

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>1445</i>	Press ~~His~~
<i>159-160</i>	
Dated <i>23.11.1861</i>	~~10~~ .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

23rd November 1861.

No. 159. Read the following letter from J. ROHDE, Esq., Inspector General of Jails; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated 7th October 1861, No. 469.

I have the honor to acknowledge the receipt of the Order of Government, No. 1,151, dated 13th September 1861, relative to the system of discipline to be pursued with the European and American Convicts in the new prison at Ootacamund.

2. The Government remark that the system I propose has reference only to prisoners in the first stage of their imprisonment, whereas many of those now expected have been for some time in confinement;— I would however submit that although many of the prisoners have been some time already incarcerated, not one has, in all probability, been subjected to such penal discipline as the Judges contemplated in passing sentence, and further that to subject such men, on arrival, to the more lenient and necessarily more lax discipline, suited to the second stage, would be unsafe and would, in all probability, materially interfere with the proper conduct of the whole, I do not however desire that any prisoner shall necessarily be subjected to the full term of penal and probationary discipline, but I should wish all to have experience of it, as all will be liable to remand to it.

3. I propose adding a court-yard and workshops to the present enclosure, and have in building the outer walls already made preparation for this by leaving a gateway, to be temporarily bricked up, and laying the foundations of the yard. I had however in contemplation to dig a well, by the native convicts, within this area, before enclosing it; the cost of the well cannot now be approximately estimated, but that of the enclosure and workshops will not exceed 3,000 Rupees.

4. I do not at any time propose such a system of imprisonment as shall induce the association of prisoners by night in common wards.

5. ~~It is proposed~~ that the English separate establishments are provided for carrying out the successive stages of imprisonment which here must, to some extent, be enforced in the same building. It may be practicable hereafter to detail the European convicts for public works at Jackatala or elsewhere, though I can hardly recommend this unless in exceptional cases, but I see no way of maintaining proper discipline in the present building, if any portion of the prisoners are relieved from the restraints now enforced in all the best conducted English prisons.

6. Should the Government hereafter decide on adding to the present building, the additions may be contrived with the view to the accommodation of offices in which the prisoners, in a relaxed stage of discipline, may be employed, according to their abilities, in the service of the State, but the present building will not be more than sufficient for the enforcement of penal servitude in its earlier stages.

7. Should the Government direct the erection of punishment cells, I should estimate their cost approximately at Rupees 1,200 for each cell, for these ample ventilation would be provided, but no artificial heat, they would however be constructed with double walls and if thought desirable heat might be introduced between them should occasion require it; the inner angles formed by the store room against the Jail would be convenient for these cells, precautions being taken to guard against breaking through.

8. The position of the Jail will not, in my opinion, interfere with the employment of prisoners within the walls. Government has already decided that labor outside the walls shall not be permitted.

9. The mode of tasking prisoners is necessarily a matter of detail and must be regulated hereafter according to the nature of the work. When the Calcutta Draft Act is received the punishments may be regulated according to its provisions or a separate Act may be applied for.

10. In regard to punishment, I would urge the necessity for empowering the Magistrate or other Officer entrusted with the control to flog as well as to confine in the punishment cells, or to deprive a prisoner of half his rations for any period not exceeding three days.

Order of Government, 23th June 1861, No. 835, p. 2.

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11. The punishment of stripes might be limited to cases of contumacious refusal to work, refractory behaviour such as resistance to the Jailor and other Officers in the regular discharge of their proper functions, assaults, attempts at escape, wilful destruction of or injury to the building, furniture or other property, repeated instances of using abusive, obscene, and improper language or gestures; for all minor offences, summarily cognizable under Sec. V, Reg. X of 1832, prisoners might be liable to confinement in the punishment cells, stoppage of rations or of exercise.

12. In regard to labor in cells, tradesmen or those who can be taught trades may be found useful employment; picking coyar ropes for mattresses will in all probability be found a useful occupation for others.

13. In regard to the number of exercising yards, with the limited number of Warders, it would not be practicable to maintain discipline were the prisoners divided into more than three gangs: it is certainly unfortunate that so large a proportion have been so long associated with each other before transfer to this prison, but I should have less fear of exercising the men, six in each of three yards, under surveillance, than in breaking up the number into parties of three, without supervision; to place two men in a yard without close supervision, I should consider the least advisable, for two would probably combine and the risk of combination is in proportion to the smallness of the number, and should combinations occur among larger numbers they would in all probability betray one another. Should however the Government order the number of yards to be doubled and the prisoners placed two in a yard it will be my duty to have it done.

14. I have in drafting rules provided for the prisoners attending Divine Service, on Sundays, in two distinct parties, half in the morning and half in the evening; these rules are, in all probability, very incomplete, but I hope shortly to receive the rules for the management and discipline of some of the best regulated English prisons by which I may correct these.

15. In regard to arming the Turnkeys I did intend providing Colt's revolvers for the Jailor and Head Warder, but it was not my desire that the Warders or Turnkeys should ordinarily be armed.

16. I have already, in allusion to the relaxation of discipline in the case of prisoners who have passed the first stage of their term, said that I would as soon as the well can be completed propose to build a yard about it, including workshops for the labor of prisoners, in association; lighter occupation may be found for prisoners whose previous habits have not inured them to hard labor and should additional buildings be hereafter decided on, provision may be made of a day ward for this class.

17. The rules as far as they have hitherto occurred to me are drafted and will be found enclosed.

RULES FOR THE MANAGEMENT OF THE EUROPEAN JAIL AT OOTACAMUND.

The Sub Judge resident at Ootacamund shall have charge of the Jail, subject to the instructions he may receive from the Inspector General of Jails.

The Officer in charge will nominate the Keeper and Warders as vacancies occur, but no appointment of a Keeper or Warder shall be made without the approval of the Inspector General, the Native servants will be employed by the Officer in charge.

The Officer in charge shall visit the Prison and every inmate of the Prison once a week, attending to all reasonable representations and complaints, and giving such orders as may be necessary to the Keeper; he will take notice of any misconduct on the part of any of the Prison Officers or of the prisoners, and will punish it within the limits of his authority.

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The Officer in charge of the Jail shall cause a copy of all Rules for the internal management and discipline of the Jail, including such subsidiary Rules as he may himself prescribe, to be printed or written, and a copy to be placed in each Cell.

Prisoners who cannot read shall have these Rules read to them by the Keeper of the Prison on arrival.

No person shall be permitted to visit the Prison or any of its inmates, except on duty, unless on an order signed by the Officer in charge, or by the Inspector General of Jails, or in company of one of those Officers.

The Chaplain of Ootacamund or other Clergyman appointed to the duty, shall visit the prisoners twice during the week at such times as may be appointed, and shall treat them as those over whom he has pastoral charge; but he shall not do any thing in contravention of the Rules of the Prison, or convey any message or letter to or from the prisoners' friends, or supply the prisoners with any thing except books.

It shall be optional to the Inspector General of Jails or to the Officer in charge to permit the pastoral visits of Clergymen of other Churches; but it shall not be compulsory with any class of prisoners to attend their ministrations.

With the sanction of the Inspector General of Jails, laymen may obtain permission to visit the prisoners as religious visitors, under such restrictions as may in each case be notified to them by letter.

The ordinary system proposed is the separate system as enforced in the best regulated English Prisons.

All prisoners on arrival shall be liable to the discipline of the separate system for one year, but it shall be discretionary with the Officer in charge to relax this system by permitting labor and exercise in association, and to permit proper conversation among prisoners so associated, in the case of well conducted prisoners; but in no case shall this indulgence be given within three months from the date of arrival at the Prison, or in the case of prisoners recently sentenced, within six months.

The ordinary diet is not in any case to be departed from except on medical grounds.

*The diet proposed for European prisoners in the new Prison at Ootacamund shall consist of:
On Monday, Wednesday and Friday,

Of Bread..... 22 oz.

Potatoes..... 1 lb.

Soup (consisting 3 oz. Meat, 3 oz. Potatoes, 1 oz. Dhall meal, 1 oz. Onions), 1 pint.

Gruel—1 pint, containing 2 oz. meal, (or Rolong Soogee) and Sugar 1 oz.

Coffee—1 Pint } $\frac{1}{2}$ lb of Coffee a week.
 } $\frac{1}{2}$ „ Sugar,

a little Pepper and Salt.

On Sunday, Tuesday and Thursday,

Bread..... 14 oz.

Potatoes..... 1 lb.

Cooked meat 4 oz.

Gruel..... 1 pint.

Coffee..... 1 do.

and Salt.

On Saturday, Curry Stuff to be added to the Soup to form Mulligatawny, and $\frac{1}{2}$ lb Rice to be substituted for $\frac{1}{2}$ lb Potatoes; the diet otherwise to be as on Mondays.

The prisoners will rise at 6 A. M., wash and dress themselves, make and stow their beds, preparatory to their being locked up; put all Slops in the Slop pan and place it near the Cell door.

At 6-30, half the prisoners will be taken from their Cells, in parties of six, and paraded at 3 yards distance in the Corridors, when they will move at quick step to the exercising yards and

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continue at exercise at the same distance till 7 A. M., when the parties will return to their Cells; the first half being then locked up by 7½ A. M., the remaining prisoners will take exercise till 8 A. M.

Silence be maintained by the prisoners at exercise.

All prisoners having been locked up in their Cells by 8 A. M., breakfast will be served,

A task will be assigned to each prisoner, on which each will be engaged in his Cell from 8½ A. M., till 1 P. M.

At 1 P. M. dinner will be served in the Cells and the Warders will return to meals.

From 2 to 5½ P. M. the prisoners will exercise for 35 minutes each, those not at exercise will work in Cells.

5½ to 6 the prisoners will be bolted in, the Officers will retire to tea.

6½ supper served, (prayers read.)

Once a week the prisoners attend a lecture in the Chapel, half at a time.

On Sundays, prisoners attend Chapel once a day, one-half in the morning and one in the evening.

Prisoners of different denominations will not be obliged to attend if they object.

On Sunday, prisoners will rise later (at 7 A. M.) and will have walking exercise for one hour in the day.

Lights will be allowed in the Cells from 6½ to 9 P. M.

The undermentioned Books will be kept in charge of the Keeper of the Jail.

Register of Prisoners.

Character book, including name, age, occupation and condition, conviction, offence, sentence, reception, religion education, (family connections?) personal history, remarks on prisoners' conduct, record of offences and punishments.

Misconduct Book.

Diary,

Labor book,

Muster book,

Order book,

Strangers' book.

Punishments Minor.

Confinement in refractory Cell, dark or otherwise, on bread and water diet.
Stoppage of a meal or of exercise.

Diet in punishment Cell.

½ lb. bread 1st day.

½ do. 2nd do.

1 do. 3rd do. or as Surgeon may direct.

All punishments to be recorded.

The Act will probably provide for more severe punishments.

Cleanliness.

Prisoners to be obliged to wash completely on rising. The hair to be cut tolerably short; combs to be provided.

Once a fortnight every prisoner will bathe, scrub himself over with soap; coyar fibre will be provided to assist the scrubbing.

Prisoners to sweep the Cells every morning.

One prisoner to clean Corridor.

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Cells to be washed by inmates once in three weeks before being taken to afternoon exercise.

Body linen, &c. to be changed once a week.

Bed linen to be changed once in a month.

Slop pails, urinals or pans to be placed by each prisoner outside the Cell door on its being opened for the purpose.

Clothing and Bedding.

Each prisoner will be provided with one mattress.

(3.) 1 Pair sheets, American, unbleached... The sheets to be changed once a month, the towels once a fortnight.

2 Blankets.

1 Coverlid or rug.

(4.) 2 Towels, dungaree.

1 Jacket... } and with clothing (of Puckally grey ordinary cloth.)

1 Waistcoat..... }

1 Trowsers... }

3 Shirts, colored... of stout 18 punjum or long cloth.

3 Pairs wool sock.

6 Handkerchiefs... of linen.

1 Pair shoes.

1 do. slippers.

1 do. braces.

2 do. drawers... of unbleached long cloth.

2 Banyans... course flannel.

1 Cap, 1 Comb.

Razor and looking glass will be furnished as required.

Visiting and Correspondence.

Prisoners during the first half of their term of sentence may see a friend or write a letter once after six months, stating before hand which they will do; during the latter half they may enjoy this privilege once in three months, (except in both instances in special cases) all letters to be read by the Officer in charge.

Letters to or from wife or parent to be sent without perusal.

Letters written by Prisoners or addressed to them will be read by the Officer in charge; no restriction will be placed on the number of letters received.

Religious Visitors.

To be regulated by the Inspector General according to circumstances.

Prisoners will not be allowed to retain any article of their own when admitted into Prison, any thing regularly and in their possession which they may bring with them will be taken from them and put by against the prisoners' release, unless it be of a perishable nature in which case it will be sold and the proceeds accounted for on the prisoners' release.

All articles irregularly obtained by prisoners after conviction will be forfeited.

Prisoners are not permitted to receive any thing during the period of their confinement otherwise than the regulated allowance of food and clothing, unless by the written order of the Officer in charge, which may permit the reception of books and letters at his discretion.

A Register will be kept by the Jailor of all property taken from prisoners, with a column for orders as to its disposal.

Prisoners on admission will be examined by the Surgeon, searched by the Head Warder, in the presence of the Keeper of the Jail, who will then compare the prisoner with the Descriptive Roll received, measure and weigh the prisoner, and enter his name, crime, sentence, and description in the book kept for the purpose; any clothing or property found on the prisoner will be taken from him by the Keeper, and an entry of the same made in the Property Book for the order of the Officer in charge; the prisoner will be supplied with Prison clothing and will

of any of the Prison Officers

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be removed to his Cell and his attention be called to the copy of the Prison Rules if he can read, if not they will be read to him by the Keeper.

All Warders will be required to make themselves acquainted with the persons of prisoners on admission.

Prisoners will not be moved from one Cell to another except by the written order of the Officer in charge, except in case of sickness when the written order of the Surgeon will be sufficient.

The Keeper of the Prison shall report to the Officer in charge all irregularities, for orders; but he shall have authority to secure any prisoner guilty of assault or other violent conduct or attempt to break Jail in hand cuffs and fetters, pending the orders of the Officer in charge.

Warders shall immediately bring to the notice of the Head Warden and Keeper of the Prison any instance of irregularity or breach of discipline.

Warders are prohibited from striking any prisoner except in self defence, or to prevent escape or personal injury to another, and from making use of any abusive or provoking language; they are prohibited from entering into familiar conversation with prisoners; the orders it may be their duty to give will be brief and conveyed in proper language; they will use no distinction in addressing prisoners, whatever their position in life may have been; they will address each by his surname; the Warden's conversation and intercourse with prisoners will be confined to matters of duty; they will listen to any request prisoners may desire conveyed to the Keeper of the Prison and attend to the wants of all, observing strictly all Rules laid down for their guidance.

For neglect of duty, for using improper language, for intemperance or other fault, Warders will be liable to fine not exceeding half a month's pay, or to dismissal, at the discretion of the Officer in charge, subject to appeal to the Inspector General of Jails.

Warders neglecting to report any breach of discipline or other misconduct of any prisoner, or any sickness or other important matter connected with the Prison or prisoner, or any misconduct on the part of the Native servants, will be considered to have neglected their duty.

Warders are required to behave in an orderly manner among themselves, and to conduct themselves respectfully to the Keeper and other Officers.

The Keeper of the Prison will visit every Cell at least once a day, and will attend to any representations made by the prisoners, and will advise them on any matter or refer any matter they wish referred to the Officer in charge in making the daily report.

Should any prisoner desire to see the Chaplain, Medical Officer, or Officer in charge, his request will be made known to those Officers by the Keeper.

When prisoners are allowed by the Officer in charge to labor in association, conversation will not be interdicted, but prisoners making use of improper language will be remanded to the separate cells or otherwise punished and remanded.

By order of His Excellency the Governor in Council.

FORT SAINT GEORGE,
23rd November 1861.

(Signed) T. PYCROFT,
Chief Secretary.

No. 160.

ORDER THEREON, 23rd November 1861, No. 4445.

The Government sanction for the present the Jail rules submitted with the above letter.

2. They concur in Mr. Rohde's views as to subjecting all prisoners to the same course of discipline, commencing from the date of admission into this Jail.

3. The well referred to in paragraph 3 of Mr. Rohde's letter should, the Government think, be sunk by the convicts confined in the Jail.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

The Sub Judge resident
at Coimbatore shall have charge
of the Jail, subject to the instructions
he may receive from the
Inspector General of Jails.

The Officer in charge will
nominate the Keeper and Warders
as vacancies occur, but no appointment
of a Keeper or Warden shall
be made without the approval
of the Inspector General, the
Native servants will be employed
by the Officer in charge.

The Officer in charge shall
visit the prison and every corner
of the prison once a week, attending
to all reasonable representations
and complaints, and giving
such orders as may be necessary
to the Keeper, he will take notice
of any misconduct on the part
of any of the Prison Officers.

Cases under Act XIII-59, disposed
of in the year 1860.

Districts.	Officers	Cases.
Bellary	Davies 2 Steenasa 1	3.
Coimbatore	Bird 13 Shaik Abdool 1	14
Cuddapah	Davidson 2 McLuhac 1 Anna Row 3	6
Gaujam		0.
Godavry	Chetumbaras 3 Copleston 8 Wilkins 5 Suggarow 12	28.
Kistna	Melville 1 Varraiyengar 7	8.
Kurnool	Thornhill 3 Minchin 2	5
Madras	Sordam	207
Madura	Goldingham 29 Lewing 1 Thomas 2	32.
Malabar	12	12
	Stuart 115 Richardson 56	184
Vellore	Sykes 1 Whiteside 1	2.
North Arcot		0.
North Canara		1.
Salem	Hodgson 28 Carr 1 Brett 1 Smith 8 Hathaway 2	39
South Arcot	Boalth 2 Suggarow 8 Wilkins 7	88

Forward 497

Forward - 722

South Canara	Swinton	1	6
	Robinson	5	
Tanjore	Ferr	2	
Trinnevelly	Kristnasawmy	7	
	Gordon	2	9
Trichinopoly	Gordon	3	
	Nesbitt	2	5
Tiragapatam			0

Cases. 744

No cases decided in Ganjam.

North Arcot.

Tiragapatam,

Wilking	Godavery	5	
	South Arcot	87	92
Suggarow	Godavery	12	
	South Arcot	1	13

Cases.

By Covenanted Officers	131.
Unconvenanted do	613.

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Judicial Officers.

Sessions Judge in charge of the
Principal Sudder Ameen
Court

Sub Judges	79.
Principal Sudder Ameen	118.
	203.

Magisterial Officers.

Magistrates 8.
Joint do - Covenanted 19.
Unconvenanted 298.

Head Aft. do	19.
Deputy do	197.
	541

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PROCEEDINGS of the MADRAS GOVERNMENT.

ad letter from the
Inspector Genl. of Sails - Enter 7th Oct. '61 N^o 48

Order - 23rd November 1861. N^o 1445.

The Govt. sanction for
the present the Sails as
Rules submitted with
the above letter.

Letter para 2 -

2. They concur in Mr. Roh-
de's views as to subject-
ing all prisoners to
the same course of dis-
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from the date of admis-
sion into this Sails.

3. The well referred to
in para 3 of Mr. Roh-
de's letter should, the
Govt. think, be sunk
by the Convicts con-
fined in the Sails.

The Inspector Genl. of Sails - 23rd Nov. 1861
10th Oct. 1861 - 27th

Abstract.

Medical 1861. Department.

No. 1445.

PROCEEDINGS OF GOVERNMENT.

November/61.

10
Date 11-20-93
→ 201/02
→ 825
→ 2407/02
→ 2164/02
November 1st.
Anderson & Miller
per the Management of the
European Mail at Rotterdam