M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1224 Press ~~Mis.~~

179-180

Dated 30 9 1861 19

4/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 30th September 1861.

No. 179. Read the following letter from J. ROHDE, Esq., Inspector General of Jails; to J. D. SIM, Esq., Secretary to Government, Department Public Works, Fort Saint George, dated Ootacamund, 17th August 1861, No. 376.

In conformity to the Order of Government, dated 12th August 1861, No. 1,016, on the reference made by Mr. Knox, Sessions Judge of Chicacole, as to his being placed in charge of the roads of that station and of the funds allotted to their maintenance; referred for my disposal, I have the honor to forward a copy of my Proceedings thereon addressed, primarily, to that Officer and to state that I have thought it necessary to comment on the tone of the letter, the disregard of the suggestions made to him on his first application to me, his unwarranted interference with the Officers of another Department in a matter in which he had no concern, and the irregularity of his proceedings in addressing the Chief Engineer and Chief Secretary to Government otherwise than through the proper channel.

2. I have been particularly cautious in laying down rules for the guidance of Officers furnishing prison gangs in aid of Public Works; had Mr. Knox attended to these, I doubt not Captain Harrington would gladly have availed himself of their services; but I do not see how Mr. Knox could expect to have funds, for which the District Engineer was responsible, placed at his disposal, unless as a matter of mutual convenience and friendly accommodation to the District Engineer and himself, the District Engineer being responsible.

Proceedings of the Inspector General of Jails, under date the 16th August 1861, No. 375.

Read letter from T. J. KNOX, Esq., Sessions Judge of Chicacole; to the Chief Secretary to Government, relative to the refusal of the Officers of the Department of Public Works to transfer to him the charge of the roads in the neighbourhood of Chicacole, together with a portion of the funds set apart for the maintenance of these roads.

This letter had been referred by the Government in the Judicial Department to the Public Works Department for disposal, and has ultimately been referred to the Inspector General of Jails through whom it ought in the first place to have been submitted.

2. The Inspector General remarks that Mr. Knox must be very well aware that arrangements, such as those proposed by him, only take effect where an Officer, whose proper duty it is to keep the roads in repair, voluntarily transfers the work, for which he remains responsible, to another, in whom he has confidence. The Chief Engineer appears to have been willing that Mr. Knox should repair the roads with convict labor, but not that the expenditure of public funds, for which Officers of his Department were responsible, should be placed beyond his control.

3. Whether Mr. Knox may or may not be qualified to keep the roads in repair, to keep the accounts and to supervise the work, is nothing to the purpose, the duty and responsibility rests with the District Engineer.

4. Mr. Knox states he received a vague reply to his application to the Inspector General on this subject. Mr. Knox was referred to the instructions given
472, 1*st November* 1860. to Officers in charge of Jails elsewhere in cases of prison labor being given in aid of Public Works, and it was suggested to him that the District Engineer's objections would be obviated if he adopted the course therein laid down.

5. Instead of adopting the course suggested, Mr. Knox appears to have
22nd April. irregularly written to the Chief Engineer soliciting his consent to the arrangement that Captain Harrington refused to allow. Colonel Horsley, as above stated, expressed his readiness to make over the charge of the roads to Mr. Knox to be kept in order entirely by convict labor; on a second reference, Colonel Birdwood declined transferring to Mr. Knox the disbursement of funds, for which Captain Harrington was responsible.

6. In the opinion of the Inspector General, Mr. Knox has gone beyond his duty in reflecting on the Officers of the Public Works Department in a matter in which he had no concern, while he avoided the course indicated by the Inspector General of Jails which would have

permitted the employment of the convicts without relieving either himself or the Officer of the Department Public Works from their proper responsibilities.

7. The Inspector General of Jails has noticed several remarks in the letter under review, which he deems reprehensible: 1st, in stating that he received from him "a vague answer;" 2ndly, in his remark that Colonel Birdwood, "naturally coincided with Captain Harrington's views;" 3rdly, in his expression, "but where the money comes from, I know not."

4th paragraph.
8th paragraph.
12th paragraph.

8. A copy of the Extracts of Proceedings forwarded to Mr. Knox on the 1st of November last, will be forwarded, together with a copy of these Proceedings, to the Chief Engineer, with a view to Captain Harrington's being made acquainted with the mode proposed for utilizing the labor of convicts in aid of Public Works; it will then rest with the District Engineer to avail himself of the use of the convicts under those rules, or not, as he may see fit.

9. A copy of these Proceedings will be submitted to Government through the Secretary in the Public Works Department.

OOTACAMUND,
OFFICE OF INSPECTOR GENERAL OF JAILS.

(Signed) J. ROHDE,
Inspector General of Jails.

(True Copy.)

(Signed) J. ROHDE,
Inspector General of Jails.

No. 180. ORDER THEREON, 30th September 1861, No. 1,224.

To be recorded.

(Signed) J. D. SIM,
Secretary to Government.

Ed. T. O'Connor.

From 12th to Augt 1861 Returns

Inspector Genl
Inwards 1861 Sept 2

From

The Inspector Genl
of Irish. 370.

17th
Sept 1st & Augt 1861.

Encl 1.

No 1359

In regard to the reference made by the Secretary to the Treasury to his having placed in charge of the Roads & Stations of the Constabulary for their maintenance, forwards a Copy of his Corrs. thereon & Comments on the disregard of the Suggestions made by him in his Memo appended in reference to a Marker in which he had suggested & state that he departed from the Rules laid down by him for the guidance of Officers undertaking Contracts for

Recorded JWL

Exd. T. O'Connor.