

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 913	Press ~~Mis.~~
17-19	
Dated 30-7-1957	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 4th August 1857.

No. 17. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to E. MALTBY, Esq., Acting Chief Secretary to the Government of Fort St. George, dated 14th July 1857, No. 271.

SIR,

I have the honor to state, that I have this day received an extract of proceedings of the Chief Engineer, forwarding a copy of a communication from Mr. E. B. Thomas, Collector of Coimbatore, objecting to the location of a prison, for European criminals, on the Neilgherries, and suggesting Bangalore as a better locality; Colonel Faber gives an opinion in accordance with Mr. Thomas's.

2. I need not remind the Government that the Neilgherries were selected, as the site of the central prison, not by me, but, by the Supreme Government, many of the principal officers of which had recent experience of the nature of the climate. I am also inclined to believe that the suggestion was first entertained at the time that Lord Dalhousie was at the head of the Government.

See Extract Minutes Consultation, 9th April 1857, 421, Judicial Department, and enclosures.

3. When it became my duty to propose a Prison for the Neilgherry district, I suggested that, under Act 24 of 1855, it would be necessary to provide for the imprisonment of European criminals sentenced to penal servitude in some sanatorium station. In reply, I was informed that the question had already received the attention of the Supreme Government.

4. In reference to Mr. Thomas' objections, I must say that, unsupported as they are by any facts with which I can suppose the Supreme Government to have been unacquainted, I hardly think it becoming in me to offer any suggestions, that there are cases in which the climate of the hills might prove rather prejudicial than otherwise I am well aware, but it seems to me that those are the very cases in which the climate of Bangalore would be also, in a degree, objectionable, had one of our most eligible coast stations been recommended for prisoners affected by a certain class of diseases, I could have appreciated the recommendation, but when the question is simply what climate is best suited to the majority of European constitutions, I should feel but little, if any, hesitation in suggesting the Neilgherry Hills.

4. I do not see with what consistency these hills can be advocated as a dépôt for European troops, and condemned as one for European prisoners.

5. I do not see that Bangalore is a cheaper place than the Neilgherries will, in a year or two become, the security of the Prison will be no greater in the one station than in the other and so far from the Europeans about the Prison requiring higher salaries, I suspect a better class will be obtained for a sum not greater in the aggregate than would be required at Bangalore.

6. Mr. Thomas lays stress on the advantage of having the European prisoners near a large Military Cantonment, but he does not allude to there being a large European force also on the hills. I do not however see the necessity for such a force in the neighbourhood of the Jail at all.

7. The only valid argument to my mind is that the expense of building will be a little more on the hills than it would be at Bangalore. I know nothing of prices of building at the latter station, but, I know that 2½ Annas the cubic foot for brick in chunam masonry, and 1 Rupee the cubic foot for teak wood was quoted to me as the price on the hills and that this is much less than I was charged in the estimate for building at the Red Hills, near Madras. I suspect that the advantage Mr. Thomas proposes in this respect, is but little.

8. When at Ootacamund, I obtained from the Officer Commanding Jackatalla, a statement of the rations issued to Military prisoners, at a cost of 4 Annas a day, the cost has not been less in the Prisons on the plains under my inspection.

9. The Government will observe that for such prisoners as the Prison on the Hills is not suited to, the central prison at Madras will be available.

10. Possibly, I ought to have abstained from even these remarks on a matter finally decided on by the Supreme Government, but the letter having as notified in the Chief Engineer's proceedings, been submitted to Government, I think it as well to anticipate being called on for any remarks in regard to it.

is in every way - from point of view -
-cality to the hills, for such a Prison.
2. The Prison is not near the hills.

Fort St. George, Judicial Consultation, 4th August 1857.

11. In conclusion, I would beg to suggest that the matter is not one on which a reference should have been made to the Chief Engineer at all.

(Signed) J. ROHDE,
Inspector of Prisons.

No. 18. Read the following Extract from the Minutes of Consultation in the Public Works Department, dated 16th July 1857, No. 1366.

Read the following Extract from the Proceedings of the Chief Engineer, dated 9th July 1857, No. 1899.

Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore; to Colonel C. E. FABER, Chief Engineer, dated Ootacamund, 22nd June 1857, No. 306.

SIR,

In acknowledging receipt of the Extract Minutes of Consultation, No. 532 of 24th March 1857, from your office, I would beg with all deference, to offer a few brief remarks, 'ere so costly and important an undertaking is commenced, as a Central Prison for all the European Convicts of India.

2. My duty is only to assist in selecting an eligible site for the Central European Jail, on the Neilgherries. But before such site is irrevocably decided on, I would venture to suggest Bangalore, as a better locality than these hills; probably more healthy, cheaper and safer to guard. The necessary buildings, both in labour and materials, here, will cost at least double what they would at Bangalore, supplies of all kinds are double in price on the Neilgherries, fuel, absolutely necessary here, the same the lodging and subsistence of the Europeans necessary as guards, will be also doubly costly.

3. At Bangalore, the European prisoners would be near a large Military Cantonment always at hand to quell an outbreak, out-door labour and exercise as practicable; perhaps more so than on the Neilgherries, especially in the two monsoons. I think there can be little doubt, that, all these points duly weighed, double the number of European Convicts could be housed, subsisted, worked, and guarded for the same sum at Bangalore, as on the Hills. I have therefore deemed it my duty to bring these facts to the notice of Government, before the Central Prison is commenced.

Resolved that a copy of the foregoing letter, No. 306, dated 22nd June 1857, from the Collector of Coimbatore, suggesting Bangalore as a better locality than the Neilgherry Hills for the construction of a European Jail, be submitted to Government, and to observe that the Chief Engineer concurs in opinion with Mr. Thomas.

2. Resolved also that a copy of the above letter and proceedings be forwarded to the Inspector of Prisons.

(True Extract.)

(Signed) C. E. FABER, Colonel,
Chief Engineer.

Ordered to be communicated to the Judicial Department for consideration.

(A true Extract.)

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

Fort St. George, Judicial Consultation, 4th August 1857.

No. 19. ORDER THEREON, No. 913; dated 30th July 1857.

In Extract Minutes Consultation dated 9th April last, No. 421, the Governor in Council with reference to the orders of the Supreme Government, marginally noted, called upon the District Engineer of Coimbatore in communication with the Inspector of Prisons, to submit plans and estimates for the Penitentiary for European Convicts, the construction of which on the Neilgherries had been sanctioned by the Honorable Court. The Inspector was further directed to consult with the Collector of the District and other authorities, as to the selection of the site.

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

2. The Collector would now re-open the whole question. He deems it his duty to point out that Bangalore is in every way a far preferable locality to the Hills, for such a Prison.

3. The objections raised by Mr. Thomas have, in the opinion of Government, been sufficiently met by the Inspector of Prisons in the letter recorded above. The price of building Para. 7. materials, it is stated, may be a trifle cheaper at Bangalore, but that would appear to be the sole advantage in its favour.

4. Under these circumstances the Government would not be justified in obtruding the subject on supreme authority for re-consideration; they resolve to call upon Mr. Thomas to address himself to the duty required of him in conjunction with others—the selection of a suitable site on the Neilgherries.

(Signed) E. MALTBY,
Acting Chief Secretary.

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Indicial Sept

N^o 913

Est. M. C. under date 30th July 1857

Recd Es. M. C. in } here enter 16th July
the P. W. Dept. } No 1366.

Recd also following letter } here enter 14th July.
from the Inspector of Prisons } No 271.

P. W. S.
Indicial
dated 12th March 57.
No 1201.

with copy of
the Es. M. C. Indicial
despatch to Govt. of India
No 2 of 1857. dated
2nd Jan^y, & the letter
to which it is a reply.

The Es. M. C. dated 9th April
last, No 421, the Es. M. C. with refe-
rence to the orders of the Supreme Govt,
marginally noted, called upon the
District Insp^r of Criminals in com-
munication with the Inspector of
Prisons, to submit Plans & Estimates
for the Penitentiary for European
convicts, the construction of which
on the Nilgeries had been sanction-
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that will appear to be the sole advan-
-tage in its favour.

4. Under these circumstances the
Govt will not be justified in other-
-wise the subject on supreme authority
for reconsideration; they resolve to
call upon Mr. Thomas to address him-
-self to the duty required of him
in conjunction with others - the
selection of a suitable site on the
Deccan.

Sd/-
23/7/57.

To the P. M. Dept.
Inspector of Prisons } Disptd 1/8
Collr of Coimbatore }

In by Am: 4th August
Audience 1857 as per

No. 913

Extract of Minutes of Am

29/100 July 1857

Feb. 1288.