

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1216	Press Misr
75-76		
Dated	13-8-1957	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
13th August 1864.*

No. 75. Read the following letter from J. ROIDE, Esq., Inspector General of Jails; to J. D. SIM, Esq., Secretary to the Government of Fort Saint George, dated Ootacamund, 14th July 1864, No. 65.

In acknowledging the Orders of Government of the 12th May, No. 691, relative to my notes on the Jails visited in December and January last, I have the honor to state that I did not immediately require the orders of Government on any points except those since disposed of on separate letters; the notes are such as have from time to time been submitted. I cannot think it necessary to detail every trivial circumstance; but such as may have induced questions have been noticed, not, however, as of sufficient importance to require the attention of Government. I state facts that the Government may be aware of them. I had no intention of submitting to Government such questions as that of the most convenient form of privy, nor can it be necessary to do so.

2. With all deference to the remarks of the Government that at Salem I expressed my dissent from a proposal made by the Officer in charge for reducing the number of sentries, I beg to state that I cannot find any thing in my notes to justify this statement. I distinctly said that Mr. Ablet, the Inspector of Police, informed me that the night guard over the Jail consisted of *six* Constables, *two* of whom were supposed to act as watchmen while the others *slept*; but that, in consequence of the building, the guard was increased to *nine* Constables and *three* watchmen; but that not a single sentry was kept over the Arms, 70 stand of which were thus unprotected. I further stated that on close inquiry I found that an additional number of Constables *slept* at the Jail, completing the number to 25 in all. I added, in reference to my visit in December, that I had heard from the Sessions Judge that Mr. Ablet was mistaken as to the number of Constables who *slept* at night in the Jail; but that, in my opinion, the number (so sleeping) was enough: provided proper watch was kept; but that I did not think the number of *sentries* (three as stated above) sufficient, still less could I think any reduction of that number, as proposed to the officer in charge, rational.

3. Now I trust the Government will admit that I could hardly state the case more clearly. I was satisfied that the number of *Constables present* was sufficient; but I was not satisfied that the Inspector in charge should know so little of what the arrangements at the Jail were that he should mis-state the number. I therefore noticed the mistake; though I did not note the number (it was, I believe, 18 in all, sleeping and watching). My notes are invariably furnished to all concerned; those on the guarding of the Salem Jail were sent direct to the Inspector General of Police and Sessions Judge of Salem. Pressure of office business prevented copies of the notes on Jails visited in December and January being yet prepared.

4. In regard to the 2nd paragraph of the Government Order, that I alluded to suggestions from the Inspector General of Police for accommodating the Police guards, but did not state what they were, but that I observed that the entrance-porch afforded ample space and only wanted a few trivial alterations to suit it for the guard, I beg to say that no one definite proposal was made; there were, I believe, two or three suggestions from time to time; that which recommended itself most

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was that the Jailer should occupy a building now occupied as a school-house, in which case the guard would have occupied the Jailer's present quarters. It was found, that the school could not be otherwise conveniently accommodated; and I stated in my notes the arrangement that seemed to me best, leaving it to the officer in charge to make such trivial arrangements as he might find necessary in communication with the officer of Police. It has not been usual, I submit, to enter into such petty detail to Government.

5. In reference to paragraph 3, I can hardly think the Government seriously desire details of privies to be given. I stated all I knew at the time; and to this hour I cannot find out how the defects have occurred, though Mr. Roberts has repeatedly insisted on a search for missing papers in his office. I said distinctly that the plans for what I proposed *would be sent*. Surely I am not to blame for not immediately describing in words a privy, a plan of which would be ample guide to those who had to construct it.

6. I really hardly know how I am to understand the order contained in paragraph 5: whether the Government require a detail of Departmental correspondence, as its words would imply; or not. The Government must be perfectly aware that to draw up such a history of each Jail, and of subjects that may be suggested in visits, would necessitate in many cases reference to records of many years, and that questions of expense are necessarily involved which cannot be summarily disposed of without reference.

7. If the Government require what is now stated, I would submit that it would be better to allow me to continue to draw up Annual Reports on each Jail as is done in the other Presidencies.

8. I observe that I am precluded from all "digressions on general questions" both in these Reports and in the only General Report the Government will now accept, that for the Annual Administration Report. I am also prohibited from noticing matters already settled; but I would submit that independent of changes of opinion in the Government which result in the unsettling of what is already settled, the time that passes between the resolution on a question and the performance of the thing resolved on, is often accompanied by such a change in circumstances that it is almost impossible to regard any thing as settled till it is done, and it is no easy matter to divest the consideration of what should have been done of that of what ought in future to be done.

9. That my notes on the Salem Jail of July accompanied my notes of December was owing to the necessity for quoting the former in the latter, otherwise the Return only included notes taken during one tour of about seven weeks.

10. I really cannot, without drawing out my Reports on the Jails to an unreasonable length, give such a full and detailed history of every fact and matter referred to in my notes on these several Jails as shall meet the literal meaning of the order of Government. I submit, with all due respect to that order, that the very cursory way in which those notes have been read has induced a misapprehension of facts as I have shown in one instance, that on Police matters in the Salem Jail.

*Proceedings of the Madras Government, Judicial Department,
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There is much of real interest in these notes as in the paragraphs noted in the margin which may become the subject of future reference and discussion; but nothing on which, as now stated, the orders of Government are immediately required; and I must beg the Government to accept these notes as they stand. I will in future adhere to the course proposed in the order after ascertaining from the Chief Secretary its exact meaning.

Salem 2nd July 1863, Paragraphs	2, 3, 4, 5.
2nd Dec. " "	6, 7, 9.
Gajndy.....	" 5.
Chingleput.....	" 3, 6, 8, 9.
Trichinopoly.....	" 5, 6.
Cuddalore.....	" 1, 2, 3, 4.
Palamcottah.....	" 6, 7, 10.

11. The points on which the orders of Government were immediately required were at the time submitted and disposed of; other points will not be mooted till the result of references now before Government are known.

No. 76. ORDER THEREON, 13th August 1864, No. 1216.

Adverting to the length of time which has elapsed since the inspection of the Jails referred to in the Proceedings of Government, under date the 12th May last, the Governor in Council will not now require the Inspector General to furnish the revised reports therein called for. At the same time he is constrained to observe that if Mr. Rohde had any doubt as to the meaning of the order in question he should not have allowed upwards of two months to elapse before applying to Government for further instructions.

2. It was not the intention of the Government, when passing the order conveyed in the 5th paragraph of their Proceedings of the 12th May last, that the Inspector General when reporting on his inspection of a Jail should furnish a detail of Departmental correspondence, "necessitating in many cases reference to records of many years." The meaning of the paragraph in question is plain enough. It is that the Inspector General, on inspecting a Jail, should describe in a few words the state in which he found it, and that if he has had occasion to give instructions or to make references to any of the authorities connected with the Jail, on points alluded to in his report, the tenor of such instructions or references should be stated in such terms as to enable the Government to understand what has actually taken place. This, as Mr. Rohde must be aware, was not the case with the notes referred to in the Proceedings now in question. These notes would probably be understood by the officers with whom Mr. Rohde had been in personal communication on the subjects to which they referred, but must be quite unintelligible to others, and were quite unfit to be laid before Government.

3. Mr. Rohde will in future carry out the instructions conveyed in the Proceedings of Government of the 12th May last, as now explained to him.
(True Extract.)

Secretary to Government.

To the Inspector General of Jails.

Encl. J. Talloch.

Judicial Department.

P. 111-112
12-5-64
32

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Inspector General
of Jails. -

18/11 July 1861 No 65)

Order thereon. 13 August 1861 No 1216.

Adverting to the length
of time which has elapsed
since the inspection of
the Jails referred to in the
Proceedings of Govt. under
date the 12 May last, the
Governor in Council will
not now require the
Inspector General to furnish
the revised reports therein
called for. At the same
time he is constrained
to observe that if Mr
Rohde had any doubt
as

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as to the meaning of the
Order in question he
should not have allowed
upwards of two months
to elapse before apply-
ing to Govt. for further
instructions.

2. It was not the inten-
tion of the Govt. when
passing the order conveyed
in the 5 paragraph of
their proceedings of the
12 May last, that the
Inspector General when
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of a jail should furnish
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notes referred to in the
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tion. These notes would
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by the officers with whom
Mr. Rohde had been in
personal communication
on the subjects to which
they

they referred, but must
be quite unintelligible to
others and were quite
unfit to be laid before
Govt.

3. Mr Rohde will in
future carry out the
instructions conveyed
in the proceedings of Govt
of the 12 May last as
now explained to him.

by R

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To the Inspector Genl. of Mills
1885

*Instructions to the various
Bureaus of the
Department*

March 1867. Department.

No. 1216.

PROCEEDINGS OF GOVERNMENT.

Dated 13 Aug 1867.

*Instructions to the
Bureau for the
Inspection of
the Department.*

75-73.