

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 166	Press ~~Mis.~~
36.37	
Dated	6-2-18 57.

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 6th February 1857.

No. 36. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to T. PYCROFT, Esq., Chief Secretary to Government, dated 28th January 1857, No. 31.

SIR,

I have the honor to forward a letter received from the Session Judge of Trichinopoly, requesting sanction for feeding bullocks employed in drawing carts in aid of Convict labor for the repair of the roads about Trichinopoly. I must say, I consider the charge one with which I have no concern, and have refused to refer the matter, under the impression, that the charge belonged to the Quarter Master General's Department, and in my opinion the proper course would be for the Commissariat to recover the amount of charge incurred from that Department.

2. I have no objection to the Prison's Department receiving aid from Cattle in works which it may charge for, as I know very well that it is of great importance to the economical application of such labor, that it should often be in conjunction with the employment of Cattle and Carts, but I do object to the charge for feeding Cattle and maintaining Carts being debited as a Jail charge for which no return is received.

3. I would now beg the Government to sanction the outlay requested by Mr. Harris, if deemed expedient, but not as a Prison's charge.

4. The Extract from the Minutes of Consultation 25th July 1843, No. 2974, in the Military Department, with brief notice of letters, &c., does not enable me to offer any argument on the subject, as to the proper course to be adopted.

From T. I. P. HARRIS, Esq., Session Judge of Trichinopoly; to J. ROHDE, Esq., Inspector of Prisons, Madras.

SIR,

* 1. Copy of a letter from the late Acting Joint Criminal Judge of Trichinopoly, dated 31st May 1843; to the Acting Register of Foudaree Udalt.

2. Copy of an Extract Minutes Consultation, dated 26th June 1843.

3. Copy of an Extract Minutes Consultation, dated 25th July 1843.

4. Copy of a letter from the Deputy Assistant Commissary General, dated 24th August 1843.

found among the Records of the late Auxiliary Court, regarding an application to the Court of Foudaree Udalt, and sanction from Government, for 24 Draught Bullocks to assist the Convict labour in making and repairing the numerous and extensive roads throughout this Station, and to lay again the 2 ‡ Bills for their feeding, &c., before you for sanction, as you will perceive from a perusal of the correspondence that the

† For October and November 1856. Cattle in question were purposely procured from Seringapatam nearly 14 years ago, for the purpose solicited by Mr. Beauchamp, viz., to be employed in conjunction with the Convicts upon the roads of this Cantonment, &c.

2. I must here observe, that the said Cattle and the Carts for which they are used, are not borne on the Returns of the Assistant Quarter Master General, Southern Division, in connection with the Road Serjeant as alluded to in your letter of the 13th December 1856, the Road Serjeant is allowed *separately* by Government, two Country Carts, one Water Cart, and 10 Coolies, for the use of the Cantonment Roads, besides which, he has other hired carts paid for from private subscription, raised among the European residents, and the Road Serjeant's duties are confined entirely within the limits of the Military Cantonments, without any connection or interference whatever with the Jail or the Convicts under my charge, unless I find it expedient to place Convict's assistance at his disposal, you will therefore perceive that the cattle in question, being used solely to assist the labour of the Convicts in making and repairing the roads, it necessarily follows, since the publication of the G. O. G. No. 261, that the feeding &c. of the said Cattle devolves upon me, as Officer in charge of the Jail, who has obtained the services of Public cattle for public works, hence the costs thereof must, in my opinion, be debited to the accounts of the Jail.

3. It is under the above circumstances I presume, as being purely connected with Jail matters, that the Military Board to whom I applied for sanction of the Bills in question, upon the authority of an extract from their Proceedings, dated the 26th November 1856, have declined to interfere in the matter without an Order of Government.

Fort St. George, Judicial Consultation, 6th February 1857.

4. Since the receipt of the Board's answer, I have requested the Sub Assistant Commissary General to withhold furnishing the Cattle, pending a further reference, this will inevitably cause great and serious inconvenience to the public at large, and be detrimental to the many roads now under progress of making and repairing, independent of which the Commissariat Department and the drivers must also suffer much inconvenience by the great delay which has occurred in not paying for their services for the last 3 months.

5. I must take this opportunity of bringing to your notice, that the Carts for which the Cattle are used, were purchased at Salem, in 1853, under the sanction of Government, obtained by me through the Court of Foujdaree Udalt; these Carts are now rendered nearly useless from constant wear and tear, and it is only owing to the ready resource and ingenuity of the Jailor, that they have been kept going for so long a time; I greatly fear that in a very short time they will become utterly unserviceable, I would, therefore, once more earnestly solicit your permission, to apply to you for six new Carts, to be constructed at Trichinopoly, as those made at Salem turned out a complete failure.

From G. T. BEAUCHAMP, Esq., Acting Joint Criminal Judge of Trichinopoly; to H. D. PHILLIPS, Esq., Acting Register to the Court of Foujdary Udalt, dated 31st May 1843.

SIR,

1. I have the honor to request, that should the measure meet the approval and sanction of the Judges of the Foujdary Udalt, the necessary application may be made to Government, in view to the placing 11 yoke of draft Oxen from the Public Cattle Department, including one extra yoke to meet casualties, and 6 additional Carts at my disposal, for employment in conjunction with the Convicts upon the Roads of this Cantonment. I have been informed, that at Bellary, the Officer in charge of the Gaol has, for years, been provided with public Cattle, and I am aware that in 1840, similar aid was granted to the Acting Judge of Cuddapah. This Station has the advantage not possessed by the latter, of a Resident Commissariat Officer, under whose charge, as regards supplies, &c., the Cattle could be placed.

The roads in this Cantonment may be calculated at 15 miles, and to keep this extent, and the Artillery and Infantry Ball-practice Butts in repair, in consequence of the drafts made upon this Gaol, for the public works in progress on the Neilgherry Hills, the western road, and the Paumbum pass, there have been for some time past, only 150 Convicts available. The consequence has been, that with all the efforts that have been made, little more than repairing the damages caused by the periodical rains, could be effected. The roads have been reformed from the soil immediately at hand, which, upon the main lines to the Fort, chiefly consists of that suitable for rice crops. This prior to the rains from the constant traffic and the action of the violent winds, which prevail in June, July and August, being considerably worn away is by the first burst of the moonsoon, reduced to mud and rendered almost impassable. The work of the year has consequently to be done over again, whilst had the gangs the aid of a few Carts and Oxen, the roads could by degrees be metalled, for excellent material is to be found certainly within a mile of any given point, and would then be in a state to resist the action of the weather.

The European Regiment has daily to march its Guards over $2\frac{1}{2}$ miles of ground, a great portion of which is also traversed by the Guards of the 2 Native Regiments quartered in Pootoor. The 39th Regiment N. I. have to march their Guards $2\frac{1}{2}$ miles to the Fort, nearly 2 miles, being upon a totally different line to the above. The quarters of the Cavalry are $1\frac{1}{2}$ miles distant from the Madura Gate of the Fort, and in fact, of the 15 miles above adverted to, 7 are continually traversed by the Troops, either to the Church, their guards or exercise ground. The road over which the greater part of the supplies for the dense Native population of Worriore and the Fort, is carried, is 3 miles in length, and the remaining 5 miles compose the cross roads intersecting the Cantonment, and leading to the Chief Bazaars and to the Ferry. The roads formed for the exercise and recreation of the European residents exceed 5 miles, and have been excluded from the estimate.

Fort St. George, Judicial Consultation, 6th February 1857.

In addition to repairing the damages caused by the heavy and late rains of the last season, the Convicts have excavated sufficient gravel for metalling a portion of the road over which the Europeans are marched, and the inhabitants of Tennore, through which the road passes, having voluntarily assisted the work by the temporary load of bandies and oxen, sufficient materials for upwards of a mile of the line, the most distant from the gravel pits has been carried, and I trust that the whole will be finished by the time the rains set in, slow as the process of cutting gravel by the Convicts alone necessarily is, but it will be impossible, without the aid I now solicit, to secure the labor extended this year upon the line leading from the Cavalry Quarters, to the Madura Gate, or on that from the Quarters of the 39th, to its junction with the road traversed by the Europeans already adverted to, and it has been found impracticable to do any thing for the Worriore road, beyond filling up the chasms made by the rush of water during the rains.

I beg further to state, that the want of Carts has apparently made it necessary to excavate the soil required for the roads which intersect the Cantonment, from the first unoccupied spot at hand, and that numerous deep pits which it is impossible to drain, and to which, as creating malaria after the rains, the Medical authorities have directed my attention, are to be found in the very centre of the Cantonment. These pits cannot be filled up, nor can gravel be procured elsewhere for the roads themselves without the aid I now solicit.

(True Copy.)

(Signed) T. J. P. HARRIS,

Session Judge.

See Proceedings in the Judicial Department, dated 26th June 1843, No. 314.

See Proceedings in the Military Department, dated 25th July 1843, No. 2974.

No. 37.

ORDER THEREON, No. 160; dated 6th February 1857.

The Right Honorable the Governor in Council sanctions the expense incurred in October and November 1856, for the attendants on and feeding the Bullocks, employed in connection with the Convicts upon the roads of the Trichinopoly Cantonment, &c., amounting to Rupees (231-7-7)

	Feeding.			Attendants.			Total.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Octr. 1856...	70	14	1	46	0	0	116	14	1
Novr. "	CS	9	6	46	0	0	114	9	6
Total.....	139	7	7	92	0	0	231	7	7

two hundred and thirty-one, Annas seven and Pice seven, as specified in the margin. The Government, however observe that, as observed by the Inspector, this does not appear to be a charge belonging to the Prison Department. Instructions will therefore be issued from the Public Works Department, as to how

the charge should be debited in the accounts of that Department, and as to the course to be adopted for the future for maintaining the Cattle and consequent Establishment. Meanwhile and until definite orders be passed on this head, the Judge will continue to arrange for the keep of the Bullocks and pay of Establishment that the roads may not suffer.

(Signed) T. PYCROFT,

Chief Secretary.

Judicial Department

No. 311

Extract from the Minutes of Consultations
under date the 26th June 1843.

Read the following letter from
the Acting Registrar of the Forfeiture Udakut.

Submitting with the recom-
mendation of the Court of Forfeiture
Udakut transcript of a com-
munication from the Acting
Joint Criminal Judge of Sachinopolis. / For letter 10th June 1843 No. 75)
requesting that eleven
yoke of draft bullocks from the
Public Cattle Department, in-
cluding one extra yoke to meet
casualties may be placed at his
disposal with 6 carts, for employ-
ment in conjunction with the
Carcass in the Sachinopolis
Said in thoroughly repairing
the Roads of that Cantonment.

Ordered that the requisition
of the Acting Joint Criminal Judge of Sachinopolis
for

for Public Cattle and Carts for employment in im-
-proving the roads of that Cantonment be com-
-municated to the Military Department, where
the necessary instructions will be issued for placing
the required number at the disposal of that Offi-
-cer, provided they can be spared, and there is no
objection to their use in the manner proposed

/ At true Extract /

/ Signed / J. F. Thomas

Secretary to Government

To

The Judges of the Soudaree Udahat

/ True Copy /

/ Signed / H. S. Phillips
Acting Registrar

Ordered to be communicated to
the Acting Joint Criminal Judge of Metchinopoly
with reference to his letter dated 31st May 1873.

/ Signed / H. S. Phillips
Acting Registrar

/ True Copy /

Shamund

Session Judge

1857. J. Sept
No. 1

In a letter from the
Secy. Judge ^{of Mysore} dated 24
January 1857.

Copies of Cases.
pendence.

Read following

Military Department
No. 2974

Extract from the Minutes of Consultation
under date the 25th July 1843.

Read the following letter
Quarter Master General's
Office. Fort St. George 19th
July 1843.

No. 306

From,

Lieutenant Colonel W. Strahan
Quarter Master Genl. of the Army

To,

Lieutenant Colonel S. W. Steel C.B.
Secretary to Government
Military Department,

Sir,

With reference to the Resolution
of Government No. 2715, dated the 8th
Instant, I have the honor by desire of
His Excellency the Most Noble the
Commander in Chief, to state that
24 Public Draught Bullocks have
been ordered from Seringapatam to
Trichinopoly

Trichinopoly for the conveyance of
Carts to be employed in repairing
the roads &c at the latter station,
as directed in the Resolution of Go-
-vernment above referred to.

Fort St. George
19th July 1843

| Signed | W. Strahan Lieut Col^l
Quar. Master Genl

No. 1
Lieut Col^l S. W. Steel C. B.

Secy to Gov^l Military Dep^t

Ordered that the foregoing
letter be communicated to the Judicial
Department, in reference to an extract
from the Minutes of Consultation in
that Department No. 314 dated the 26th
June 1843.

Signed S. W. Steel Lt Col^l
No. 394 Secy to Gov^l

Ordered to be communicated
to the Judges of the Tondaree Adalat
with reference to their Acting Regis-
ters' letter of the 10th June 1843, No. 75.

Fort St. George
12th August 1843

| Signed | J. F. Thomas
Secy to Gov^l

No. 1
The Tondaree Adalat
| True Copy |
| Signed | A. D. Phillips
Acting Register

Ordered to be communica-
- ted to the Acting Joint Criminal
Judge of Trichinopoly, with re-
- ference to his letter dated 31st May
1843.

18th August 1843.

| Signed | A. D. Phillips
Acting Register

Commissariat Office for the
Trichinopoly 24th August 1843.

From

The Deputy Assistant Commissary Genl^l
Southern Division

No. 1

The Acting Assistant Judge
Trichinopoly

Sir,

Under the sanction of Government

24 Draught Bullocks having been re-
-ceived from the Public Cattle Depart-
-ment at Seringapatam to be placed
under your directions for the purpose
of repairing the roads at this Station,
I have the honor to inform you that
they will be at your service from the
25th Instant.

I have the honor to be
Sir

Your Most Obedt^d Servant

Commissionariat Office &c. / Signed / W. C. Goshing
Trichinopoly 24 August }
1843 } By A. C. General

To The Acting Asst. Judge
Trichinopoly

/ True Copies /

A. C. General
Superior Judge

Judicial 1857 Department

In a letter from the
Inspector of Prisons dated 28th
January 1857 No. 31
To the Chief Secretary to the Govt of
Fort St. George.

Enclosure No. 1.

Correspondence and
Bills relative to the feeding &c.
of 24 bullocks allowed to the
Trichinopoly Jail to assist the
convicts in keeping in
repair the roads of that station

J. 1857
D. No. 167

No. 100

Extract from the Minutes of Consultation
Under date the 6th February 1857

Read the following letter
from the Inspector of Pri-
sons.

Here enter 28th Jan'y /57 No 31/

The Right Honour-
able the Governor in Council.
At a meeting of the Council held on the 6th Feb'y 1857
Sanctioned the expenses
incurred in October and
November 1856 for the
attendants on and feed-
ing the bullocks employed
in connection with the
convicts upon the roads
of the Trichinopoly Can-
tonment &c, amounting to
Rupees 231-7-7/2 Two
hundred and thirty one,
Annas

1/4
6
Reply

Amaz seven, and piece
seven as specified in the
Margin. The Govt

Account of	October 56	November 56	Total
...	70-14-1-	46-...	116-14-1
...	68-9-6-	46-...	114-9-6
Total	138-7-7-	92-...	230-7-7-

however observe that
this does not appear
to be a charge belonging
to the Prison Depart-
ment. Instructions will
therefore be issued from
the Public Works Dept^o
as to how the charge
should be debited in
the accounts of that
Department and as to
the course to be adopted
for the future for main-
-taining the cattle and
consequent establishment.

As observed by the
Inspector
At the same time
same authority shall
instruct to pay for
keep of the bullocks. who may
be employed to look
after them - for Govt. Ins.
No. 1. the bullock shall
be kept in Dept P.W. National
Muz. in the lands may
be kept in the same way.

meanwhile J. and
until dep^t order
to pass on this head
The Inspr will continue
to arrange for the keep of the
bullocks and pay of establishment

Inspector of Prisons
P.W. Dep^t

- 9 -
that the roads may
not suffer.
JP

Copy to Inspector of Prisons
with 2 Bills and
Account General
Civil Auditor
Public Works Report

date 9th Feb/57

on

Just Del. Eng. 2/9. 1850
No 16 of 1857
Page 23
Capt. W. A. 141000
Assessment

John Lane - 6th Feb 1857
And via L. 1857 to the point

No 110

Detached from 10th Nov

9/10 1857

F. No 746

35/12/57

1923

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