were Dinagepore (16.67 per cent.), Singbhoom (11.74), Baraset (10.75), Burdwan (10.35), Rungpore (10.04), Julpigoree (10.02), Presidency European Jail (8.32), and Moorshedabad (8.08); those which had the highest number of admissions to hospital as compared with their average population were Burdwan (521 per cent.), Dinagepore (400), Presidency European Jail (394), Rungpore (366), Bogra (276), and Russa (272); while those in which the death-rate per cent. of the average strength was heaviest were Julpigoree (34.1), Lohardugga (19.4), Dinagepore (18.2), Baraset (14.9), Mymensingh (14.3). It is satisfactory to find that, while in 1879 there were seven jails in which the mortality exceeded 20 per cent. of the average daily population, there was only one such jail in 1880. The Lieutenant-Governor regrets to learn that the extraordinary rate of mortality in the Julpigoree jail has increased still further during the present year, although every means that has been suggested to reduce it has been tried. If there be no improvement by the end of this month, the jail must, as proposed by the Inspector-General, be temporarily closed, and all prisoners with sentences exceeding a month in length must be transferred to the neighbouring jails. One of the chief causes of mortality appears to be the employment of prisoners in building new jails, though why this should be, does not appear. Every effort should be made now to finish the new jails by free labour. There is no doubt much difficulty in procuring free labour in some of the eastern districts, but this difficulty may be overcome especially if the work is given out to contractors. The jails with the lowest death-rate per cent. of the mean population were Backergunge (1.04), Chittagong (1.66), and Noakholly (1.81). Backergunge was for many years one of the most unhealthy jails in the province, and there appears to be good ground for believing that the improvement is due to the change made in the water-supply for the prisoner's use. Every effort was made during the past year to provide good drinking water for those jails in which the supply had been unsatisfactory, and it is hoped that the arrangements in progress in the Hooghly, Buxar, and other jails will, when completed, lead to results similar to those in the Backergunge jail. The Alipore, Presidency, and Russa jails now receive their water-supplies from the Calcutta hydrants, the water being carried by carts to an iron tank in each jail from which it is distributed by pipes to the different wards. The Lieutenant-Governor believes that a pure water-supply is almost as important in its relation to the health of the prisoner as a sufficient scale of diet. Though much has been done of late years to improve the water supply much remains to be done, especially in arranging for a proper system of filtering. The diseases which caused the largest number of deaths during the year were dysentery, diarrhoea, anæmia and general debility, diseases of the respiratory organs, and fever. There were only 31 deaths from cholera, a lower number than in any of the previous 17 years. When the new barracks are all completed, and the sleeping wards are well raised from the ground, the Lieutenant-Governor expects to see a great reduction of mortality. Still it seems impossible to trace the mortality in Bengal jails to any special cause. A jail which is healthy one year is sickly the next, and *vice versa*. Jails in healthy districts are unhealthy, while those in damp malarious districts, such as Backergunge, Chittagong, and Noakholly, are healthy. The Lieutenant-Governor will be glad if the Inspector-General will see how far it is possible to substitute wooden platform beds for the raised beds of earth now in use.

EXTRACT from LETTER from the GOVERNMENT OF INDIA to the SECRETARY OF STATE, dated 16th January 1882. Judicial, No. 2.

\* \* \* \*

(1) We take this opportunity of forwarding, for your Lordship's information, a copy of the instructions which we have issued to the Local Governments and Administrations, for the purpose of preventing the abuse of whipping as a form of punishment for breaches of discipline in Indian jails.

No.  $\frac{1}{33-43}$ .

Extract from the Proceedings of the Government of India in the Home Department (Judicial),—under date Fort William, the 11th January 1882.

READ—

The Jail Reports of the several Presidencies and Provinces for the year 1880 and the previous five years, with the orders of the Local Governments and Administrations thereupon.

### RESOLUTION.

THE Prison Conference of 1877, in chapter V. of its report, drew attention to the great discrepancies observable in the jails of the different provinces in respect both of the number and nature of the punishments inflicted upon prisoners for breaches of jail discipline; and the Government of India, in its orders upon the report, invited all Local Governments and Administrations to take the matter into early consideration. In connexion with this subject the annual departmental reports for 1880 and the previous five years have now, under the orders of the Governor-General in Council, been examined with a view specially to ascertaining the practice in each Province in respect of the infliction of whipping as a mode of jail punishment. The result of this examination is to show not only remarkable differences as between province and province in the ratios borne by the number of prisoners whipped to the total jail population and the total number of offenders against jail discipline, but in some instances an increasing resort on the part of Jail Superintendents to this form of punishment.

2. In the following Table figures are given showing for each province and for each of the last six years—

- (1.) the total number of male prisoners;
- (2.) the total number of punishments for breaches of jail discipline;
- (3.) the total number of cases of corporal punishment;
- (4.) the percentage borne by the number of prisoners whipped to the total number of male prisoners; and
- (5.) the proportion per cent. of corporal punishments to the total number of jail punishments.

| PROVINCE. | Year. | Total number of male prisoners during the year. | Total number of punishments inflicted by jail officers for breaches of jail rules. | Total number of cases of corporal punishment. | Percentage of prisoners whipped to total number of male prisoners. | Proportion per cent. of corporal punishments to total jail punishments. |
|-----------|-------|-------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1         | 2     | 3                                               | 4                                                                                  | 5                                             | 6                                                                  | 7                                                                       |
| MADRAS    | 1875  | 24,825                                          | 5,390                                                                              | 1,803                                         | 7.2                                                                | 33.8                                                                    |
|           | 1876  | 31,183                                          | 6,846                                                                              | 2,370                                         | 7.6                                                                | 34.6                                                                    |
|           | 1877  | 65,601                                          | 9,370                                                                              | 3,660                                         | 5.6                                                                | 39.0                                                                    |
|           | 1878  | 57,152                                          | 9,179                                                                              | 3,818                                         | 6.7                                                                | 41.6                                                                    |
|           | 1879  | 39,621                                          | 7,053                                                                              | 2,254                                         | 5.7                                                                | 31.9                                                                    |
|           | 1880  | 25,510                                          | 5,625                                                                              | 1,511                                         | 5.9                                                                | 26.4                                                                    |
| BOMBAY    | 1875  | 28,682                                          | 2,140                                                                              | 704                                           | 2.4                                                                | 32.9                                                                    |
|           | 1876  | 29,325                                          | 1,511                                                                              | 522                                           | 1.8                                                                | 34.5                                                                    |
|           | 1877  | 52,321                                          | 1,928                                                                              | 620                                           | 1.2                                                                | 32.1                                                                    |
|           | 1878  | 49,879                                          | 3,071                                                                              | 1,097                                         | 2.2                                                                | 35.7                                                                    |
|           | 1879  | 46,598                                          | 4,179                                                                              | 1,833                                         | 3.9                                                                | 43.8                                                                    |
|           | 1880  | 35,478                                          | 4,338                                                                              | 1,561                                         | 4.4                                                                | 35.9                                                                    |

(1) The rest of this Letter does not refer to corporal punishment or mortality in jails.

| PROVINCE.                | Year. | Total number of male prisoners during the year. | Total number of punishments inflicted by jail officers for breaches of jail rules. | Total number of cases of corporal punishment. | Percentage of prisoners whipped to total number of male prisoners. | Proportion per cent. of corporal punishments to total jail punishments. |
|--------------------------|-------|-------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1                        | 2     | 3                                               | 4                                                                                  | 5                                             | 6                                                                  | 7                                                                       |
| BENGAL                   | 1875  | 71,990                                          | 24,336                                                                             | 2,973                                         | 4.1                                                                | 12.2                                                                    |
|                          | 1876  | 55,732                                          | 17,193                                                                             | 2,370                                         | 4.2                                                                | 13.8                                                                    |
|                          | 1877  | 71,327                                          | 20,753                                                                             | 3,014                                         | 4.2                                                                | 14.5                                                                    |
|                          | 1878  | 72,089                                          | 30,785                                                                             | 4,815                                         | 6.6                                                                | 15.6                                                                    |
|                          | 1879  | 70,114                                          | 50,268                                                                             | 8,324                                         | 11.8                                                               | 16.5                                                                    |
|                          | 1880  | 65,842                                          | 59,532                                                                             | 4,735                                         | 7.2                                                                | 7.9                                                                     |
| N. W. PROVINCES AND OUDH | 1875  | 81,797                                          | 4,730                                                                              | 2,494                                         | 3.0                                                                | 52.7                                                                    |
|                          | 1876  | 75,979                                          | 4,726                                                                              | 2,528                                         | 3.3                                                                | 53.4                                                                    |
|                          | 1877  | 85,626                                          | 7,784                                                                              | 3,048                                         | 3.5                                                                | 39.1                                                                    |
|                          | 1878  | 109,137                                         | 10,617                                                                             | 4,761                                         | 4.3                                                                | 45.8                                                                    |
|                          | 1879  | 79,093                                          | 9,211                                                                              | 4,680                                         | 5.9                                                                | 50.8                                                                    |
|                          | 1880  | 69,376                                          | 8,499                                                                              | 4,777                                         | 6.8                                                                | 56.2                                                                    |
| PUNJAB                   | 1875  | 36,655                                          | 3,327                                                                              | 1,828                                         | 4.9                                                                | 54.9                                                                    |
|                          | 1876  | 34,311                                          | 3,239                                                                              | 1,753                                         | 5.1                                                                | 54.1                                                                    |
|                          | 1877  | 38,416                                          | 2,537                                                                              | 1,609                                         | 3.9                                                                | 59.4                                                                    |
|                          | 1878  | 44,127                                          | 2,745                                                                              | 1,758                                         | 3.9                                                                | 64.0                                                                    |
|                          | 1879  | 42,098                                          | 2,477                                                                              | 869                                           | 2.6                                                                | 35.0                                                                    |
|                          | 1880  | 38,273                                          | 1,911                                                                              | 899                                           | 2.3                                                                | 47.0                                                                    |
| CENTRAL PROVINCES        | 1875  | 10,971                                          | 989                                                                                | 338                                           | 3.1                                                                | 31.1                                                                    |
|                          | 1876  | 11,252                                          | 1,199                                                                              | 409                                           | 3.6                                                                | 34.1                                                                    |
|                          | 1877  | 11,651                                          | 2,394                                                                              | 915                                           | 8.1                                                                | 39.4                                                                    |
|                          | 1878  | 13,612                                          | 2,424                                                                              | 1,035                                         | 7.6                                                                | 42.6                                                                    |
|                          | 1879  | 14,622                                          | 3,348                                                                              | 1,474                                         | 10.0                                                               | 44.0                                                                    |
|                          | 1880  | 12,742                                          | 5,039                                                                              | 1,371                                         | 10.7                                                               | 27.2                                                                    |
| BRITISH BURMAH           | 1875  | 14,230                                          | 4,995                                                                              | 2,480                                         | 17.4                                                               | 49.6                                                                    |
|                          | 1876  | 15,377                                          | 5,092                                                                              | 2,195                                         | 14.2                                                               | 43.1                                                                    |
|                          | 1877  | 15,491                                          | 5,420                                                                              | 2,629                                         | 16.9                                                               | 48.5                                                                    |
|                          | 1878  | 14,196                                          | 5,234                                                                              | 2,953                                         | 20.8                                                               | 56.4                                                                    |
|                          | 1879  | 12,397                                          | 3,499                                                                              | 1,849                                         | 14.9                                                               | 52.8                                                                    |
|                          | 1880  | 12,684                                          | 3,978                                                                              | 1,793                                         | 14.1                                                               | 45.0                                                                    |
| ASSAM                    | 1875  | 5,335                                           | 712                                                                                | 210                                           | 3.9                                                                | 29.5                                                                    |
|                          | 1876  | 5,592                                           | 606                                                                                | 180                                           | 3.2                                                                | 29.6                                                                    |
|                          | 1877  | 5,607                                           | 717                                                                                | 268                                           | 4.7                                                                | 37.3                                                                    |
|                          | 1878  | 5,260                                           | 769                                                                                | 247                                           | 4.6                                                                | 34.1                                                                    |
|                          | 1879  | 6,004                                           | 493                                                                                | 266                                           | 4.4                                                                | 53.9                                                                    |
|                          | 1880  | 5,546                                           | 483                                                                                | 218                                           | 4.4                                                                | 51.3                                                                    |
| HYDERABAD                | 1875  | 2,655                                           | 662                                                                                | 299                                           | 11.2                                                               | 45.1                                                                    |
|                          | 1876  | 3,038                                           | 381                                                                                | 279                                           | 9.1                                                                | 73.2                                                                    |
|                          | 1877  | 3,886                                           | 252                                                                                | 154                                           | 3.9                                                                | 61.1                                                                    |
|                          | 1878  | 3,333                                           | 620                                                                                | 528                                           | 15.8                                                               | 85.1                                                                    |
|                          | 1879  | 3,944                                           | 261                                                                                | 208                                           | 5.2                                                                | 79.6                                                                    |
|                          | 1880  | 3,920                                           | 267                                                                                | 137                                           | 3.5                                                                | 51.3                                                                    |

3. From the annual reports and from separate communications received from the different Local Governments and Administrations, the Governor General in Council is glad to find that the necessity of bringing this mode of punishment under proper control has been of late engaging serious attention.

(a.) In *Madras* the Governor in Council has, it is reported, frequently directed the particular attention of the Inspector-General of Jails to the subject of corporal punishment, and every effort has been made to reduce it to a minimum. That these efforts have not been unsuccessful is evidenced by the fact that the percentage of prisoners whipped to the total male prison population in *Madras* had fallen from 15.5 in 1872 to 7.2 in 1875 and to 5.6 in 1880. The number of cases of whipping appears still however large when compared with the returns from the *Bombay* Presidency.

(b.) In *Bombay* whipping is said to be only resorted to when all other punishments fail. The punishment book is regularly inspected by the visitors, and explanations are called for whenever the number of cases seems unduly large. The returns do,

however, show a growing tendency to resort to this form of punishment, such as calls for careful watching. The explanation given of this fact in the reports is the stricter discipline now enforced in the jails.

(c.) In *Bengal* the increasing frequency of whipping cases attracted the attention of the Lieutenant-Governor early in 1880, and orders were issued restricting this punishment to the more serious kinds of jail offences. The full effect of these orders is not apparent in the foregoing table, as nearly half of 1880 had elapsed before they commenced to influence the jail returns. It is understood that during 1881 the strictest control has, by means of quarterly returns of punishments, been exercised over the action of the jail superintendents throughout *Bengal*. The table brings out the fact that whipping bears in *Bengal* a much smaller ratio to the total number of punishments than in any other province. But on the other hand, the number of prisoners reported for jail offences, principally in connexion with work, is far greater than anywhere else. Either, therefore, the *Bengal* system of recording is much more perfect, or the discipline is much more strict than is the case in other provinces.

(d.) In the *North-Western Provinces and Oudh*, an effort was made in 1877 to systematize and regulate the punishments inflicted in jails with reference to the different classes of offences, and indiscriminate flogging was prohibited. The subject has continued to receive attention both from the Inspector-General and the Local Government; but the facts remain that in this province the ratio of cases of whipping to other punishments was in 1880 higher than anywhere else, and that the percentage of prisoners so punished shows a marked tendency to increase. The explanation offered to account for this last fact is here, as in *Bombay*, "the stricter enforcement of discipline insisted upon during recent years." The point seems, however, to call for continued attention.

(e.) In the *Punjab* strenuous efforts have been perseveringly made to check the indiscriminate use of this form of punishment, and the results are on the whole satisfactory, though it still stands in a high ratio to other punishments.

(f.) The Chief Commissioner of the *Central Provinces* reports that he has during the last few years repeatedly condemned the free resort to whipping for all classes of petty jail offences, and efforts have been made to improve the general discipline of the jails and substitute other forms of punishment. There has no doubt been a large and serious increase in the frequency of resort to whipping in the jails of this province since 1876, and the Chief Commissioner must insist on a change of practice.

(g.) In *British Burma* the Officiating Chief Commissioner admits that whipping has hitherto been far too freely resorted to, and has taken steps for controlling and limiting it. It is, however, explained that Burmese convicts are, as a class, more difficult to manage than any others, while the jails in that province are less completely provided with other means of punishment.

(h.) In *Assam* the Chief Commissioner has repeatedly insisted on restricting this punishment to serious cases. It seems, however, still to be far too freely employed as contrasted with other forms of punishment.

(i.) In *Hyderabad* the number of cases has of late years been largely reduced, but whipping still shows too prominently as compared with other punishments.

4. On the whole the Governor-General in Council is satisfied that the subject, having now been prominently brought under the consideration of the various local governments, will not be allowed to drop out of sight, and he is sanguine that the reports for 1881 will show a very marked improvement in almost every province. His Excellency in Council thinks it, however, right to place upon record for the guidance of local governments a brief statement of the principles which should, in the opinion of the Government of India, regulate the infliction of whipping as a punishment for offences against discipline in Indian jails.

5. It is for many reasons impossible to do away with this punishment altogether; but it ought always to be reserved for the more serious classes of jail offences. No prisoner should ordinarily be punished with whipping for a first offence against jail discipline, when the offence is not in itself of a heinous character, such as attempting to escape, violence, or insubordination. For such petty offences as the possession of forbidden articles and offences in connexion with work, whipping should not be awarded until it is evident that all other forms of punishment are unavailing. But when it is decided in respect of any prisoner that whipping is necessary, the punishment should always be sufficiently severe to act as a real deterrent. The practice common in some jails of giving a prisoner two or three cuts with a cane for trivial offences serves only to irritate

and has no lasting deterrent effect. Every sentence of whipping, and indeed every order involving punishment of any kind, should be formally recorded by the superintendent in the punishment register, and be formally and deliberately carried out. When a sentence of whipping is passed, a brief note of the reason for considering this punishment necessary should be added in the register for the information of official visitors and inspecting officers. There is reason to believe that in some provinces the warders and work-overseers are allowed to punish summarily of their own motion trivial offences in connexion with work which are not recorded in the punishment register. It is only in this way that it is possible to explain the very discrepant proportions between the number of jail offences in the different provinces as compared with the totals of the jail population. Every offence should be reported to the superior jail authorities and be formally and strictly dealt with. In this way offenders will soon become fewer in number, while the general discipline of the jails will rapidly improve.

6. In order that jail punishments may be brought under closer and more systematic check and review, the Governor-General in Council is pleased to direct that a quarterly return shall in future be submitted by each inspector-general of jails to the Local Government or Administration to which he is subordinate, showing for *each* jail under his control—

Column (1)—the total number of male prisoners for the quarter :

Column (2)—the total number of jail offences :

Column (3)—the total number of prisoners punished by whipping :

Column (4)—the percentage of column (3) to column (1).

Column (5)—the percentage of column (3) to column (2).

The Inspector-General of Jails should submit with the returns a brief review noticing anomalies and reporting any orders or calls for explanation issued by him to jail superintendents in connexion with their returns. The local governments should see that, in every case where an excessive recourse to whipping is apparent, the officer in charge of the jail is put upon his defence, and required to explain the matter satisfactorily. Broadly speaking, any abnormal excess or sudden increase in the number of corporal punishments may be taken to indicate something wrong in the management of the jail.

ORDER.—Ordered, that this resolution be communicated to all local governments and administrations for information and guidance.

(True Extract.)

A. MACKENZIE,

*Offg. Secretary to the Govt. of India.*

DESPATCH from the Right Honourable the SECRETARY OF STATE FOR INDIA to the GOVERNMENT OF INDIA.—Judicial, No. 6.

MY LORD MARQUIS, India Office, London, March 2, 1882.

PARA. 1. The Resolution of your Excellency's Government, dated 11th January last, on the subject of corporal punishment in Indian jails, which was forwarded with your Despatch, No. 2, dated the 16th idem, has been considered by me in Council.

(\*) \* \* \* \* \*

3. An examination of the jail statistics of the various provinces for the six years to 1880 has shown "not only remarkable differences as between province and province in the ratios borne by the number of prisoners whipped to the total jail population, and the total number of offenders against jail discipline, but in some instances an increasing resort on the part of jail superintendents to this form of punishment."

4. The excessive use of corporal punishment in Indian jails has, as you are aware, attracted considerable attention in this country. It is not necessary for me, however, to dwell at any length upon it here, as the Resolution of your Government leaves little to be said upon the subject, and shows that your Excellency in Council fully appreciates its importance.

5. I am glad to observe that you are satisfied that the matter, having now been prominently brought under the consideration of the various Local Governments, will not be allowed to drop out of sight. I desire that the statistics for 1881 may be forwarded to me, with your comments thereon, with as little delay as possible.

(\*) Para. 2 is omitted as referring only to a different subject.

I concur with the opinions of your Excellency's Government, stated in paragraph 5 of the Resolution, as to the principles which should regulate the infliction of corporal punishment for offences against jail discipline. One of the most important of these principles is that "when it is decided in respect of any prisoner that whipping is necessary, the punishment should always be sufficiently severe to act as a real deterrent." To prevent possible abuses in the carrying out of your instructions in this direction, I think it desirable that, in addition to the information specified in paragraph 6 of the Resolution, the Inspectors General of Jails should be required to furnish to the various Local Governments periodical statements, showing (1) the severity of the corporal punishments inflicted, as indicated by the number of stripes and the instrument employed, and (2) the number of prisoners who died or were admitted into hospital within say two months from the infliction of the punishment.

I have, &c.

(Signed) HARTINGTON.

LETTER from the GOVERNMENT OF INDIA to the Right Honourable the SECRETARY OF STATE FOR INDIA.—Judicial, No. 4.

MY LORD MARQUIS,

Fort William, February 6, 1882.

WITH reference to the telegrams marginally noted, we have now the honour

From Secretary of State, dated 21st June 1881.

To ditto, dated 22nd ditto.

From ditto, dated 16th August 1881.

To ditto, dated 17th January 1882.

to transmit for your Lordship's information copies of (1)\* a Memorandum by Surgeon-Major T. R. Lewis, Special Assistant to our Sanitary Commissioner, on the dietaries of labouring prisoners in

Indian Jails, (2) a Memorandum by our Sanitary Commissioner on jail diets in relation to the health of the prisoners, and (3) a Resolution which we have circulated to Local Governments and Administrations containing our views on the subject.

2. We may add that any further detailed information which your Lordship may require in regard to recent mortality among prisoners in Indian jails will be found in our Sanitary Commissioner's forthcoming annual report for 1880, in which complete statistics will be given.

We have, &c.

(Signed)

RIPON.

D. M. STEWART.

W. STOKES.

RIVERS THOMPSON.

J. GIBBS.

E. BARING.

T. F. WILSON.

MEMORANDUM, dated 10th January 1882, on INDIAN JAIL DIETS in relation to the HEALTH of the PRISONERS (referred to in preceding Letter), by Surgeon-General J. M. CUNINGHAM, M.D., Sanitary Commissioner with the Government of India.

THE jail reports for 1880 have all been received, and the diet question, which has been reserved for separate consideration, may now be taken up.

1. The dietary of prisoners, which in India is specially complicated owing to the number of the articles which are in use, and to the different habits of the people in respect of food in different parts of the country, has often engaged the serious attention both of the local authorities and of the Government of India, and the devising of a proper scale has formed one of the most important matters on which the various jail committees have had to report. The last special committee on Indian jails which assembled under the orders of the Government of India was the jail committee, or jail conference as it was called, which sat in the early part of 1877. In a Resolution of the Government of India in the Home Department the various proposals made by the conference were discussed, and on certain of them orders were issued. In

\* A scientific paper on food and dieting of prisoners. Not printed on account of its length (over 50 folio pages).

aspect to diet, no definite orders were issued, but it was said that "the recommendations made by the conference under both headings of Health and Diet appear to the Government of India generally suitable and worthy of adoption."

2. The diet scales proposed by the conference will be fully examined hereafter, but it is necessary to premise the above-noted facts generally, in order to understand the exact bearing of the diet question, for it is the action which followed the proceedings of the conference which has led to the present discussion. The discussion mainly affects Bengal Proper. The conference diet was introduced into the jails of this province on or about the 1st March 1879. During the remaining nine months of that year no serious fault was found with it. In his annual report for 1879, Dr. Lethbridge, the Inspector-General of Prisons, writes: "Superintendents were asked to watch the effect of the new scale very closely, and to report any tendency to sickness. I regret to say that no important reports on this point were received during the nine months that the diet was in use." But early in 1880, when reviewing the facts of the preceding year in his annual report, Dr. Lethbridge came to the conclusion that the great mortality among the prisoners during 1879—an average of 94·8\* per 1,000 in the jails of the province as a whole—was in the main due to the insufficiency of the new scale; and in this conclusion the Local Government concurred. The subject was again referred to in the report for 1880, in which the same opinion is repeated, and the better results of that year are ascribed in great measure to the improved diet which had been introduced in the early part of it.

3. The mortality among the prisoners in Bengal Proper in 1879 was no doubt very heavy and much to be deplored, and it would be even still more deplorable if it could be shown that this lamentable loss of life had been due to an insufficient diet introduced in the recommendations of a committee whose object had been to benefit both the prisoners and the State. The main grounds for the opinion that the mortality was due to the diet scale recommended by the Prison Conference of 1877 are, that the death-rate among the prisoners in Bengal Proper was unusually high for 1879, in the early part of which year the conference diet was introduced; that the death-rate was also very high in other provinces during that year, showing that some very general cause was operating on the prejudice of the prisoners' health, and which cause was probably the change of diet; that the prisoners' health in Lower Bengal improved in 1880 under the influence of a better diet; and lastly, that the conference diet is manifestly deficient in nutritive materials.

4. But there seems good reason for hesitating to adopt the conclusion that this altered diet was really the cause of the increased sickness and mortality, and these now deserve attention. If the diet had been the cause, or even the main cause, of the increased sickness and mortality, it would naturally be expected that these would gradually rise as the diet continued to be used, and be at their maximum when its baneful effects have had the longest time to develop themselves. But this is not the experience of the Bengal jails during the period under discussion. The new diet was introduced, as has already been stated, about 1st March 1879, and it remained in force till the end of March 1880. If the diet were the main cause of the lamentable results, it would naturally be expected that the sickness and mortality among the prisoners, after it had been in use for twelve months, would be far in excess of what they were when it was commenced. The results of March 1880 ought to be very much worse than the results of March 1879. There is no statement either in the Bengal Jail Report or among the tables appended to the Annual Sanitary Report to show the monthly incidence of the sickness among the prisoners in each province as a whole, but the monthly statistics of sickness in individual jails are given in Statement XVI. of the annual tables appended to this office annual report. From this it appears that, of the total 46 jails in Lower Bengal, 20, or nearly one-half, show a smaller sick rate in March 1880 than they did in March 1879. The mortality for separate provinces and individual jails unfortunately is not shown in any of the printed statements, but particulars on this head are to be found in the working books of the statistical office. From these, 7 of the largest jails in Bengal have been taken at random, and the

\* This is the ratio given in the Jail Report. It does not quite agree with that of the Statistical Officer's tables.

results during the first three months of 1878, 1879, and 1880, are shown in the following statement:—

| JAILS.                            | 1878.    |           |        |               | 1879.    |           |        |               | 1880.    |           |        |               |
|-----------------------------------|----------|-----------|--------|---------------|----------|-----------|--------|---------------|----------|-----------|--------|---------------|
|                                   | January. | February. | March. | Total Deaths. | January. | February. | March. | Total Deaths. | January. | February. | March. | Total Deaths. |
| Presidency Jail - Strength        | 1,017    | 1,067     | 1,098  | —             | 1,119    | 1,183     | 1,212  | —             | 1,347    | 1,305     | 1,249  | —             |
| Deaths                            | 1        | 4         | 5      | 10            | 4        | 8         | 3      | 15            | 7        | 8         | 6      | 21            |
| Alipore Jail - Strength           | 2,080    | 2,135     | 2,154  | —             | 2,064    | 2,069     | 2,074  | —             | 2,049    | 1,987     | 2,040  | —             |
| Deaths                            | 11       | 16        | 7      | 34            | 21       | 14        | 11     | 46            | 12       | 16        | 7      | 35            |
| Rajshahi Jail - Strength          | 697      | 622       | 572    | —             | 865      | 837       | 856    | —             | 918      | 911       | 904    | —             |
| Deaths                            | 4        | 0         | 4      | 8             | 8        | 2         | 5      | 15            | 5        | 8         | 11     | 24            |
| Backergunge Jail - Strength       | 575      | 560       | 572    | —             | 750      | 762       | 677    | —             | 874      | 396       | 368    | —             |
| Deaths                            | 3        | 3         | 2      | 8             | 8        | 6         | 6      | 20            | 1        | 0         | 1      | 2             |
| Dacca Jail - Strength             | 628      | 624       | 637    | —             | 630      | 595       | 601    | —             | 590      | 611       | 590    | —             |
| Deaths                            | 0        | 1         | 1      | 2             | 5        | 4         | 3      | 12            | 3        | 2         | 1      | 6             |
| Midnapore Jail - Strength         | 1,241    | 1,239     | 1,228  | —             | 1,039    | 1,034     | 1,007  | —             | 914      | 918       | 965    | —             |
| Deaths                            | 15       | 1         | 5      | 21            | 4        | 3         | 8      | 10            | 8        | 2         | 3      | 13            |
| Bhagalpur Central Jail - Strength | 962      | 995       | 981    | —             | 1,104    | 1,059     | 1,010  | —             | 1,024    | 1,060     | 1,100  | —             |
| Deaths                            | 5        | 2         | 1      | 8             | 8        | 3         | 0      | 11            | 1        | 4         | 6      | 11            |
| TOTAL                             | —        | —         | —      | 91            | —        | —         | —      | 129           | —        | —         | —      | 112           |

In many of the jails the mortality was less after the new diet had been in use for months than it had been when this diet was introduced.

5. But the above statement affords further valuable evidence as to the supposed relation between the mortality and the new dietary, for it shows that in all of these jails, except one, the mortality of the first quarter of 1879 exceeded the mortality of the first quarter of 1878; and that the total mortality of these seven jails during the first three months of 1879 was considerably in excess of what it was during the first three months of 1880. It is quite clear from this that the cause or causes of increased mortality had commenced to produce very decided results before the new dietary had even been commenced. The same is shown by a comparison of the daily sick-rate among the prisoners in the province in March 1880, as compared with the sick-rate of the same month in the two previous years. The ratios for the three years are as follows:—

Daily sick-rate, March 1878 = 39·1  
 " " 1879 = 48·9  
 " " 1880 = 51·7

In other words, the rate rose in March 1879 nearly 10 per 1,000 over what it was in March 1878, whereas the rise in 1880 over 1879 was only about 3 per 1,000. It is further to be remarked in illustration of this point that the rise in the death-rate of 1878 over 1877 was very nearly as great as the rise in the death-rate of 1879 over that of 1878. The figures for the three years are as follows:—

1877 = 48·8 per 1,000.  
 1878 = 69·1 " 1,000, or an increase of 20·3 over 1877.  
 1879 = 94·8 " 1,000, " " of 25·7 " 1878.

6. The increased sickness and mortality of 1878 were ascribed to the high prices of food and the consequent impoverished condition of the new admissions into jail, but the statistics of mortality, according to length of imprisonment, do not bear out this view. The figures taken from the Bengal jail reports are as follow:

| Year. | Ratio per 1,000. |                 |               |               |               |                | Total mortality. |
|-------|------------------|-----------------|---------------|---------------|---------------|----------------|------------------|
|       | Under 6 months.  | 6 to 12 months. | 1 to 2 years. | 2 to 3 years. | 3 to 7 years. | Above 7 years. |                  |
| 1877  | 31·8             | 63·7            | 65·0          | 43·4          | 61·6          | 47·9           | 48·8             |
| 1878  | 55·4             | 80·1            | 77·9          | 68·4          | 66·7          | 94·4           | 69·1             |
| 1879  | 79·4             | 113·1           | 107·7         | 106·9         | 79·4          | 200·0          | 94·8             |
| 1880  | 57·1             | 80·7            | 88·4          | 48·8          | 42·0          | 76·6           | 63·5             |

From the above it will be seen that the death-rates among new prisoners in the first and second periods of imprisonment into which the statement is divided were almost identical in 1878 with what they were in 1880. In 1879 the ratios at all periods rose, just as, in 1877, they were comparatively low under all periods.

7. Again, although the average results in Bengal jails during 1879 were most unfavourable, results quite as unfavourable are to be found in the history of individual jails of the province in years when no change of diet has been made to which they can be attributed. The admission rate for 1879 averaged 1,573 per 1,000; but in 1876 this rate was exceeded in seven of the jails, in 1877 in 10 of the jails, and in 1878 in 11 of the jails. In 1879 the daily sick-rate averaged 51; it was higher than this in eight jails in 1876, in 11 jails in 1877, and in 12 jails in 1878. In 1879 the death-rate for the province averaged 97·57 (according to Sanitary Report tables), but the rate was exceeded by nine jails in 1876, by six in 1877, and by 10 in 1878.

8. Moreover, although the results of 1879 as a whole were most unsatisfactory, and even in 1879 the results in some of the jails were not unfavourable or consistent with the idea that the general high rates of sickness and mortality were due to the diet. the sick and death-rates for the province were very high, the ratios varied enormously, and in a few of the jails were not so unfavourable as to appear consistent with the idea that a diet was in use which could be productive of such disastrous results as have been ascribed to the conference scale. For example, at Hughli the admission-rate was only 568, and the sick-rate 22; at Bankura the admission-rate was only 642, and the sick-rate 21, —results which are favourable when compared with the average of Indian jails, and still more favourable when compared with some of the very high ratios of 1879; such, for example, as 3,092 admissions and 88 daily sick per 1,000 at Bogra. Similar remarks apply also to the death-rate, in which there were remarkable differences in different jails, varying as it did from 18 per 1,000 in Jessore to 344 at Dinapore.

9. It is worthy of notice also that in one of the groups of Bengal jails, which is given in the Annual Sanitary Report for India, the South-west Bengal and Chota Nagpore group, the mortality of 1879 was actually less than it was in 1878. In 1878 it equalled 88·05 per 1,000, whereas in 1879 it was only 84·00. It seems hardly possible that any reduction in the mortality, however small, could have taken place coincident with the adoption of a diet by which the prisoners were insufficiently fed. The jails which compose this group are noted in the margin.\* It may be added that the difference between the two years is not to be explained by any marked change in cholera prevalence, as the deaths from cholera were very much in the same proportion in both years, 28 per 1,000 in 1878 and 26 in 1879.

10. The argument that reduction had been made in the diets of the prisoners of other provinces, and that in them also, as in Bengal, the sickness and mortality among the prisoners in that year were lamentably high, has little force for two reasons. In the first place, the increased mortality among the prisoners was coincident with a largely increased mortality among the general population. This is apparent from the annexed table in which the two are placed side by side for the last four years.

| Provinces.              | Communities.       | Mortality per 1,000. |        |        |        |
|-------------------------|--------------------|----------------------|--------|--------|--------|
|                         |                    | 1877.                | 1878.  | 1879.  | 1880.  |
| Bengal                  | General population | —                    | —      | —      | —      |
|                         | Jail               | 50·10                | 70·89  | 97·57  | 63·82  |
| North-Western Provinces | General population | 19·67†               | 35·62† | 44·81† | 29·99† |
|                         | Jail               | 19·71                | 46·52  | 48·45  | 31·44  |
| Oudh                    | General population | —                    | —      | —      | —      |
|                         | Jail               | 10·56                | 23·55  | 19·66  | 18·19  |
| Punjab                  | General population | 20·07                | 36·    | 38·    | 27·03  |
|                         | Jail               | 33·80                | 109·72 | 140·08 | 78·82  |
| Central Provinces       | General population | 23·91                | 46·    | 84·44  | 29·10  |
|                         | Jail               | 45·06                | 118·11 | 67·76  | 60·13  |
| Assam                   | General population | —                    | —      | —      | —      |
|                         | Jail               | 56·30                | 60·61  | 85·80  | 52·46  |

† Includes Oudh.

† Included in the North-Western Provinces.

The statistics of the general population in Bengal Proper are so manifestly defective that they are of little use for the purposes of such comparison, and they have been omitted accordingly. The same may be said of Assam, but in the North-West Provinces, the Punjab and the Central Provinces the maximum mortality among the prisoners occurred in the same year as the maximum mortality among the people generally. It is to be observed in the second place that while the improved results in Bengal during 1880 are ascribed to a more liberal diet, the results in some of the other provinces show improvement, almost as striking, while no change was made in their jail diet. As shown by the statistics of the general population, the year 1880 was a comparatively healthy year and the prisoners benefited as well as the people.

11. The history of the jails in the neighbouring province of Assam, which in many respects resembles Bengal, throws considerable light on the question. In Assam there has been no change of diet and yet in Assam the death-rate among the prisoners rose in 1879 to 85·80 per 1,000, compared with 60·61 in 1878. The rise equalled 25 per 1,000, or almost exactly the same as it was in Bengal. The details of sickness and mortality in the jails of the two provinces are shown in the following table:—

|                 | Years. | * RATIOS PER 1,000. |             |          |             |
|-----------------|--------|---------------------|-------------|----------|-------------|
|                 |        | Admissions.         | Daily sick. | Deaths.  |             |
|                 |        |                     |             | Cholera. | All causes. |
| Bengal (Proper) | 1877   | 1,283               | 39          | 8·47     | 50·10       |
|                 | 1878   | 1,290               | 42          | 11·85    | 70·89       |
|                 | 1879   | 1,573               | 51          | 18·91    | 97·57       |
|                 | 1880   | 1,542               | 52          | 1·62     | 63·82       |
| Assam           | 1877   | 1,382               | 40          | 11·10    | 56·30       |
|                 | 1878   | 1,629               | 51          | 4·21     | 60·61       |
|                 | 1879   | 1,436               | 46          | 9·36     | 85·80       |
|                 | 1880   | 1,173               | 42          | ·79      | 52·46       |

\* The figures in this statement are all taken from this office Annual Sanitary Report.

12. The argument, based on the coincidence that with an improved diet in 1880 the jail mortality in Bengal greatly diminished, also loses all its force when the figures of Bengal and Assam are compared. It has already been shown that in both these provinces the mortality among the prisoners rose in 1879 about 25 per 1,000, although in Assam the conference diet, to which the rise in Bengal was attributed, had never been introduced and no change had been made in the diet. In 1880 there is a remarkable fall in the jail mortality as compared with 1879, and in both provinces again the reduction was almost identical. It amounted in each to about 34 per 1,000. In other words, the diet did not vary in Assam during the years in question, and yet the mortality in Assam during these years rose and fell almost exactly in the same proportion as it did in Bengal. The only inference would seem to be that the rise and fall took place in both provinces irrespective of the diet.

13. But it has been said that the conference diet introduced into the Bengal jails was actually so deficient in nutritive material as to leave no doubt that the health of the prisoners must have been seriously affected by it. If this statement were correct it must then be admitted that the disastrous results were due at least, in some measure, to the use of this diet. But the statement is not borne out by experience. In a long and very able memorandum, which is appended to this Note, Dr. Lewis has examined the whole question of jail diets with much care, and the facts he has adduced are of the greatest practical importance in dealing with this very complex question; I am much indebted to him for his valuable aid in the matter.

14. Dr. Lewis' memorandum must be read in full in order to understand the various points involved, and also the immense amount of labour which he has spent in working up the details. It will suffice to reproduce a few of the facts he has brought to

light in their bearing on this most important question of jail mortality, and for this purpose reference may be made to the paragraphs cited and to the summarised tabular statement given in the concluding chapter of his memorandum of the more important diets concerned. In order to make the matter as simple as possible, the comparison will be confined to the amount of nitrogen and carbon in each.

15. The changes involved by the introduction of the conference diet were referred to in last annual report, but the details were not then fully known. They may be briefly stated as follows,—Whereas formerly *all* labouring prisoners in Bengal received a pound of animal food per week, under the diet scales adopted in March 1879 only those prisoners who were accustomed to such food when at large were permitted to have it when in jail (unless specially ordered for them), and then to the extent only of 12 ounces per week (in lieu of a corresponding amount of grain). This implied the withdrawal from the diet of Bengalis of a daily average allowance of  $2\frac{1}{4}$  ounces of meat or fish, but there was an increase in another direction to the extent of two ounces of rice and of two ounces of vegetables, accompanied, however, by a decrease of from a quarter to half an ounce in the amount of fat. Similar changes were effected in the Behari scales of diet, except that there was no increase in the quantity of grain over the former allowance. They may, in a general way, be stated as equivalent to a decrease of 13 grains of nitrogen (about equal to what is contained in  $1\frac{1}{4}$  ounces of raw meat) with an increase of 51 grains of carbon in the diet for Bengalis; and a decrease of 17 grains of nitrogen and of 172 grains of carbon, out of a total of nearly 5,000 grains in the diet of the Beharis. Such trifling changes in the aggregate value of the elementary principles of the dietaries, as these are now shown to be, seem wholly inadequate to account for the exceptional mortality.

16. Not only did the conference diet, as introduced in the Bengal jails, differ but little in its primary elements from the diet previously in use but it will be seen from paras. 45 to 47 of Dr. Lewis' memorandum that it was nearly as rich in nitrogen as the English prison diets adapted to the weights of natives of India (para. 25), and it was richer in carbon. It contained from 192 to 245 grains of nitrogen for all classes of labouring prisoners, compared with 163 grains in the "adapted" standard scale for prisoners under four months and with 205 grains in the adapted scale for prisoners over four months in jail, while the carbon varied between 5,171 and 4,607 grains as compared with a maximum of 3,948 in the adapted standard. But—and this is of even more importance still—it was much in excess as regards both nitrogen and carbon of the diet allowed to prisoners in British Burma, for in Burma the maximum diet of the prisoners contains only 179 grains of nitrogen and 4,757 grains of carbon. The diet lately introduced into Bengal contains on an average more nitrogen and more carbon than are allowed to long-term prisoners in England engaged on hard labour. It may be urged that a standard scale for natives fixed on their relative weights to Europeans is open to exception; but if experience has shown that European prisoners, weighing on an average 145 lbs., thrive and preserve excellent health—and of this there is no question—on 270 grains of nitrogen and 5,204 grains of carbon, it may be accepted that for natives weighing on an average only 100 to 110 lbs., 205 grains of nitrogen and 3,948 grains of carbon cannot well be insufficient. And this conclusion is more than borne out by the experience of British Burma.

17. As regards the North-Western Provinces (para. 58 of memorandum), the chief points to be noticed are that the diets for prisoners under three months are higher in nitrogen than the native standard adapted from the English Local Prison diet, and very much richer in carbon; and the same remarks apply to the scale for prisoners over three months. It is also to be observed that both scales are much in excess of what is allowed in British Burma. The dietaries actually in use in the North-Western Provinces vary greatly, because the grains most readily available at different times and in different parts of the country vary also. It is worthy of notice that in the Benares jails, where the actual dietaries were poorest, the sickness and mortality were small, whereas in the Meerut jails, where the nutritive value of the diet was much higher, the sickness and mortality were comparatively high. The figures are given in the annexed statement:—

| JAILS.                     | 1880.                 |                   |
|----------------------------|-----------------------|-------------------|
|                            | Admissions per mille. | Deaths per mille. |
| Benares Central Jail - - - | 575                   | 9.70              |
| „ District Jail - - -      | 1,032                 | 18.08             |
| Meerut Central Jail - - -  | 1,301                 | 34.02             |
| „ District Jail - - -      | 1,540                 | 29.23             |

18. In the Punjab also the variations in diet were considerable, and here also it is to be remarked that the dietary was highest in the two jails where the sickness and mortality were greatest. In Rawul Pindi the prisoners were receiving more than double the nitrogen accorded in the minimum adapted native scale, and very nearly the same quantity of carbon allowed to long-term convicts in English Local Prisons employed on hard labour. At Rupar they had nearly double the amount of nitrogen actually given in England to long-term convicts employed on hard labour, and nearly 2,000 grains more carbon. Yet in both these jails the results as regards health were most unsatisfactory, and indeed the worst in the whole province, as may be seen from the following statement:—

| JAILS.                 | 1880.                 |                   |
|------------------------|-----------------------|-------------------|
|                        | Admissions per mille. | Deaths per mille. |
| Rawul Pindi Jail - - - | 2,568                 | 391.75            |
| Rupar Jail - - -       | 2,761                 | 104.17            |
| Punjab average - - -   | 1,352                 | 78.82             |

19. In the Central Provinces the reduction made in 1878 still left the dietaries much in excess of what is required according to the 'adapted' scale; indeed the convicts there are, according to even the reduced scale, receiving more nitrogen than and nearly as much carbon as convicts in England sentenced to long terms of hard labour. The nitrogen in the reduced scales of the Central Provinces for prisoners of under six months amounts to 275 grains, and the carbon to 4,787, compared with 163 grains of nitrogen and 3,210 grains of carbon in the adapted diet scale for short-term prisoners. In the diets for those above six months, the nitrogen amounts to 80 grains more than in the maximum adapted standard, and the carbon to 1,001 grains more than the standard. The reduced or 'conference' scale, as it was termed, of the Hyderabad Assigned Districts is also a liberal diet—it contains much more nitrogen and carbon than the 'adapted' standard, and indeed very nearly as much of each as is allowed to English long-term convicts employed on hard labour.

20. But perhaps the province which furnishes the most valuable experience on the subject is British Burma, to which passing reference has already been made. Here the jail dietaries are lower than those which have been in use in any other province, and lower than what were recommended by the conference. The Burma diets, in respect to nitrogen, are in fact lower than the native scale adapted on the experience of English convicts, but they are richer in carbon, and yet the results, as respects health in the jails of British Burma, are better as a whole than they are in any part of India. In the annexed statement the results are compared for the several provinces during the last three years. In 1878 the cases of sickness, the daily sick-rate, and the mortality in British Burma jails were in smaller proportion than in any province except the North-Western Provinces. In 1879, and again in 1880, the ratios in British Burma under almost all these heads are the lowest of all:—

| PROVINCES.                                 | Ratio per 1,000. |                |         |                  |                |         |                  |                |         |
|--------------------------------------------|------------------|----------------|---------|------------------|----------------|---------|------------------|----------------|---------|
|                                            | 1878.            |                |         | 1879.            |                |         | 1880.            |                |         |
|                                            | Admis-<br>sions. | Daily<br>sick. | Deaths. | Admis-<br>sions. | Daily<br>sick. | Deaths. | Admis-<br>sions. | Daily<br>sick. | Deaths. |
| British Burma - - -                        | 897              | 41             | 57·71   | 659              | 28             | 32·20   | 870              | 30             | 24·89   |
| Bengal Proper - - -                        | 1,290            | 42             | 70·89   | 1,573            | 51             | 97·57   | 1,542            | 52             | 63·82   |
| North-Western Provinces<br>and Oudh. - - - | 711*             | 29*            | 41·31   | 991              | 40             | 41·87   | 731              | 31             | 28·32   |
| Central Provinces - - -                    | 1,148            | 47             | 118·11  | 859              | 35             | 67·76   | 973              | 39             | 60·13   |
| Punjab - - -                               | 2,192            | 66             | 109·72  | 1,735            | 57             | 110·08  | 1,352            | 42             | 78·82   |

\* As shown in the Annual Jail Report of the Province.

21. If the relation of the mortality in the jails of Lower Bengal to the conference diet were merely a controversial question, it would not deserve so much notice, but it is in reality a question on the proper settlement of which the whole subject of prison administration may be said to rest, whether as regards health, discipline, or finance. If it be shown—as I believe it has been shown—that the lamentable sickness and mortality among the prisoners in Lower Bengal could not have been due to the change in dietary, the real causes of the sickness and mortality must be sought for in some other direction. We have seen that with dietaries which are most extravagant when compared with English scales there have been great sickness and excessive mortality as at Rawul Pindi and Ruar, and we have seen also that in other jails as in British Burma, with dietaries considerably less than even the conference diet, to which so much evil has been ascribed, the prisoners have had far less sickness and have died in much smaller proportion than elsewhere. Hasty conclusions regarding the insufficiency of the diet as the one cause of the unsatisfactory results can lead to little good, while the mischief they produce is great, for they divert attention from the real evils to be remedied.

22. There can be no question that the excessive death-rate in Indian jails is a great reproach, but it is only by studying all the facts, and not those under one head alone, that the truth can be ascertained and a remedy applied. There can be no doubt that the results are influenced to a large extent by general causes which are but little known in European countries. To begin with, the jail population is a very fluctuating population which rises and falls with the price of grain. As prices range high, it increases; as prices fall, the jails become comparatively empty. The strength of the prisoners in a province in other words is an index of distress among the population, and the jail of every district fulfils to a large extent the functions of a poor house as well as of a jail. Under these circumstances, it is not surprising that very many of the new admissions into jail are in bad health, suffering in different degrees from the effects of privation. This is more or less the case every year. In years when prices are unusually high, and still more when they verge on famine, these conditions become intensified. This country has lately been passing through such a period which has more or less affected every part of it. There can be no doubt, moreover, that at the same time epidemic influences have been at work, which have produced most unhealthy years, and these influences have been very wide-spread. The normal death-rate of the people of India has yet to be ascertained with accuracy, but there is enough evidence to show two facts very clearly—first, that on an average it greatly exceeds the European standard; and secondly, that it fluctuates from year to year in a manner altogether unknown in European countries.

23. In addition to these general influences all tending to produce a high death-rate among Indian prisoners, and a specially high death-rate of late years, which are to a great extent beyond control, there are also, doubtless, local influences which can be more readily dealt with, and it is to these that the attention of officers in medical charge of jails has been so frequently directed. The Annual Sanitary Sheet was devised in order to induce these officers to consider the sickness and death among the prisoners in conjunction with the local conditions under which they are placed, and, if possible, to discover what the defects in these conditions are which lead to such unhappy results; but so far the endeavour to obtain any valuable data on this most important subject has signally failed.

24. It has already been stated that the jail dietaries in actual use in this country are very numerous, and that they vary enormously in nutritive value. It would tend greatly to simplicity and efficiency in administration if one or two dietaries were adopted for general use in each province. The conference diet is in the main a good diet, but it is not laid down with the exactness required in such matters, and the fatty matter might be increased in it to a small extent with advantage. The diets should be based on the same principle as that adopted in England—they should be enough for health, but no more.

25. But it is of little use to fix good dietaries unless measures are at the same time taken to ensure that the prisoners receive what they are allowed in full. The temptation which presents itself to the jail officials to enrich themselves at the expense of the prisoners is very great, and unless the Superintendent maintains a constant and never flagging vigilance in regard to this particular matter, embezzlement of their food is very easy and very profitable, and the change in the prisoners is so gradual that it frequently escapes the notice of those who are in everyday contact with them. The more liberal the scale which is sanctioned the greater is the temptation to plunder. Superintendents of jails cannot be too careful to ensure that each prisoner has his full allowance. They must have frequent and unexpected examinations of the rations, and when the prisoners fall off in condition, when the weighments show that the prisoners are losing weight in larger proportion than the average, and when, in addition, the cooks and other convict servants are plump and in good condition, there can be little hesitation in concluding that in spite of all the precautions which may have been taken, the food is being seriously tampered with, and the officials should at once be called to account. An excellent note on this and other points in jail management was recently issued by Brigade Surgeon Walker, Inspector General of Prisons in the North-Western Provinces, and it has been circulated by the Government of India to all Local Governments and Administrations.

26. In this circular Dr. Walker has also drawn attention to two other most important matters in connection with jail dietaries—the first is that the food should be properly cooked, and the second concerns the issue of good vegetables. Improper cooking if not checked is the simplest means for carrying out peculation without detection, for ill-cooked food contains an undue amount of water, and so has in it a smaller proportion of grain than it ought. The grinding of the wheat, the kneading of the dough, and the baking are all points which require constant attention, otherwise the food issued will not only be short, but given in such a form as to be robbed of great part of its nourishing properties.

27. The necessity for having a constant and ample supply of good vegetables for the prisoners at all times is a matter which has forced itself on the attention of those who have paid much attention to jail management in India. It is an essential if the prisoners are to be kept in good health. This matter is dealt with very clearly and fully in Dr. Walker's circular above referred to. He has also favoured me with some further remarks on the subject which I reproduce:—

“There is another fertile cause of preventible disease and death in Indian jails, which is an insufficient and utterly useless supply of vegetables during the period April to November. This shows itself by a high death-rate from August to December recorded on cases of dysentery, pneumonia, diarrhoea, and ulcer. All jails have increased sickness during the autumn months, but if the men have received their diet honestly, and if their vegetable supply has been fairly good, and rendered efficient by a daily ration of lime juice, tamarind pulp, or *amchur* (dried mango fruit), the death-rate never runs high amongst prisoners in the prime of life.

“I cannot speak out too strongly my conviction on the necessity of supplementing all jail dietaries by a daily ration of the above from 1st April to 1st November, and for insisting on the issue of the very best vegetables during the rest of the year. The *kakri* (a kind of cucumber) and *kuddoos* (pumpkins) on which Superintendents of Jails rely during the months of April to November are quite valueless; they are worse than useless if their issue makes people fancy they are giving sufficient fresh vegetable juices.

“Until the last few years I never realised fully the fact that whereas our prisoners are kept month after month on vegetables which have no value, the same men in freedom would be eating daily *baer* and *mhowa* and lime and mango fruits, with many other

kinds of berries rich in vegetable acids and salts. The results in some of my jails of improving the vegetable supply and issuing a special ration of them from April to November have been marvellous. The Barilly Central Prison, which for some years was a standing scandal to the Department, has had its condition so changed that for the past three years the death-rate has been marvellously small, and this year up to date only four prisoners have died out of an average strength of 1,750."

The experience of the North-Western Provinces in this respect is very valuable, and should be made widely known, in the hope that by greater attention to all points connected with jail dietary the very high mortality among the prisoners may be diminished. But it must never be forgotten that a good diet is not every thing, even although that diet include an ample supply of the best vegetables. Prisoners have died in a lamentable way when the food allowed them was in wasteful abundance. To keep them in proper health attention must be paid not only diet, but to every other sanitary requisite.

28. In the course of the above remarks incidental mention has been made of the

Marked diminution in the mortality among prisoners all over India in 1880.

statistics of sickness and mortality in the various provinces during 1880, as compared with previous years. The general results are embodied in the following statements which are taken from the annual report now in the press.

#### No. I.

STATEMENT showing Sickness and Mortality among the Prisoners of the three Presidencies in 1877, 1878, 1879, and 1880 compared.

|        |   | Average<br>Strength. | Ratio per 1,000.                |            |             |                             |             |        |
|--------|---|----------------------|---------------------------------|------------|-------------|-----------------------------|-------------|--------|
|        |   |                      | Admissions<br>into<br>Hospital. | Daily sick | Deaths from |                             |             |        |
|        |   |                      |                                 |            | Cholera.    | Dysentery<br>and Diarrhoea. | All causes. |        |
| India  | { | 1877                 | 110,147                         | 1,017      | 36          | 7.81                        | 25.80       | 61.95  |
|        |   | 1878                 | 127,914                         | 1,198      | 46          | 5.90                        | 32.76       | 81.31  |
|        |   | 1879                 | 117,680                         | 1,294      | 49          | 4.44                        | 27.66       | 73.73  |
|        |   | 1880                 | 106,763                         | 1,213      | 46          | 0.74                        | 19.43       | 48.31  |
| Bengal | { | 1877                 | 63,600                          | 967        | 30          | 3.07                        | 10.59       | 31.88  |
|        |   | 1878                 | 78,116                          | 1,181      | 40          | 5.34                        | 28.27       | 65.85  |
|        |   | 1879                 | 73,801                          | 1,285      | 46          | 6.38                        | 30.65       | 77.90  |
|        |   | 1880                 | 66,751                          | 1,107      | 40          | 1.00                        | 21.51       | 51.12  |
| Madras | { | 1877                 | 20,328                          | 967        | 40          | 26.12                       | 85.15       | 176.01 |
|        |   | 1878                 | 21,315                          | 941        | 52          | 5.16                        | 54.80       | 125.92 |
|        |   | 1879                 | 15,310                          | 888        | 46          | 1.44                        | 27.17       | 56.30  |
|        |   | 1880                 | 11,657                          | 851        | 33          | 0.09                        | 20.93       | 44.95  |
| Bombay | { | 1877                 | 11,531                          | 935        | 27          | 3.61                        | 26.19       | 54.37  |
|        |   | 1878                 | 13,139                          | 1,327      | 43          | 7.08                        | 44.14       | 118.27 |
|        |   | 1879                 | 12,875                          | 1,255      | 50          | 2.10                        | 33.79       | 109.59 |
|        |   | 1880                 | 11,405                          | 1,149      | 40          | 0.14                        | 16.31       | 45.16  |

#### No. II.

STATEMENT showing the ratio of Admissions, Daily sick, and Deaths amongst Prisoners in the various Provinces of the Bengal Presidency, British Burma, and the Andamans, for 1877, 1878, 1879, and 1880 per mille of Strength.

| Per 1,000 of Average Strength. | Bengal. | Assam. | Oudh. | North-Western Provinces. | Central Provinces. | Punjab. | Berar. | British Burma. | Andaman Islands. |       |
|--------------------------------|---------|--------|-------|--------------------------|--------------------|---------|--------|----------------|------------------|-------|
| Admissions                     | 1877    | 1,283  | 1,382 | 504                      | 535                | 907     | 1,504  | 937            | 844              | 1,687 |
|                                | 1878    | 1,290  | 1,629 | 457                      | 802                | 1,148   | 2,192  | 1,283          | 897              | 1,867 |
|                                | 1879    | 1,573  | 1,436 | 743                      | 1,064              | 859     | 1,735  | 951            | 659              | 2,346 |
|                                | 1880    | 1,542  | 1,173 | 522                      | 800                | 973     | 1,352  | 942            | 870              | 2,492 |
| Daily sick                     | 1877    | 39     | 40    | 16                       | 21                 | 37      | 37     | 26             | 38               | 76    |
|                                | 1878    | 42     | 51    | 17                       | 32                 | 47      | 66     | 43             | 41               | 88    |
|                                | 1879    | 51     | 46    | 24                       | 44                 | 35      | 57     | 26             | 28               | 92    |
|                                | 1880    | 52     | 42    | 18                       | 35                 | 39      | 42     | 33             | 30               | 112   |
| Deaths                         | 1877    | 50.10  | 56.30 | 10.56                    | 19.71              | 45.06   | 33.80  | 15.58          | 56.76            | 34.30 |
|                                | 1878    | 70.89  | 60.61 | 23.55                    | 46.52              | 118.11  | 109.72 | 75.12          | 57.71            | 69.79 |
|                                | 1879    | 97.57  | 85.80 | 19.66                    | 48.45              | 67.76   | 140.08 | 27.30          | 32.20            | 47.54 |
|                                | 1880    | 63.82  | 52.46 | 18.19                    | 31.44              | 60.13   | 78.82  | 35.64          | 24.89            | 49.65 |

#### No. III.

A SUMMARY of the Admission and Death-rate amongst Prisoners in the Madras Presidency from 1861 to 1880.

|                                                | 1861. | 1862. | 1863. | 1864. | 1865. | 1866. | 1867. | 1868. | 1869. | 1870. | 1871. | 1872. | 1873. | 1874. | 1875. | 1876. | 1877.  | 1878. | 1879. | 1880. |
|------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|-------|-------|-------|
| Total Admissions per 1,000 from all causes.    | 1,502 | 1,319 | 1,373 | 1,491 | 1,290 | 1,249 | 1,012 | 869   | 804   | 735   | 779   | 681   | 599   | 714   | 752   | 703   | 967    | 941   | 888   | 851   |
| Deaths per 1,000 from Cholera.                 | 28.3  | 23.0  | 15.6  | 21.3  | 30.0  | 25.5  | 0.8   | 0.2   | 4.3   | 1.5   | 0.7   | 1.3   | 0.1   | 0.0   | 4.1   | 10.0  | 26.12  | 5.16  | 1.44  | 0.09  |
| Deaths per 1,000 from dysentery and diarrhoea. | 23.1  | 21.7  | 34.0  | 49.1  | 35.5  | 48.9  | 19.3  | 12.8  | 13.9  | 8.2   | 5.2   | 8.4   | 11.9  | 10.6  | 14.1  | 13.0  | 85.15  | 54.80 | 27.17 | 20.93 |
| Total deaths per 1,000 from all causes.        | 51.4  | 44.7  | 49.6  | 70.4  | 65.5  | 74.4  | 20.1  | 13.0  | 18.2  | 9.7   | 5.9   | 9.7   | 12.0  | 10.6  | 18.2  | 23.0  | 111.27 | 59.96 | 28.61 | 20.98 |

#### No. IV.

A SUMMARY of Admission and Death-rates amongst Prisoners in the Bombay Presidency from 1865 to 1880.

|                                                | 1865.   | 1866.   | 1867.   | 1868.   | 1869. | 1870. | 1871. | 1872. | 1873. | 1874. | 1875. | 1876. | 1877. | 1878.   | 1879.   | 1880.   |
|------------------------------------------------|---------|---------|---------|---------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------|---------|---------|
| Admissions per 1,000 from all causes.          | 1,038.1 | 1,619.6 | 1,376.5 | 1,142.4 | 1,039 | 996.6 | 991   | 997   | 788   | 1,032 | 953   | 783   | 935.0 | 1,327.9 | 1,255.9 | 1,149.6 |
| Deaths from cholera per 1,000.                 | 7.9     | 8.3     | 0.7     | 0.3     | 1.0   | 0.0   | 0.0   | 0.3   | 0.0   | 0.7   | 2     | 0.9   | 3.64  | 7.8     | 2.10    | .44     |
| Deaths from dysentery and diarrhoea per 1,000. | 12.5    | 27.4    | 13.2    | 1.3     | 6.9   | 5.1   | 5.3   | 7.7   | 6.5   | 5     | 8     | 6     | 26.19 | 44.14   | 33.79   | 16.31   |
| Total deaths from all causes per 1,000.        | 40.6    | 35.7    | 13.9    | 1.6     | 7.9   | 5.1   | 5.3   | 8.0   | 6.5   | 5.7   | 10.6  | 6.5   | 33.83 | 51.94   | 36.89   | 16.75   |

No. I shows the general results for each Presidency and for India as a whole. It will be observed that, although there has been no great reduction in the amount of sickness, there has been a very large reduction in the mortality, which has fallen from 73.73 in 1879 to 48.31 in 1880. This reduced mortality is observable in all the Presidencies, and particularly in Bombay, where it is less than one-half of what it was—45.16 compared with 109.59. In statement No. II. the details are given for each Province of Bengal. In every one, except the Andamans and Berar, there has been a reduction in the death-rate, and in several the reduction is very marked. Nos. III and IV give the statistics of Madras and Bombay for a long series of years. The results of 1880 show a marked improvement on those not only of 1879 but also on those of the years immediately preceding. Taking all the facts into consideration, there is good reason to believe that the health of the prisoners, which had been so largely affected of late by causes bearing on the general population, was gradually returning to a much more satisfactory condition.

#### No. 3 114—24.

EXTRACT from the PROCEEDINGS of the GOVERNMENT of INDIA, in the HOME DEPARTMENT (JUDICIAL), under date Fort William, the 3rd February 1882.

READ again the undermentioned papers on the subject of jail dietaries in connection with the mortality among the prisoners:—

Annual Report of the Sanitary Commissioner with the Government of India for 1879, Section IV.

Telegram from Her Majesty's Secretary of State, dated 21st June 1881.

Telegram to ditto, dated 22nd idem.

Telegram from ditto, dated 16th August 1881.

Telegram to ditto, dated 17th January 1882.

Read also Jail Reports of Local Governments and Administrations for 1880 and:—

Memorandum on jail diets in connection with the health of the prisoners, by the Sanitary Commissioner with the Government of India, and Memorandum on the dietaries of labouring prisoners by Surgeon-Major T. R. Lewis, Special Assistant to the Sanitary Commissioner with the Government of India.

## RESOLUTION.

The health of the prisoners in Indian Jails has long been the subject of anxious consideration by the Government of India. With the object of improving their condition in respect of this and other important matters, special Commissions of Enquiry have from time to time been assembled, and much trouble has been taken to ascertain and ameliorate all conditions that might be held to contribute to the mortality of the prison population. The statistics of the Department show that these efforts have in past years been attended by a very marked measure of success. In the Bengal Presidency, on a comparison of the mortality during the nine years 1868 to 1876 with that of the preceding nine years 1859 to 1867, it appears that the average annual death-rate fell from 73·45 to 38·67. This improvement was not confined to any one province of Bengal, but was to be found in all of them. Nor was it manifested under any one special form of disease. The reduction was apparent under all headings and especially so under cholera, the deaths from which fell from an annual ratio of 10·77 throughout the Bengal Presidency during the first period of nine years, to 3·28 during the second period.

2. The earlier figures for Madras and Bombay are not available in full, but the statistics of the nine years 1868 to 1876 show results even more favourable than in Bengal. In Madras the death-rate exceeded the average of Bengal during the same period in two years only, and in several years fell far below it. In Bombay the mortality of these nine years attained its maximum in 1868 when it was 34·4; in the other years it fluctuated between 33 and 21 per 1,000.

3. But since 1876, the year which closes the period to which the foregoing statistics refer, there has been a very marked increase in the death-rate among the prisoners in all parts of India. During the four years 1877 to 1880, there has been an excessive mortality which culminated in the Bengal Presidency in 1879, in Madras in 1877, and in Bombay in 1878. The figures are as follow:—

|  | Years.     | Bengal. | Madras. | Bombay. |
|--|------------|---------|---------|---------|
|  | 1877 - - - | 31·88   | 176·01  | 54·37   |
|  | 1878 - - - | 65·85   | 125·92  | 118·27  |
|  | 1879 - - - | 77·90   | 56·30   | 109·59  |
|  | 1880 - - - | 51·12   | 44·95   | 45·16   |

4. In 1877 the last Jail Conference was assembled under the orders of the Government of India, and certain recommendations were made by it for the improvement of jail management in India. Among other changes, a new dietary was suggested, and in the Resolution on the Report of the Conference, although no definite orders for the adoption of the dietary were issued, it was said that—

The recommendations made by the Conference under both headings of Health and Diet appear to the Government of India generally suitable and worthy of adoption.

5. The action of the Local Governments and Administrations in regard to the adoption of the Conference diet varied. In most cases the recommendations of the Conference were not acted on, but in the Lower Provinces of Bengal and also in the Hyderabad Assigned Districts the recommendations were adopted, and the high mortality in these Provinces during 1879 has been ascribed to the new dietary. The subject is fully dealt with in a Memorandum by the Sanitary Commissioner with the Government of India, and the whole question of jail diets in India has now been very carefully examined by Surgeon-Major T. R. Lewis in a special report which Surgeon-General Cunningham has submitted with his own remarks.

6. It appears to the Governor General in Council that good grounds are shown for the conclusion that the connexion between the mortality and the Conference diet has been too hastily assumed, and that there is no reason to believe that the prisoners anywhere died in excess of numbers during 1879 because they were insufficiently fed. The Conference diet may very possibly be susceptible of improvement in detail, but when compared with the scales which have been found to answer well in English prisons,

it cannot be considered deficient to such an extent as to have been in any appreciable degree a cause of mortality. The dietaries in use in Indian jails during the period of high death rates varied greatly and differed widely in the quantity of nutritive material which they contained, but no casual connexion appears to be established between the diets and the death-rate, for in some of the jails where the prisoners had the most abundant allowance of food they are shown to have in fact suffered most severely. It appears to the Governor General in Council that the disastrous results of the last few years are in the main to be ascribed to influences affecting the general population of the country, and among these in no small degree to the privations arising from scarcity and high prices, which weighed so heavily on the people in many parts of India, and led not only to a large increase in the number of prisoners, but also to a low state of health among the numerous new admissions into jail. This conclusion is supported by the fact that in Bombay and Madras the mortality was distinctly synchronous with and in direct proportion to the actual pressure of famine, being in Bombay further influenced during 1878 and 1879 by the generally unfavourable character of those years as regards public health. In Bengal there was no famine; but during the continuance of the scarcity in Madras and Bombay vast quantities of grain were exported and prices rose in some places very nearly to famine rates. The continuance of these high rates during a series of years (and it was not till 1881 that they materially fell) must have exercised a gradually tightening pressure upon the poorer classes whose struggle for subsistence was thus year by year becoming harder. This fact alone would seem to account for the increase in the jail mortality of Bengal.

7. Without, however, entering further into a discussion of this subject, and without attempting to lay down dietaries which shall be applicable to the varied circumstances of each of the Indian provinces, it appears to the Governor General in Council that there are certain practical measures in connection with this question to which the attention of the Local Governments and Administrations may with advantage be directed. The valuable memorandum by Surgeon-Major Lewis should be carefully studied by all Inspectors General of Jails, in connection with the suggestions of the Sanitary Commissioner in his covering remarks; and no effort should be spared to place the dietaries of each province on a rational and satisfactory footing, special attention being directed to the following points:—

1st.—The jail dietaries should be simplified as far as possible by the adoption of fewer scales for general use, and these scales, while being amply sufficient to maintain health, should not be in excess.

2nd.—More stringent measures should be taken to ensure—

- (a.) That the prisoners actually receive the full quantities of food allowed them;
- (b.) That they are properly supplied with good vegetables in some shape or other as part of their daily fare, especially during the sickly season of the year;
- (c.) That their food is not only in proper quantity, but also of proper quality; and
- (d.) That it is in all respects properly cooked.

8. Such precautions are already more or less enforced, but it would appear that in all provinces sufficient attention is not paid to the duties of check and supervision by the superior officers in charge of the jails, and the Governor General in Council therefore desires that such orders may be issued by the Local Governments and Administrations as may seem to them best calculated to secure the most vigilant and constant care with respect to these most important matters.

9. But while such care, the Governor General in Council is persuaded, will be attended with excellent results, it is not to be supposed that improved dietary will of itself ensure the good health of the prisoners. This can only be secured by the most unrelenting attention to the maintenance of favourable sanitary conditions, close supervision of the labour regulations, discrimination in the infliction of punishments, and the firm upholding of a rational and wholesome discipline. It should be the special object of the officers at the head of the jail departments to see that the jail superintendents are not content with a merely mechanical and uncritical discharge of routine duty, but that they bring to bear upon the administration of the prisons under their charge that intelligent and watchful interest which the Government has a right to expect from officers in their position.

ORDER.—(Ordered, that this Resolution, with copy of the Memorandum by the Sanitary Commissioner with the Government of India, and its enclosure, be forwarded to all Local Governments and Administrations for information and guidance.

(True Extract.)

A. MACKENZIE,

Offg. Secretary to the Government of India.

DESPATCH, from the Right Honourable the SECRETARY OF STATE FOR INDIA, to the GOVERNMENT OF INDIA.—Judicial No. 16.

MY LORD MARQUIS,

India Office, London, 25th May 1882.

Para. 1. I have considered in Council the Despatches of your Excellency in Council, No. 4, (Judicial), and No. 12† (Public, Medical), dated 6th of February and 7th of March last, forwarding the following papers on the subject of the mortality in Indian jails during recent years:—

- \*(1.) Memorandum by Surgeon-Major T. R. Lewis, on the dietaries of labouring prisoners in Indian jails.
- (2.) Memorandum by the Sanitary Commissioner on jail diets in relation to the health of the prisoners.
- (3.) Resolution of the Government of India in the Home Department (Judicial), dated 3rd of February 1882.
- †(4.) Resolution of the Government of India in the Home Department (Medical), dated 23rd of February 1882.

2. The subject of jail mortality has for some time engaged my special attention in Council, in connexion with the reports from the various provinces for 1879 and 1880.

3. It is not necessary for me to dwell at length here on the great mortality that has occurred in the jails in almost all parts of India during recent years. According to the figures of the Sanitary Commissioner with your Government, during the three years 1877, 1878, and 1879, the death-rates in Madras of the free population were 53, 27, and 18 per mille respectively; those of the jail population were 176, 125, and 56. In Bombay the death-rates of the free population were 38, 32, and 23; those of the jail population were 54, 118, and 109. In the Punjab the death-rates of the free population were 20, 36, and 38; those of the jail population were 33, 109, and 140. In the Central Provinces the death-rates of the free population were 23, 46, and 34; those of the jail population were 45, 118, and 67. The statistics of the free population in Bengal Proper are said to be too defective to be of use for comparison, but for the present purpose it is only necessary to state that during 1879 the death-rate in the jails of that province was 97, a higher rate than in any year since the famine year of 1866.

4. Your Excellency in Council is of opinion that the disastrous results of the last few years are, in the main, to be ascribed to influences affecting the general population of the country, and among these in no small degree to the privations arising from scarcity and high prices. Great weight must be given to such considerations, for although the wide discrepancies apparent between the mortality among the jail and among the free population point to the existence of some special causes seriously influencing the former and not the latter, it is important to remember that the jail of every district "fulfils to a large extent the functions of a poor-house as well as of a jail," and, in times of scarcity, is filled with a population "suffering in different degrees from the effects of privation. The conditions, moreover, affecting the mortality of Indian jails are, no doubt, at all times mixed, uncertain, and difficult of discovery. But making every allowance for these considerations, I cannot admit that the heavy mortality represented by the figures which I have quoted lies beyond reach of remedy by an energetic and vigilant administration.

5. I observe that there is a conflict of opinion as to the effects of the Prison Conference diet scale on the recent mortality in the jails, especially in those of Bengal. I am glad to learn that your Lordship is convinced that there is no reason to believe that the prisoners anywhere died in excess numbers in 1879 because they were insufficiently fed. I have full confidence that your Excellency in Council, utilizing the best experience and scientific skill at your command, will take measures for settling this important question of diet once for all in a satisfactory manner. There is much force in the statement of the Sanitary Commissioner that it is of little use to fix good dietaries

(\*) See foot note on page 13.

(†) Not printed, being immaterial as regards mortality.

unless measures are at the same time taken to ensure that prisoners receive their allowances of food in full. The necessity for vigilant supervision, not only in this respect, but also throughout the various branches of the Jail Department, appears to me to be of paramount importance. I have been much impressed, in particular, by the statement contained in the Bengal Jail Report for 1879, that a heavy mortality was going on, month after month, without the attention of Government being called to it. I request that measures may be taken to prevent the recurrence of such a state of things.

6. I have noticed that in the Proceedings of your Excellency's Government (Home, Revenue, and Agricultural Department), for the 29th of July, 3rd of August, and 20th of September of last year, reviewing the Jail Reports for British Burma, the Central Provinces, and the Hyderabad Assigned Districts, reference is made to overcrowding in jails, which is rightly described as a great sanitary evil which should be prevented by all possible means. The importance of this subject, especially in times of scarcity, cannot be exaggerated, and I trust it will continue to receive careful attention from your Excellency in Council. There is great reason to believe that the remarkable improvement in the health of the British soldiers in India during recent years is mainly attributable to the increased space allotted to them in their barracks, and that the peremptory orders of the Government issued in 1865 to provide additional accommodation where a certain fixed minimum standard space was not given in the old buildings, led to an immediate and important improvement in the health of the men. This subject calls for special attention.

7. I observe that in Bengal during 1879 there were 10,341 punishments of "reduced diet," and that, in the following year, the number was 16,314. This form of punishment is open to much objection. As a general rule I am of opinion that there should not be any interference with the diet scale when once it has been fixed at its proper limits, i.e., such as will keep the prisoners in health, and no more.

8. In conclusion, I desire to state, with reference to the submission to me of the yearly Jail Reports, that of the Reports for 1880, the earliest received at this office was that for British Burma, on the 20th of July 1881, the latest was that for Madras, on the 25th January 1882. There seems to me to be no good reason why the reports should be submitted at dates so far apart. I am of opinion, moreover, that it would tend greatly to the due supervision of the working of the Jail Department if a review of the statistics for the various provinces were prepared yearly by your Excellency's Government, and forwarded to me with the Reports.

I have, &c.  
(Signed) HARTINGTON.

EXTRACT (No. 1) from the RESOLUTION of the LIEUTENANT-GOVERNOR of BENGAL on the Jail Administration Report for 1881, dated the 7th June 1882.

The Inspector-General of Jails commences his report for the year 1881 with a very interesting review of the progress made in his department since the year 1877. The improvements have been effected in every branch of the department: the jail service, both superior and inferior, has been revised; new jail buildings have been constructed; discipline amongst the prisoners has been strictly enforced, and at the same time corporal punishment has much diminished; a better water-supply and a more liberal scale of diet have much reduced the death-rate and improved the general health of the prisoners; the fortnightly weighing of the prisoners has been regularly carried out with the best results, as the weights at once afford an indication when a change of diet or of labour is desirable; the mark system, under which the prisoners are enabled, by good conduct and industry, to earn a reduction of the term of imprisonment, has been amended, and has proved a great incentive to good behaviour; the services of convict officials have been more largely utilized; and finally, the registers and forms have been thoroughly revised, with the result of enabling Dr. Lethbridge to submit his report on the administration of the department under his charge at an earlier period than it has ever been submitted in any previous year. Since the close of the year a new Jail Code has been submitted for the approval of Government, and is under consideration. When it comes into force, it will simplify still further, both generally and in detail, the administration of the department.

EXTRACT (No. 2) from the RESOLUTION of the LIEUTENANT-GOVERNOR of BENGAL,  
dated 7th June 1882.

Para. 14. The discipline in jails during the past year was on the whole well maintained. In Backergunge the progress was most marked. In Nuddea and Noakholla, on the other hand discipline was found, at the time of the Inspector-General's inspection, to be lax. A murderous assault was committed in the Presidency Jail on the 1st of India. Superintendent, Mr. Ross, by a prisoner named Abdool Kurreem. Mr. Ross was injured from the effects of the attack, and Abdool Kurreem was tried by the High Court for the assault (which was entirely unprovoked) and was convicted and sentenced to transportation for life. The number of offences committed by prisoners in the past year was 49,749, or a percentage of 320·8 upon the average daily prison population, as compared with 62,013 offences, or a percentage of 371·9 during 1880. Of every 100 prisoners under prison discipline, 76·7, as compared with 89·4 in 1880, committed some offence against prison discipline. The figures for 1879 were 51,670 offences, with a percentage on the daily average of 299·3 and a percentage upon the total population of 69·6. The figures for the past three years are considerably in excess of those of any of the previous years. The Inspector-General attributes the increase which the figures show to the fact that the Superintendents now keep the power of punishment in their own hands; every offence is thus recorded, and the power of enquiry into such cases is no longer left in the hands of their subordinates; the result of the latter procedure would, as the Inspector-General points out, be a decrease in the number of offences, as many of them would be summarily punished or overlooked, and would not be shown in the record of offences. The subject was dealt with at considerable length in the Resolution on the Report for 1880. In connexion with the increase in the number of offences reported in that year, and with reference to a similar explanation submitted by the Inspector-General, the late Lieutenant-Governor observed—"Whether or not a reduction in the number of offences committed is possible under the strict system of discipline and labour now in force can only be ascertained by experience. It is quite possible that the view taken by Dr. Lethbridge may be correct, and that the 61,832\* offences recorded against the 53,930 prisoners who were last year subjected to prison discipline and task-work were not excessive in numbers. As, however, has already been pointed out to the Inspector-General, the record of a great number of offences should not be considered to be full and complete evidence of strict discipline and good management. If a jail is well managed, and everything is done according to rule and in a thoroughly systematic way, the temptations to commit offences are much diminished. It is in jails where the discipline is lax, and the management unsystematic and irregular, and the establishment lazy and corrupt, that temptations chiefly occur. The Lieutenant-Governor is certainly not prepared to put any pressure upon jail officers with a view to a reduction in the number of offences; for, when superior officers are so much dependent on subordinates, as they are in a jail, a small number of recorded offences would not necessarily mean a small number committed. It will be sufficient for the present if the subject is not lost sight of by either the Inspector-General or the Jail Superintendents, and if every effort is made to enforce system and discipline in every detail of jail administration." The Lieutenant-Governor concurs in these views, and he is gratified to observe that, while there has been a reduction, both in the actual number and in the percentage of offences committed, there appears, on the whole, to have been an improvement in the discipline in the jails throughout the province. Under the head of "Offences relating to work," the number fell from 40,527 in 1880 to 27,963 in 1881. The Inspector-General attributes the improvement to better diet and to the extra early morning meal which the prisoners now receive. The decrease is also in some measure due to the orders under which no prisoner who is losing weight is punished for short work. Of 49,740 prisoners punished, 101 were sentenced by criminal courts to imprisonment, 2,463 were put in solitary confinement, 9,411 were put on penal diet, 2,258 were put on penal diet in solitary confinement, 914 were whipped, and the remaining 34,593 received other punishments, such as being hand-cuffed, made to wear gunny-clothing, deprived of marks, &c. It is satisfactory to observe that the number of prisoners punished by penal diet was only 9,411 against 16,314 in 1880, while the number who suffered corporal punishment fell from 4,735 to 914. With reference to the decrease in the number of cases in which the punishment of whipping was inflicted, the Inspector-General observes: "The remarkable decrease in the number of corporal punishments is most satisfactory, and it is now, I think, clear that Superintendents can manage their

\* These figures do not agree with those given in the Report for 1881.

"jails without frequent resort to whipping for jail offences. Special rules limiting the use of this form of punishment in jails have been introduced into the new Jail Code." The very large number of cases in which whipping was inflicted as a punishment for offences committed by prisoners has on former occasions been commented on by the late Lieutenant-Governor, and the returns for the past year, coupled with the Inspector-General's remarks in his present report, show that this mode of punishment was in previous years resorted to much too freely. The fact that the number of whippings has fallen from 8,232 in 1879 and 4,654 in 1880 to 914 in the past year, while jail discipline has not suffered, shows that the interference of Government was called for. The introduction of a provision in the new Jail Code, restricting the infliction of corporal punishment to certain cases will no doubt prove of advantage.

EXTRACT (No. 3) from the RESOLUTION of the LIEUTENANT-GOVERNOR of Bengal,  
dated 7th June 1882.

Para. 19. Notwithstanding the occurrence of a number of outbreaks of epidemic sickness in jails during the past year, which raised the percentage of the death-rate slightly above that of the preceding year, the general health of the jail population, as shown by the decrease in the number of admissions into hospital, was on the whole better than that during 1880. The following table shows the comparative figures for the last three years:—

|                     | 1                       |           |           | 2                              |        |        | 3                             |        |        | 4                                        |       |       | 5                                              |       |       |
|---------------------|-------------------------|-----------|-----------|--------------------------------|--------|--------|-------------------------------|--------|--------|------------------------------------------|-------|-------|------------------------------------------------|-------|-------|
|                     | Average daily strength. |           |           | Number admitted into hospital. |        |        | Daily average number of sick. |        |        | Number of deaths in and out of hospital. |       |       | Ratio of death, per cent. of average strength. |       |       |
|                     | 1879.                   | 1880.     | 1881.     | 1879.                          | 1880.  | 1881.  | 1879.                         | 1880.  | 1881.  | 1879.                                    | 1880. | 1881. | 1879.                                          | 1880. | 1881. |
| Convicted prisoners | 17,257·85               | 16,672·96 | 15,506·26 | 28,974                         | 28,049 | 26,311 | 915·30                        | 913·55 | 849·25 | 1,691                                    | 1,092 | 1,065 | 9·79                                           | 6·54  | 6·86  |
| Under-trial         | 1,224·51                | 1,129·02  | 1,013·39  | 1,212                          | 1,102  | 1,233  | 31·26                         | 27·37  | 24·31  | 61                                       | 39    | 34    | 4·98                                           | 3·45  | 3·35  |
| Civil               | 208·70                  | 199·16    | 227·40    | 28                             | 34     | 45     | 0·36                          | 0·48   | 0·93   | 8                                        | 8     | 1     | 3·83                                           | 1·50  | 0·43  |

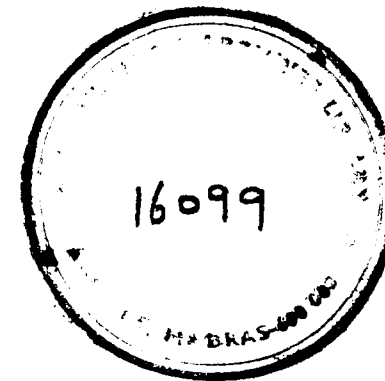
It appears from the above statement that the decrease in the daily average of sick prisoners of all classes in hospital was more than proportionate to the decrease in the total number of prisoners in confinement. The result of the weight test during the past year was that of the convicted prisoners discharged 54·35 per cent. gained weight, as against 47·51 in 1880 and 37·16 in 1879. The percentage of those who lost weight was 33 per cent., against 38·88 in 1880 and 48·87 in 1879. These results are good. The death-rate of the convict and under-trial prisoners was 6·65 per cent. of the average population during the year, as compared with 6·35 during the preceding year; it was, however, less than the percentage in 1879, which amounted to 9·48. The Inspector-General remarks that, though the increase in the death-rate is not satisfactory on the whole, yet the majority of the jails have now become very healthy; the total result has, however, been affected very considerably by the unhealthiness of the jails at Midnapore, Mymensingh, Chumparun, and Julpigoree. There has been an improvement in the health of the prisoners in the Alipore and Presidency Jails. These two jails contain one-fifth of the entire jail population in these provinces, and the improvement is therefore satisfactory. The admissions into hospital were, in the Alipore jail, 196·02 per cent. of the average population in 1881 as compared with 237·66 in 1880, and in the Presidency Jail the ratio was 184·17 and 199·21 in these two years respectively. The largest percentage of admissions into hospital occurred in the Burdwan, Dinagore, Rungpore, and Bogra Jails, but the percentage, though high, showed an improvement as compared with the percentage in the preceding year in each of these jails, with the exception of the Bogra Jail. The ratio per cent. of average strength admitted to hospital in each of these jails was during the past two years as follows:—

|          | 1880.  | 1881.  |
|----------|--------|--------|
| Burdwan  | 523·80 | 420·60 |
| Dinagore | 400·37 | 363·91 |
| Rungpore | 367·40 | 314·41 |
| Bogra    | 275·82 | 312·39 |

There has been a gradual increase in the number of admissions from intermittent fever since 1875, the admissions during the last three years having been 55, 58 and 64 per cent. of the average daily strength. The Inspector-General is unable to give any explanation of the gradual increase of the percentage from 35 to 64 in five years. Fever was very prevalent during 1881 in Sarun, Beerbhoom, and Shahabad, and, as might be expected, the returns of the jails of these districts, and of the Buxar Central Jail, show that the prisoners confined in them suffered specially from this cause. The number of deaths from remittent and continued fever was 48 in 1881 as against 40 in 1880; the deaths from anæmia and debility were only 100 as against 124, while those from respiratory diseases were 107 as compared with 106. There were five cases of small-pox, with one death, during the past year, as compared with six cases, and no death, in the preceding year. There was a decrease in the number of deaths from dysentery and diarrhoea from 541 in 1880 to 475 in 1881. There was, however, a very large increase in the number of deaths from cholera, only 31 deaths having occurred in 1880 as compared with 81 in the past year. The disease was of a fatal type, but it does not appear that the type was quite as severe during the past year as during the year which preceded it, as the death-rate per cent. of the cholera patients was slightly lower in 1881 than in 1880, the percentage of deaths to admissions being 45.25 in 1881, against 48.43 in the previous year. The jails which suffered most severely from cholera were those at Midnapore, Chumparun, Moorshedabad, and Pubna; the type being most fatal in the Midnapore and Chumparun Jails. In the Midnapore Jail there were four outbreaks of cholera, the first, second, and fourth of which were preceded by an outbreak of the disease in the town; and the other, the third outbreak, occurred when the disease broke out amongst the pilgrims returning from Pooree, and was quickly followed by the appearance of the disease in the town. In the first outbreak there were 22 cases with 7 deaths; in the second 25 cases and 11 deaths; in the third 2 cases and no deaths; and in the fourth, which was the most fatal, 27 cases with 16 deaths. In the Chumparun Jail the disease broke out on the 1st August and disappeared on the 11th of the same month, the number of cases during this time being 38, in 22 of which the patients died. The disease prevailed in the district from the 12th April to October, but its disappearance from amongst the prisoners in the month of August appears to have been due to the removal of the prisoners into camp on the 9th of that month. The unhealthiness of the Julpigoree Jail has been already noticed. Of 30 deaths which occurred in this jail, 25 took place during the first five months of the year, and the other 5 during the remaining seven months. In May and June a number of prisoners in the Julpigoree Jail who were considered healthy were transferred to the Rajshahye Jail, but even this did not entirely reduce the mortality amongst them, for out of 50 men transferred, 12, or 24 per cent., died after their transfer. Much care and attention was paid to the condition of the prisoners in the Julpigoree Jail, and with excellent results. During the seven months of the year, from May to December, only five deaths occurred, and during the first three months of the current year there was not a single death. The Inspector-General reports that the new jail at Julpigoree is approaching completion, and, as under the new arrangements made in it the prisoners will as much as possible be protected from the influence of malaria by being made to sleep on beds well raised from the ground, the Lieutenant-Governor hopes that the report for 1882 may show improvement in the sanitary condition of the prisoners in that jail.

20. Great attention was paid during the past year to the subject of diet; a revised scale was introduced, with results showing much benefit to the general health of the prisoners in confinement in the different jails. The only objection raised to the new scale of diet was that made by the Superintendent of the Beerbhoom Jail, who condemns it as being monotonous. In raising such an objection, Dr. Roy has failed to bear in mind how extremely monotonous the daily food of the Bengali peasant is, and that in this respect the jail dietary differs but little from this ordinary food. Before raising such an objection, the Civil Surgeon should have shown that he had exercised to its fullest extent the discretion allowed him under the rules to vary the prisoners' diet. This he has not done, and the Lieutenant-Governor does not consider that any valid grounds exist for altering the new scale. After devoting considerable attention to the subject of the exaction of penal labour, the Inspector-General has come to the conclusion that it is inadvisable to place a prisoner on penal labour, as distinguished from ordinary labour, immediately on his admission to jail, if it is his first conviction. He is in the first days of his imprisonment depressed in mind, anxious possibly about the result of

his case in appeal, and at the same time unaccustomed to the restraints of jail life. The exaction of a severe task tells on him at once, he loses weight, and in many cases has to be taken off work before he has been on it many days. Dr. Lethbridge has accordingly proposed to include in the new Jail Code a provision prohibiting the employment of any prisoner, sentenced to more than two months' imprisonment, on penal labour until he has been one month in jail on ordinary labour, and the proposal has received the sanction of Government.



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