M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1340 Press Mis.

47-48

Dated 8 — 9 — ~~19~~ 1864

8/9

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
8th September 1864.

No, 47. Read the following Proceedings of Government in the Revenue Department.

Sanctioning estimates amounting to Rupees 21,255-5-0 for buildings for the accommodation of convicts to be employed in the Chinchona Plantations at Neddivuttum, Melconda and Dodabett, and referring for consideration the Inspector General's arrangements for guarding, feeding, clothing and working the prisoners so employed. } (Dated 6th September 1864, No. 1619.)

No. 48. ORDER THEREON, 8th September 1864, No. 1340.

The Government approve generally of the principles laid down in paragraph 9 *et. seq.* of Mr. Rohde's letter except that they are not prepared to acquiesce in so great a reduction of guards, as he seems to contemplate. Mr. Rohde will consult the Inspector General of Police on this subject and then submit full particulars of his scheme as proposed in paragraph 17 of his letter.

(True Extract.)

Secretary to Government.

To the Inspector General of Jails.
" Inspector General of Police, with Revenue Proceedings, No. 1619.

Exd. T. Cartledge.

Government Gardens
Ootacamund 12th August 1864

No. 123.

From

To

H. G. McIvor Esquire
Superintendent Govt. Cinchona Plantations

F. Nicholson Esquire
Inspector General of Jails

Sir,

With reference to the Order of Government No. 1388 dated 3rd August 1864, I have the honor to forward herewith for your approval Plans and Estimates of the Prisons proposed to erect on the Cinchona Plantations for the accommodation of 500 Prisoners with out Offices and the necessary quarters for Police &c.

2. Should these papers meet your approval I beg to solicit the favor of your being so good as to submit them at your earliest convenience for the sanction of Government.

I have the honor to be
Sir,
Your most Obedt. Servant

H. McIvor
Superintendent
Govt. Cinchona Plantations

Proceedings of the Madras Government, Revenue Department, 6th September 1864.

No. 77. Read the following letter from J. ROHDE, Esq., Inspector General of Jails, to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Ootacamund, 13th August 1864, No. 151 :—

SIR,

1. I have the honor in reference to the Order of Government (1,388) 3rd August 1864, to state that Mr. McIvor brought to me, yesterday, the Plans and Estimates for buildings to be erected for the accommodation of convicts to be employed in the Chinchona Plantations at Neddivuttum and Melconda and Dodabett.

2. The Government Order specified Pykara as one of the Plantations to be provided with convict labor and omitted Dodabett. Mr. McIvor tells me he can get local labor for Pykara and therefore now includes Dodabett in preference, an arrangement that from what he tells me seems preferable.

3. I think it well to remove the baths and privies, shown in the plan, to a greater distance from the buildings, otherwise I think the arrangement proposed by Mr. McIvor suitable.

4. It is not, in my opinion, necessary to take any account of baths and privies in estimating for the buildings, as these may be formed by the Prisoners of earth only.

5. I bear in mind that the ultimate use of the proposed buildings is for manipulating and storing the Bark, and that they are not only for temporary prison use ; indeed with the expense of temporary buildings of even the cheapest description on these hills I should in every case recommend permanent buildings, in an unfinished state, suited to other purposes, as the most economical, indeed the only economical course.

6. I shall take an early opportunity of visiting all the sites proposed for the location of prisoners to prevent any delay in the work when sanctioned.

7. In regard to arrangements for guarding, maintaining discipline, &c., I would, at present, desire to state my views with some reserve in matters of detail, as I wish to test an experiment now making at the Lawrence Asylum works.

8. Without going into detail I would repeat that trusting that the first portion of all sentences will, under improved means, be rendered more severely penal, I should select well conducted prisoners, at least one-half of whose term had been passed in the Zillah Jails, or in gangs securely guarded, for transfer to the gangs in the Chinchona gardens.

9. That I should provide for the prisoners food and clothing as in the Zillah Jails, but that I should arrange with the Superintendent for a system of indulgences to all well-conducted labouring prisoners.

10. That I should propose an increased Prison's establishment, sufficient to undertake, with the aid of convict maistries, selected as at present, the whole duty of watching and directing the prisoners, with such a reduced Police force as should be sufficient to furnish the Prison day and night guard or a force in support of the warders on emergency.

11. In addition to the immediate indulgences to all labouring convicts, I should propose such a moderate scale of tasks as would allow of an industrious man working out quarter day in addition to his task, the same to be accumulated and credited in reduction of sentence, an arrangement that would be legal under Act XVIII of 1855.

12. Under such a system as that proposed, the inducements to escape would be hardly the risk, and I think the maistries might be depended on to exercise the utmost vigilance, stake is great and the certainty of immediate and summary punishment, by degradation, operate.

13. Under Regulation X of 1832 the powers of summary punishment are vested in Magis- Officers, and I think it unnecessary to extend these powers. At Ootacamund there will s be an officer, with the necessary powers ; in the out-lying plantations power to withhold dulgences would be vested in the Superintendents of the different gardens, subject to the ol of their immediate superior ; any convict habitually contumacious would, on reference to

to the Lawrence Asylum works.

me, be ordered to the Asylum works or to the Zillah Jail, and the Jailer, or superior Prison's Officer doing duty as Jailer, would have authority to take such immediate steps to restrain any prisoner till he could be brought before a Magistrate as might be necessary.

14. The dieting and clothing would in all probability be managed by contract.

15. The extra cost of the prisoners, as at the Asylum works, would be met, under existing Financial Rules, by a charge at the rate of say 3 Rupees 4 Annas a month to be adjusted on receipts, this would leave 1-4 to be laid out in indulgences to each prisoner or reserved for him in whole or in part against his release.

16. I ought perhaps here to explain that on the transfer of Prisoners for employment on Public Works, for the cost of which special sanction has been given, this Department receives credit, in account, for the labour at two-thirds the rate of free labour; that where convict labour is given in aid of works for which no special sanction has been given no charge is made by this Department provided it incurs no extra expense; that where this Department is put to increased cost by the transfer of prisoners for labor as in the case of the Lawrence Asylum works, it was, in the first instance, assumed that the whole cost of the prisoners, in excess of that at which they were kept in the Jails from which they were transferred, should be borne by the officer requiring them, this balance being paid by the Department employing them, and the original cost as in the several Jails being paid by this Department ratably from funds provided for the several Jails from which the transfers were made. On the representation of the Accountant General this system was changed, and, under an arrangement with Captain Farewell, this Department now pays the whole expense of the prisoners, exclusive of buildings, and, up to the end of last month, a charge at the rate of 2 Annas 8 Pice (two-thirds of 4 Annas), the ordinary daily wage, was paid for each prisoner for the 26 working days of each month; subsequently, owing to the great number of malingerers and of prisoners who from depression became unfit for work and the prevalence of consequent sickness and transfer to the plains, I became convinced that without some stimulus to willing exertion the experiment would prove a failure, and I cast in my mind what should be done. A course was then suggested to me by His Excellency Sir W. Denison, of reducing the task and permitting prisoners to earn by extra work a proportionate mitigation of their sentence; the suggestion was wholly free from objection, and I have adopted it in the scheme now proposed, but I fully coincided in Captain Hankins' view that something more immediately enjoyable was necessary to restore the spirits of the prisoners who, as Dr. Miller suggested, were sinking from loss of heart and could hardly be induced to look forward to the extent my scheme required. I then told Captain Hankin that I would reduce the charge against Captain Farewell for prisoners to 2 Annas a day or three-fourths per mensem, on condition of his dispensing the 8 Pie a day, foregone, in indulgences to labouring prisoners; the effect has been beyond my expectations, malingering and depression no longer deprive the works of a third of the otherwise available labour, and what is done is done cheerfully and well, at least so I understood on visiting the gangs; but it was not my intention to refer to the measure in addressing you, till I could no longer regard it as experimental, I do so now only as in its general terms supplying the information called for as to the system proposed for gangs in the Government Plantations.

17. Should the outline I have given be approved by the Government I shall be the better able to suit the details to it and lay before Government all particulars.

18. I am anxious to learn whether the location of these prisoners on the hills is finally determined; I have told Mr. McIvor that in this case it is of great importance that the transfer should take place before the 15th December, after which moving large bodies of men is attended with considerable risk of cholera, and that the main part of his buildings should then be ready.

No. 78. ORDER THEREON, 6th September 1861, No. 1,619.

Miscellaneous.

1. The Governor in Council sanctions the Estimates submitted amounting to Rupees 21,255-5-0 to be paid out of the Budget allowance for the Chinchona Plantations. The work will be

carried out by Mr. McIvor, subject to inspection when completed by the Superintending Engineer of the Division.

2. The buildings, it is observed, have been designed with the view of being used hereafter for the purposes of the plantations.

3. Mr. Rohde's arrangements for guarding, feeding, clothing and working the prisoners will be considered in the Judicial Department.

(True Extract.)

Secretary to Government.

To the Judicial Department. with a memorandum
" the Superintendent of Chinchona Plantation. with 3 estimates & Plans
" the Accountant General
" the Department of Public Works

Exd. S. T. Augustin.

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Pro: of the Mad: Govt.

Read the following Pro: of Govr in the Revenue Depart

(Rec entered 6 Sept 1864 Pr. 1693)

Order— 8th September 1864 No 1340.

The Govt. approve of the principles laid down in para 9 et seq: of Mr Rohde's letter except that they do not prepared to acquiesce in the proposed reduction of guards, as he seems to contemplate. Mr Rohde will consult the Inspector Genl. of Police on this subject and then submit fuller particulars of his scheme

See note/ Ellis
GP
see order

Endorsement (Revenue Department)

Copy of Mr. Rohde's letter No 1314 dated 10th Augt 1864.

Read (Revenue Department) 6th Sept 1864.

Letter from Govt. of Madras No 1340 dated 8th Sept 1864.

Read (Revenue Department) 13th Sept 1864.

Letter to Govt. of Madras No 1693 dated 6th Sept 1864.

Copy of Mr. Rohde's letter No 1314 dated 10th Augt 1864 forwarding Abstract Statement of Salt Revenue Establishments for the year 1863-64 and submitting proposals for the reduction of the Establishments employed in the Preventive Service.

Read (Revenue Department) 6th Sept 1864.

Ordered, that the Proceedings be forwarded to the Board of Revenue for report.

(Sd) H. Ellis
Secy to Govt.

Abstract Statement of Salt Revenue Establishments for the year 1863-64 and proposals for the reduction of the Establishments employed in the Preventive Service.

Read (Revenue Department) 6th Sept 1864.

Ordered, that the Proceedings be forwarded to the Board of Revenue for report.

(Sd) H. Ellis
Secy to Govt.

Letter from Govt. of Madras No 1693 dated 6th Sept 1864.

Read (Revenue Department) 13th Sept 1864.

Ordered, that the Proceedings be forwarded to the Board of Revenue for report.

(Sd) H. Ellis
Secy to Govt.

H. Ellis 1149/65. 2624
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as proposed in para 17 of his letter.

To the Secretary of State for India in Council
Sir, With reference to the Revd Dr Hooper's letter of 15th Sept 1869 [illegible]

I pass this so far as it goes but I think that although particularly in the present state of our Gaols and with transportation for a time in abeyance, the principle of employing gangs of convicts on Public works is good yet that great care is necessary in carrying out the details and arrangements.

The present proposal is to employ 500 convicts on the Neilgherry Chinchona plantations. They are to be divided into three bodies of 100 - 125 - & 275 men. Of these the two last are to be located & worked on the top of the hills planting with the jungle all about them and the low country of Malabar and Coimbatore in our District probably fall in sight below them. That under such circumstances such men should not escape if they can seem very unlikely and I place a little faith in the proposition considered by Mr Nolan - The consequence of such villains can't be concealed at so much cost and difficulty getting into Coimbatore or Malabar

should be tried in one place first - say Dodabetta which is near Ootacamund & when a convict system would be more understood - other & chief Hill stations places like Shelcondah and Kotagherry - which has been selected by Mr Dodabetta for Europeans may be explored & the two latter localities -

The Report should also explain other points - e.g. what provision should be made for affording medical aid to the convicts -

Meanwhile I would suggest all preparatory proceedings with a view to the buildings which are put for other purposes if not used for prisons

4/9/69 JP

I quite agree in these remarks & would not have sent that 500 convicts should be sent at once to the Cinchona plantations - The experiment should first be tried with one gang of 100 or 125 - When experience has shown the necessary points to be attended to, and the experiment so found to

work successfully, the plan
can be carried out on a
large scale. If cases
convicts with short sen-
tences & comparatively
harmless characters will
be sent here & still make
care must be taken in
guarding them

Yrs

Mr. Hyde

Enclosed

4/-48.