

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	5407	Press
		<u>Mis.</u>
3-4		
Dated	28-4-1958	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 4th May 1858.

No. 3. Read the following letter from J. ROHDE, Esq., Inspector of Prisons; to H. FORBES, Esq., Secretary to Government, Fort St. George, dated 29th March 1858, No. 136.

SIR,

I have the honor to submit copy of a letter from Mr. Ratliff, who in November and December 1855, was Sub Judge in charge of the Jail at Cuddapah, relative to the remarks of the Medical Board in para. 35 of their report on the Jails for 1855, and to which the Honorable the Court of Directors call the attention of the Government in para. 30 of their Despatch of the 21st October last, No. 15 of 1857.

2. The Assistant Surgeon in charge attributed the large number of sick during the two months of November and December to the Subordinate Judge's having curtailed the period of rest at mid-day, to half an hour instead of one hour.

3. I need hardly say that the remark seemed to me too trivial to require notice. I have on more than one occasion noticed the hasty deductions formed by several Medical Officers in regard to causes of disease, but I must say that with the facts stated in para. 4 of Mr. Ratliff's letter, substantiated as they are by his correspondence with Dr. Peterkin before me, I consider the remark quoted by the Medical Board disingenuous; Mr. Ratliff has in my opinion, shewn that the step he took was one dictated by a just consideration for the health of the prisoners, and that the unhealthiness would in all probability have been increased by having the prisoners lying down on a damp soil at a peculiarly unhealthy season.

4. Mr. Ratliff not being in the same appointment, only learned the implied censure of the Medical officer from the public papers.

5. I may remark that all officers in charge of Jails regulate the hours of labor according to the spirit instead of the letter of the Circular Order referred to.

6. The Members of Government are well aware that with free labor, as with Convict labor, the hours vary with climate, some times as at Guntoor, in the hot season, 4 hours rest are necessarily given, the prisoners working in the morning and afternoon only, in the wet season, on the contrary, continuous labor is required.

From J. RATLIFE, Esq., Acting Sub Judge of Rajahmundry; to J. ROHDE, Esq., Inspector of Prisons, dated 10th February 1858, No. 21.

SIR,

1. In the Athenæum newspaper of the 21st Ultimo, I perceive an Extract from a Despatch to Government from the Court of Directors, on the subject of Jails, wherein occurs the following passage:—"the increase of sickness in the Cuddapah Jail is attributed by the Medical officer to an order of the Subordinate Judge curtailing the mid-day rest allowed to the prisoners. The Surgeon adds that he had in vain addressed himself to the officer in charge of the Jail, to endeavour to induce him to revert to the original orders." This Despatch was, it further appears, communicated to you, on the 15th of December last.

2. I am not aware, as to what may have been the exact nature of Dr. Peterkin's communication from which the above was gathered, but have no hesitation in ascribing its tenor to simple vexation at the non-concurrence in his particular views, or in expressing my belief that the whole facts of the case were not at the same time submitted by him.

3. Greatly averse, at any distance of time, to being misjudged, myself, or to pass over, what I believe to be, misrepresentation on the part of others, I have the honor to submit, herewith, for your consideration, the whole of the correspondence on the subject.

4. From this you will perceive, that the Medical officer could scarcely have *really* believed the increase in sickness to be attributable to the cause, to which alone he has seen fit to ascribe it, opposed to *fact*, as such supposition was clearly shown to him to be, in my letter; wherein, as you will observe, I pointed out to him, that the prisoners were only suffering from a very unhealthy season, in the same proportion as, may in still *less* proportion, than, *others* generally.

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5. Neither to this statement, or to the remaining explanation afforded was denial made, remonstrance in rejoinder offered, or, in fact, reply soever sent, leaving *acquiescence* in the justice, generally, of what had been adduced as naturally, indeed only, inferable.

6. Dr. Peterkin having however, under, and notwithstanding, these circumstances, seen fit to make the very adverse representations regarding my conduct, he appears to have done, has thereby, I conceive, laid himself open to censure, to obtain the conveyance of which to him, as well as to place my own proceeding in a *proper* light, I have now the honor to address you.

From JAMES PETERKIN, Esq., M. D., Zillah Surgeon; to the Sub Criminal Judge of Cuddapah, dated 30th November 1855, No. 52.

SIR,

1. The number of prisoners admitted sick into Jail Hospital during October and November of this year, has been so unprecedentedly large (but especially so during the latter month) in comparison with the admissions during the same months in each of the preceding four years, and the number of admissions from fever, during the same periods of time, so much larger in proportion to the other classes of disease, that I have necessarily endeavoured to investigate the probable cause of such difference.

2. It appears to me that the restriction of the time for rest, during mid-day, to half an hour instead of granting the period of an entire hour, as ruled by the orders of the Judges of the Court of Foujdaree Udalt in their Circular of 5th April 1850, must be the principal cause of this difference. The practice thus ruled was, I believe, uniformly carried out in former years, and has only been set aside in course of the last two months. I have the honor, therefore, to recommend that the old practice of allowing the prisoners to rest at the place of work from 12 to 1 be again had recourse to as heretofore.

3. With reference to the case of a prisoner named Savarum Ramoodoo, brought to hospital this morning, labouring under fever, complicated by inflammation of the lungs, and who, it is believed, was attacked yesterday afternoon at the place of work, and was labouring under fever at the time of his return to Jail from work, and when he was locked up for the night, it seems desirable the Jailor should be instructed to direct the peons to bring to his notice, without delay, any prisoners apparently suffering from fever, with a view to his sending them forthwith to hospital, as twelve hours delay in such a case as this, might admit of the occurrence of irreparable mischief, which no treatment could then alleviate or remove.

From J. RATLIFF, Esq., Sub Criminal Judge; to the Zillah Surgeon of Cuddapah, dated 4th December 1855, No. 381.

SIR,

1. I have the honor to acknowledge receipt of your letter, No. 52, dated 30th Ultimo.

2. The restriction to which you advert, was adopted with a view to remedy an evil much complained of to me by the prisoners in a body, their inability, to wit, to procure their condiments, clean themselves, and dress and eat their food, during the then short and still gradually shortening interval between the hour of their return to Jail from work, and its becoming dark, with consequent locking up, considering that as Convicts condemned to hard labor, their actual period allotted for such, "or but eight hours daily," was already short enough, as well as not holding myself at all authorized, even if desirous to further reduce it. I proposed to them personally whilst round me in a body, that they should relinquish the half of the usual mid-day's rest, and strike work half an hour earlier, *i. e.*, at $\frac{1}{2}$ past 3, in lieu of 4 P. M., by which means the evil complained of would be remedied, and to this proposition immediate and general assent was given.

3. As to the effect, which you are pleased to ascribe to the only portion of the measure to which you advert, I am unable, as far as unprofessionally competent to form an opinion, to agree with you. That the number of sick has considerably increased during the period in question, beyond what it was the preceding two months, as well as beyond what it was at the same period in recent former years, is true enough, but it is equally true that fever has recently been generally and usually prevalent throughout Cuddapah and its vicinity, owing probably to the early and copious rains that fell, with subsequent alterations of temperature, and cutting winds, and

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affecting of course the prisoners in common with others, though *not* so, as I believe and as far as I can ascertain, in any *greater* ratio soever, the whole average number in hospital between October 18th (the date of restrictive change) and November 30th, being but 25 daily, or about 6 per cent upon the aggregate number in Jail, a percentage far less than has ruled among the servants of my Court, or of my own household, during the same period, *every one* of the latter having been more or less ill with fever, some protractedly so, and one eventually dying; whilst I am assured on all hands, that such has been the case generally throughout the native population of the place.

4. Being under these circumstances of opinion, that the increase of sickness among the prisoners is simply attributable to natural causes, which have affected the people generally, as well as, that, even half an hour is longer than men, who have been actively labouring for some hours previously, can safely be permitted to *lie* and *lounge about* at a season like the present, suddenly, exposed to the presently prevailing cold winds, in a state of comparative inaction; consequent evil increasing on its probable effects by duration, and lastly, that, the alternative, which would have to be reverted to, of deferring their return to Jail, to $\frac{1}{2}$ an hour later, as previously, would be productive of *certain positive* evil, whilst that under discussion, is but suppositious, I have but to express my regret, at feeling it inadvisable to act upon your suggestion.

5. Orders referring to the subject mooted in para. 3, of letter under reply, have been issued.

From JAMES PETERKIN, Esq., M. D., Zillah Surgeon; to the Acting Sub Criminal Judge of Cuddapah, dated 29th February 1856, No. 15.

SIR,

1. With reference to a case of cholera admitted into Jail hospital last night, I have the honor to beg that strict orders may be issued, that every peon shall consider it his duty to enquire into the nature of any purging by which a Convict, at work under his charge, may be attacked during the day, and, if there seem ground for supposing it in any way to resemble an attack of cholera, that he have him conveyed forthwith to hospital, or at the very least, make a report of the circumstance as soon as he returns to Jail from work in the evening. The subject of the present attack seems to have been purged several times during the day, and was not brought to hospital till mid-night.

2. It appears that the order, issued by the Sub-Criminal Judge some weeks ago, diminishing the period of rest at mid-day by half an hour, remains still in force; it further appears that prisoners are now sent out to their work at $6\frac{1}{2}$ instead of 7 A. M. as formerly. Under this arrangement the total period of daily labor is increased by an hour above that ordered by the Judges of Foujdaree Udalt in April 1850. It is at such times as the present, when cholera is known to prevail in and about the town of Cuddapah, highly desirable if any change were made that one of the reverse nature, the diminishing the period of labor, should be effected, I would therefore recommend for your consideration the desirability of reverting to the scale of work laid down by F. U. in their Circular adverted to. I deem it moreover desirable to recommend for your consideration, the adoption of the prolonged period of rest at mid-day, of $\frac{1}{2}$ hour as laid down in the order referred to, if the increased temperature of the last three days seem to become permanent.

(True Copies.)

(Signed) W. S. NESBITT,
Acting Sub Criminal Judge.

(True Copies.)

(Signed) J. ROHDE,
Inspector of Prisons.

No. 4. ORDER THEREON, No. 547; dated 28th April 1858.

Resolved that the papers recorded above, be brought to the notice of the Honorable the Court of Directors, with reference to their Despatch of 21st October, No. 15 of 1857, para. 30.

(Signed) T. PYCROFT,
Chief Secretary.

Fxd. F. Cartledge.

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No 547.

Resolved that the papers record
above be brought to the notice of the
Hon^{ble} the Court of Directors with
reference to their Despatch of 21st Oct.
No 15 of 1837 para 30.

Forb. George, J.
28 April, 1838-3

D.H.
20/6/58

Copy to Inspector of Prisons - D.H. 1st May

23 March 1857. A. 30831.
15th Dec. 1859. R. 4.

Judicial Letter to Eng.
7th Sept. 1858. No. 13 of 1858.
Para. 29.

Ref. to in A. 18 of 1859.
Para. 18.

In the to cons. A. 30831.
Judicial 1858 Department

From The Inspector of Prisons

To The Secretary to the Govt of
Ind. St. George

Dated 29th March 1858. No. 136
Sup. from Calcutta April 1858
No. 19

[Signature]
No. 705.

Enclosures - One.

Submitting a letter
from the late Sub. Judge of Cal-
cutta relative to the remarks
of the Medical Board in P. 35 of
their report on the Jails for 1855 and
to which the Honble. Court of Di-
rectors call the attention of the
Govt. in P. 30 of their despatches
of the 21st October last No. 15.

With an order

37th.

21 Apr
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