

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>2114</i>	Press ~~Mis.~~
<i>249-250</i>	
Dated <i>23-12-1882.</i>	

10/11

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
23rd December 1862.*

Read the following papers:—

No. 249. From J. SILVER, Esq., Magistrate of Tinnevely; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated Tinnevely 30th October 1862, No. 549.

With reference to paragraph 6 of the Proceedings of the Madras Government, dated the 21st July 1862, No. 793, I have the honor to forward a list showing the number of Subsidiary Jails that are necessary to be constructed in connection with the existing and proposed Taluq and Division Sub-Magistrates' Cutcherries.

2. The Plans and Estimates for the works in question will be submitted to Government through the Chief Engineer in due course, and I request that they may be sanctioned at an *early* date so that the works may be carried out under the head of "Emergent," as much inconvenience is now experienced from want of Subsidiary Jails, and as the Superintendent of Police also represents that accommodation for the Police guards for which provision has been made in above Plans and Estimates is very much needed.

No. 250. From D. F. CARMICHAEL, Esq., Magistrate and Acting Agent to the Governor, Vizagapatam; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated Vizagapatam, 23rd October 1862, No. 559.

With reference to paragraph 6 of the Order of Government, 21st July 1862, No. 1,150, I have the honor to enclose a list of the Subsidiary Jails I have selected for this District in communication with the Superintendent of Police. The necessary Estimates have been prepared, and will be laid before Government through the regular channel. The probable cost of these Jails, it will be seen, amounts to Rupees 10,650.

2. I take this opportunity to refer to the question of a small Jail at Jeypore, which was pressed upon the attention of Government in the Governor's Agent's letter of the 15th November last, No. 363. No reply has been received to this letter; the Government have probably awaited the receipt of the Estimate promised in Mr. Fane's concluding paragraph.

8. This Estimate was duly prepared by our District Engineer, and submitted to the Chief Engineer, Department Public Works, in whose office it was inspected by Mr. Robinson. So far it had the approval of all parties. It was then shown to Mr. Rohde, who, after suggesting some corrections in the design, declined to forward the scheme on the ground that "the urgent want of prison accommodation on the plains will demand all the available resources that the Government may be disposed to appropriate to prison purposes." This was announced to me by Mr. Robinson, under date 22nd September ultimo.

4. The accommodation was estimated for 50 Convicts, and attached to the prison were Sub-Magistrate's and Police Inspector's offices. The cost to be Rupees 3,480. The proposed building would answer both for a Taluq Jail and for all prisoners sentenced by the Junior Assistant at Jeypore. In cases disposed of by the Agency Court of Session the prisoners would be lodged in the Vizagapatam Jail. The great distance from Jeypore to Vizagapatam, the great tract of country in the Junior Assistant's jurisdiction lying north and north-east of Jeypore, the great mortality among Hill men when brought down into the plains are all in favor of the construction of a Jail at the head-quarters of the country above the Ghauts. It must be remembered that the area of Jeypore and Gunipoor is between 8 and 9 thousand square miles; and unless short sentenced prisoners (by which I conclude all sentenced by the Junior Assistant who goes up to 2 years' imprisonment) are accommodated on the spot, very serious inconvenience and expense will result. A Medical Subordinate has already been sanctioned for Jeypore and an European Officer as Assistant Superintendent of Police. The Constabulary for Jeypore will necessarily be recruited from the surrounding country; and the Jeyporean Constable will be found to suffer in the plains just as a tour on the Hills prostrates our Native officials from the low country. The returns of deaths of Hill men in the Zillah Jail here are of a most melancholy character.

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1. I trust the Government will be pleased to consider Jeypore a special case, and pass the Estimate (still in the Chief Engineer's Office) for a small Jail at that place, after calling on Mr. Kohde to bring his suggestions in detail to the notice of the Department of Public Works.

6. If the Government do not think proper to adopt this course, then a Taluq Jail will be estimated for at Jeypore in lieu of the building recommended, which was designed to include the Taluq Jail.

No. 250 A. From A. P. HODSON, Esq., Acting Deputy Magistrate of South Canara; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Manjeshwar, 4th November 1862, No. 18.

With reference to para. 11 of the Extract from Government Proceedings, dated 21st July 1862, No. 79, I have the honor to submit herewith a Plan and Estimate for a building which I beg to propose should be erected at Karkal, Bettangady and Nilleshwar to serve the double purpose of a Subsidiary Jail and a Sub-Magistrate's Kacheri.

2. It will be observed that the building provides three lock-ups, thereby allowing for the separation of males from females and giving distinct accommodation for prisoners on trial. At present there is neither Kacheri nor lock-up at any of the above places, and prisoners sentenced to short periods of imprisonment by the 2nd Class Sub-Magistrates are sent to Udippi, Bantwal, and Cassergode respectively.

3. At Udippi and Uppinangadi, the accommodation which the new Kacheries now under construction will afford will, I believe, suffice for all the requirements of Subsidiary Jails.

4. Some slight additions, however, are necessary to the Taluq Kacheries at Cassergode, Mangalore, and Cundapur, as also to the Sub-Magistrate's Kacheri at Bantwal. As there is only one lock-up in each of these Kacheries, two additional places of custody should be provided, the estimated cost of which I have entered in the list which accompanies this letter, and it is very necessary that this should be done with as little delay as possible, as the present accommodation is quite insufficient.

5. At Pattur, the Head Assistant Magistrate's Station, I see no necessity for a separate Subsidiary Jail inasmuch as the required additional accommodation for the small number of persons that will, at any one time, be undergoing short periods of imprisonment under sentences of the Head Assistant Magistrate, may be provided in the Police Station house of that place at a small outlay.

No. 250 B. From G. BANBURY, Esq., Acting Collector of Kurnool; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Kurnool, 6th November 1862, No. 47.

In compliance with the orders of Government, dated 21st July last, I have the honor to submit a list, and Estimate amounting to Rupees 2,000 for repairs and additions necessary for effecting the required improvements in the Sub-Magistrates' Jails, and for securing the separation of male and female prisoners.

2. The Irrigation Company having largely extended their works in the Kurnool District, the price of labour and building materials is considerably increased.

No. 250 C. From G. BANBURY, Esq., Acting Magistrate of Kurnool; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Kurnool, 11th November 1862, No. 48.

Referring to my letter regarding the formation of Subsidiary Jails, I have the honor to submit a Plan* and copies of a letter and Estimate received from the

* Requested to be returned. District Engineer, regarding a Subsidiary Jail at Kovilkootla.

2. As it is intended to erect a new Cutcherry at Kovilkootla combining both the Deputy and Talook Magistrates' offices, I did not include this Cusbah in the list submitted; but as it appears from the Engineer's communication, likely that a considerable period will elapse before this building is completed, the Estimates not having been as yet submitted, I request that the

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amount proposed for the small lock-up (Rupees 260) as shown in the accompanying sketch may be incorporated with the Estimate already furnished, thus making the total sum for this District Rupees 2,260.

No. 250 D. From Lieutenant Colonel S. O. E. LUDLOW, R. E., Deputy Chief Engineer, Northern Circle; to Colonel W. I. BIRDWOOD, R. E., Secretary to Government, Public Works Department, dated Chepauk, 18th November 1862, No. 477.

Enclosures, 4.
1 Plan.
1 Abstract Estimate.
1 Specification Report.
1 Letter from the Acting District Engineer Nellore, No. 2,245, dated 3rd November 1862.

I have the honor to forward for the sanction of Government, and entry in the coming Budget, Plan and Estimate, amounting to Rupees 1,400, for building additional accommodation for prisoners under inquiry and short sentence at the Taluq Cutcherry at Kundakur, in the Nellore District.

2. Under the operation of the new Penal Code, prisoners who are to be confined, but for a short period, suffer punishment on the spot, not being sent to the Grand Jail, as was heretofore the case; and to meet the numerous cases of this description, additional accommodation is found to be very requisite.

3. The Collector of the Nellore District asked for the work, and has signed the Estimate, which is correct, I beg, therefore, to recommend that it may be sanctioned for entry in the Budget of 1863-64.

Referred to the Judicial Department.

FORT SAINT GEORGE,
20th November 1862.

(Signed) W. I. BIRDWOOD, Colonel, R. E.
Secretary to Government, P. W. D.

No. 250 E. ORDER THEREON, 23rd December 1862, No. 2,114.

With their letters here recorded the Magistrates of Tinnevely, Vizagapatam, South Canara and Kurnool submit the lists, called for by Government, showing the number of Subsidiary Jails which they would recommend for their respective Districts, and the cost of the repairs or additions necessary to provide the requisite accommodation.

2. An Estimate is also furnished through the Department Public Works for additional lock-ups at the Talook Cutcherry of Kundakur in Nellore, but the Magistrate's report showing the requirements of the whole District has not been received. This Estimate amounts to 1,400 Rupees.

3. The Magistrate of Tinnevely considers that a Subsidiary Jail should be attached to each Sub-Magistrate's office. He requires 6 entirely new Cutcheries to cost Rupees 29,900, and he estimates the expense of making additions to the other old Cutcheries at Rupees 15,240. These works he states are emergently required, and he accordingly solicits immediate sanction for the whole sum, amounting to Rupees 45,140.

4. In Vizagapatam 16 Subsidiary Jails are required. The Talook Cutcherry at Vizagapatam already possesses adequate accommodation, and a separate Estimate for a Cutcherry at Nursipatam has been previously submitted. Provision has also been made for a Hill Jail in Jeypore, in an Estimate amounting to Rupees 3,480, but the Inspector General of Jails has declined to forward it on the ground that the urgent want of Jails on the plains will demand all the funds available for prison purposes. The expense of the remaining 13 Jails is calculated by the Magistrate at Rupees 10,650. If the Jeypore Jail be sanctioned as requested as a special case, a sum of Rupees 14,130 will be required for this District, exclusive of the cost of the Nursipatam Cutcherry.

5. In the South Canara District only 9 lock-ups are necessary. New Cutcheries with sufficient accommodation have already been sanctioned at Udippi and Uppinangadi, but three others are required at Karikal, Bettangady and Nileseshwar at a cost of Rupees 980 each. The

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23rd December 1862.*

4 remaining Jails may be provided by slight additions to the existing Cutcheries. The two rooms required at Mangalore, Cundapur and Buntwal are calculated to cost Rupees 211, or an average of 70 Rupees. Allowing a similar sum for the lock-up at Cassergode, the cost of which is not stated, the sum required for this District would be Rupees 3,221.

6. There are 12 Sub-Magistrates' Cutcheries in Kurnool, all of which will require either improvements or additions, before they can be used as Subsidiary Jails. The Magistrate's Estimate, amounting to Rupees 2,000, comprises the Huzur and 11 Sub-Magistrates' offices. A separate plan of new buildings for the use of the Tahsildar, Deputy Collector and Police at Koilkuntla is about to be submitted, but pending its sanction, the Magistrate reports that temporary accommodation should be provided for prisoners. This has been estimated for by the District Engineer at a cost of Rupees 260, raising the total requirements of the District to Rupees 2,260.

7. It appears then that the additions to a single Cutcherry in Nellore will cost 1,400 Rupees while the total Estimate for the four Districts noted in the margin, amounts to Rupees 64,750. If the requirements of other Districts are on the same scale the aggregate expense would exceed 3 lacs of Rupees. It must also be remembered that an unusually large allotment has already been made in the Budget for 1863-4 for the erection of Jails.

Tinnevely...	45,140
Vizagapatam...	14,180
South Canara...	3,221
Kurnool.....	2,260
	4) 64,751
	16,188
	19
	3,07,572

8. Under these circumstances the Governor in Council resolves to return the lists received from the Magistrates of Vizagapatam, Tinnevely, South Canara and Kurnool for revision. In their Proceedings of the 21st July last, the Government did not intend that every Cutcherry should be provided with lock-ups. On the contrary they desire the Magistrates to "select the localities best fitted for the Subsidiary Jails," and though they considered it "desirable to shorten as much as possible the distances which prisoners should have to travel," they did not contemplate the immediate adoption of so expensive a measure as the provision of prison accommodation wherever a Magistrate might be stationed. In re-submitting their lists the Magistrates will be careful to exhibit only those stations where lock-ups are considered absolutely necessary. They will select for immediate sanction 4 or 5 places in different quarters of their Districts, taking into due consideration where the requisite accommodation can be most economically provided. The other stations may be shown in the order in which they require notice with a view to the gradual extension of the number of Jails as the funds available may permit.

9. There are a few points in the detailed arrangements proposed by the Magistrates that call for remark. The Magistrate of South Canara estimates for three rooms in each prison, two for convicts, male and female, and the third for prisoners under trial. These latter should be kept in the Police Station house.

10. The same Magistrate remarks in the last para. of his letter that short sentences of less than one month's imprisonment are rarely inflicted by the Head Assistant Magistrates, and that the few persons who may be so sentenced may be confined in the Station house at Putten. The Government have already expressed their disapproval of this practice. Such persons should be forwarded to the Subsidiary Jail to be established at Uppinangady which appears from the map to be within a few miles of Putten.

11. In the same District again a Cutcherry at Uppinangady appears to have been sanctioned, and Estimates for similar Cutcheries at Karikal and Bettangady are submitted. A Police Station house has also been sanctioned at each of these three stations, and it appears to the Government that it would be both economical and convenient to combine the two offices in a single building. The Magistrate will give this point his attention before allowing the sanctioned works to be commenced.

12. The Magistrate of Kurnool makes provision for two Jails at Kurnool, one in the Huzur, the other in the Sub-Magistrate's Cutcherry, such an arrangement, as already stated, was never contemplated by Government, and would entail unnecessary expense whether as respects the

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23rd December 1862.*

original construction of the lock-ups or their subsequent guarding. Even ultimately one prison in each Talook should suffice, and for the present the Magistrates must consider themselves restricted to 3 or 4 for their whole Districts.

13. Under the same view the temporary lock-ups proposed to be erected at a considerable outlay at Koilkuntla cannot be sanctioned. Persons sentenced to short imprisonment by the Talook Magistrate of that place must be removed for custody to the nearest prison in the Magistrate's revised list that the Government may sanction.

14. The reasons given by the Magistrate of Vizagapatam for soliciting the construction of a Hill Jail at Jeypore are sound and urgent. The Government will give them further consideration on receiving the Magistrate's revised proposals.

15. The Plan and Estimates for the Cutcherry at Kundakur in Nellore will also remain in abeyance pending the receipt of the Magistrate's general report.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

Exd. T. McMootry.

10
J. J. J.

8 HB

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers
from the Magistrate of Sinnerelly (New entry 30th October 1862 No 349)
the Ag. Magistrate & Agent to
the Governor of Fort St. George } (" 23rd " " 539)
Vizagapatam }
the Ag. Magistrate of Canara (" 4th Nov " 18)
the Ag. Collector of Kurnool (" 6th 11th Nov " No 4748)
the Deputy Chief Engineer } (" 18th Nov " 477)
Southern Circle }

Order thereon 23rd December 1862 No 2114

With their letters here
recorded the Magistrates of
Sinnerelly, Vizagapatam,
South Canara and Kurnool
submit the lists, called for
by Gov^t, showing the
number of subsidiary Sails
which they would recommend
for their respective Districts,
and the cost of the repairs
or additions necessary to
provide

Pro: 21 July 62, No 1150
[Signatures]

provide the requisite accom-
modation.

2. An estimate is also furnished through the Dept. Public Works for additional lock-ups at the Saluk^{er}, Cutcherry of Sundakur in Mellore, but the Magistrate's report showing the require-
ments of the whole District has not been received. This estimate amounts to 14,000 Rs.

3. The Magistrate of Tennevelli considers that a subsidiary Jail should be attached to each Sub-Magistrate's office. He re-
quires 6 entirely new Cutch-
eries to cost Rupees 29,900, and he estimates the expense of making additions to the other old Cutcheries at Rupees 15,240. These works ^{by estimate} are ^{urgently} required and he ac-
cordingly solicits immediate sanction for the whole sum amounting to Rs. 45,140.

In

4. In Vizagapatam 16 subsidiary jails are required. The Saluk Cutcherry at Vi-
zagapatam already possesses adequate accommodation, and a separate estimate for a Cutcherry at Narsipatam has been previously sub-
mitted. Provision has also been made for a hill-jail in Seypon, in an estimate amounting to Rupees 3,480, but the Inspector General of Jails has declined to for-
ward it on the ground that the urgent want of jails on the plains will demand all the funds a-
vailable for prison pur-
poses. The expense of the remaining 13 Jails is calculated by the Magis-
trate at Rupees 10,650. If the Seypon jail be sanctioned as requested as a special case, a sum of Rs. 14,130 will be required for this District,
exclusive

exclusion of the cost of the
Marsipatam Cutcherry.

5. The ~~requirements~~ⁱⁿ of the
South Canara District ~~are~~
~~more moderate~~, only 9 lock-
ups ~~being~~^{are} necessary. New
Cutcheries with sufficient
accommodation have already
been sanctioned at Udippi
and Uppinangadi, but three
others are required at Karkal,
Bettangady and Kileseshwar at
a cost of Rupees 980 each. The
4 remaining jails may be
provided by slight additions
to the existing Cutcheries.
The two rooms required at
Mangalore Gundapur and
Buntwal are calculated
to cost Rupees 211, or an
average of 70 Rupees. Allow-
ing a similar sum for the
lock-up atlassergode, the cost
of which is not stated, the
sum required for this District
would be Rupees 3221.

6. There are 12 sub-magistrates
cutcheries

68
cutcheries in Kurnool, all of
which will require either
improvements or additions,
before they can be used as
subsidiary jails. The Ma-
gistrate's estimate amount-
ing to Rupees 2000 com-
prises the Magistrate and 11
sub-magistrates' offices.
A separate plan of new
buildings for the use of
the Sahildar, Deputy Col-
lector and Police at Kail-
kuntla is about to be
submitted, but pending
its sanction the Magistrate
reports that temporary
accommodation should be
provided for prisoners. This
has been estimated for
by the District Engineer at
a cost of 260, raising the
total requirements of the
District to Rupees 2260.
It appears then that
the additions to a single
cutcherry in Kellur will
cost 1400 Rupees while the
total

Tirunelveli --- 45,140
 Vizagapatam --- 14,130
 S. Canara --- 3,221
 Kurnool --- 2,260
 4 64,751
 16,188
 12
 3,07,572

total estimate for the four
 Districts noted in the margin
 amounts to Rupees 64,750.
 If the requirements of other
 Districts are on the same
 scale the aggregate expense
 would exceed 3 lacs of
 Rupees. It must also be
 remembered that an unusual-
 ly large allotment has al-
 ready been made in the
 Budget for 1863 - 4 ^{for the} ~~lacs~~
~~of Rupees~~ of jails, and the
 Government have very re-
 cently been obliged to defer
 the projected prison for
 Cuddalore for want of
 funds.

8 Under these circumstan-
 ces the Governor in Council
 resolves to return the lists
 received from the Magistrates
 of Vizagapatam, Tirunelveli,
 South Canara and Kurnool
 for revision. In their pro-
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not intend that every cat-
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 Magistrates to "select the
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 though they considered it
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 much as possible the dis-
 -tances which prisoners
 should have to travel,"
 they did not contemplate
 the immediate adoption of
 so expensive a ~~system~~ ^{measure} as
 the provision of prison ac-
 -commodation wherever
 a Magistrate might be
 stationed. In re-submitting
 their lists the Magistrates
 will be careful to exhibit
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 lock-ups are considered
 absolutely necessary. They
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 different quarters of their
 Districts, taking into due
 consideration where the
 requisite

requisite accommodation can be most economically provided. The other stations may be shown in the order in which they require notice with a view to the gradual extension of the number of jails as the funds available may permit.

9. There are a few points in the detailed arrangements proposed by the Magistrates that call for remark. The Magistrate of South Canara estimates for three rooms in each prison, two for convicts male & female, and the third for prisoners under trial. These latter should be kept in the Police Station House.

10. The same Magistrate remarks in the last para, of his letter that short sentences of less than one month's imprisonment

are

are rarely inflicted by the Head Assistant Magistrates, and that the few persons who may be so sentenced may be confined in the station house at Patten. The Government have already expressed their disapproval of this practice. Such persons should be forwarded to the subsidiary jail to be established at Beppinangady which appears from the map to be within a few miles of Patten.

11. In the same District again a catchery at Beppinangady appears to have been sanctioned, and estimates for similar catcheries at Karikal and Bettangady are submitted. A police station-house has also been sanctioned at each of these three stations, and it appears to the Government that

Pro: 24 Sept: 62, No. 1582

that it would be both economical and convenient to combine the two offices in a single building. The Magistrate will give this point his attention before allowing the sanctioned works to be commenced.

12 The Magistrate of Kurnool makes provision for two jails at Kurnool, one in the Buzur, the other in the Sub Magistrate's Cutcherry, such an arrangement, as already stated, was never contemplated by Government, and would entail unnecessary expense whether as respects the original construction of the lock-ups or their subsequent guarding. Even ultimately, one prison in each Taluk should suffice, and for the present the Magistrates must consider themselves restricted to 3 or 4 for their whole Districts.

13 Under the same view the

Will so much be required for a large brick wall of 1000 ft. length and 10 ft. high in addition to existing walls. This will be a great advantage for the Taluk at Kurnool. The Government will be pleased to consider the same.

The Chief Engineer will be instructed to enter the sum of Rs 2,00,000 in the Budget of the Taluk for the year 1863/64 for the construction of subsidiary jails.

By order of the Government of Madras, the Secretary to Government, Public Works Department, dated 22/12/63.

the temporary lock-ups proposed to be erected at a considerable outlay at Krib. Kuntla cannot be sanctioned. The prisoners, sentenced to short imprisonment by the Taluk Magistrate of that place must be removed for custody to the nearest prison in the Magistrate's revised list that the Government may sanction.

14 The reasons given by the Magistrate of Vizagapatam for soliciting the construction of a hill jail at Sypore are sound & urgent. The Government will give them further consideration on receiving the Magistrate's revised proposals.

15 The plan and estimate for the Cutcherry at Kunderkur in Nellore will also remain in abeyance pending the receipt of the Magistrate's report.

16 All propositions involving the construction of an entirely new building must be submitted to the regular course through the Dept. of Public Works.

17 A copy of these proceedings will be forwarded to each Magistrate for his information and

Subt. 1862. Department.

No. 2114.

PROCEEDINGS OF GOVERNMENT.

Dated 23rd Dec^r 1862.

4. No. 2486
137/63
27/64

*Returning the List
received from the Agents
of the Department, and
about the same time
respecting the delivery of
for their guidance in
transmitting the List.*

214 to 250 B.

C150
R19