M.R.G. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No.	1384	Press ~~Mis.~~
127-128 Dated	20-9-	19 15.64.

30/37

Not to be folded or roughly handled

No. 127. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Simla, 23rd June 1864, No. 952.

Home Department.
Judicial.

I am directed to forward five copies of a Report received from the Committee which assembled in Calcutta under the Notification in this Department, dated 3rd March last, No. 1534, for the purpose of considering the subject of Jails and Jail Discipline in India.

2. The Report contains many suggestions of value, the adoption of which cannot fail to increase the efficiency of Jails as places of punishment, while they will improve the sanitary condition of the generality of those institutions.

3. I am, therefore, desired to request that His Excellency the Governor in Council will be good enough to take early action in regard to the measures recommended by the Committee as far as His Excellency in Council may consider it expedient to adopt them.

4. I am, however, to explain that, while coinciding with the Committee in opinion that no new Central Jails should be constructed for more than 1000 prisoners, the Governor General in Council does not desire to see the prisoners, in the Jails already existing, reduced below the number for which those buildings actually afford accommodation, according to the standard which the Committee recommend as the invariable minimum of accommodation to be provided for each individual prisoner confined.

5. It is feared that, in many parts of the country, the existing Jail accommodation is very much below the standard above referred to, and where this is the case, the Governor General in Council trusts that early measures will be taken for supplying the deficiency. Having regard to the serious and important considerations attaching to this point, I am to state that the Governor General in Council will be prepared to make the necessary provision of funds for giving early effect to any carefully matured proposals for increasing Jail accommodation wherever it is now manifestly insufficient. Where the deficiency is general in any Province, the proposals for remedying it should be brought forward according to the degree of their urgency.

6. With the recommendation of the Committee at page 29 of their Report, that Judicial sentences should remain inviolate, so far as it refers to a systematic remission or diminution of Judicial sentences, the Governor General in Council coincides. At the same time it is understood that the Committee did not intend to object to the occasional reduction, or the entire remission, of a sentence where a convict may establish a claim to consideration by very special and exemplary good conduct, or by rendering special service of a valuable and important nature. If the power of granting partial or entire remission in such cases is left with the officers in charge of prisons, its possible abuse may be effectually guarded against by making the consent of the Court, by which the prisoner was tried and sentenced, a condition of its exercise.

7. It will, of course, still be open to the officer in charge of a prison to make an application to the Local Government, if the Court, to which reference may be made as above suggested, shall demur to the remission of sentence proposed; but in that case the whole of the correspondence which has passed should be submitted with the application to the Local Government.

8. A separate communication will be addressed to you hereafter, in respect to the recommendation of the Committee regarding Jail Statistics.

128. ORDER THEREON, 20th September 1864, No. 1384.

Communicated, with the Report of the Committee, to the Inspector General of Jails and to the Commissioner of Police.

2. The Inspector General is requested to report how far the several recommendations of the Committee on matters of Jail discipline, treatment of prisoners, &c., can be carried out in the Jails under his control, and what arrangements should be adopted for the purpose.

3. Referring to paragraph 5 of Mr. Bayley's letter, the Governor in Council observes that the want of sufficient Jail room in this Presidency has been a very serious evil, productive of much embarrassment to the Government. As a means of affording immediate relief to the crowded Jails, it has been resolved as a provisional measure to permit the employment of convicts on large public works, the gangs so employed being lodged in temporary structures provided on the sites of the works. The completion of the Central Jails now in course of construction at Coimbatore and Rajahmundry will, it is hoped, go far to afford accommodation for the excessive number of prisoners for whom at present there is no adequate provision in this respect. As it is important on other grounds, besides that of the want of Jail room, that the building of the new Central Jails should not be retarded, application will, when necessary, be made in the Public Works Department for a special grant for the prosecution of the works in question, or of any other Jails under construction with reference to the offer of funds made by the Government of India.

4. As regards paragraphs 6 and 7, it is observed that by Act XVIII of 1855 the Government is the sole authority with whose sanction remissions of sentences passed by the Criminal Courts are granted in this Presidency.

(True Extract.)

Secretary to Government.

To the Inspector General of Jails,
" Commissioner of Police,
" Sanitary Commission.
" Public Works Department.
} with Report.

Exd. J. Tulloch.

No. 1

Comparative Statement of Warrants and Summonses issued during the years 1862 and 1863

Districts	Population.	Grave Case 1862 Total number	Grave Case 1862 Total number Persons	Grave Case 1863 Total number	Grave Case 1863 Total number Persons	Serious Case 1862 Total number	Serious Case 1862 Total number Persons	Serious Case 1863 Total number	Serious Case 1863 Total number Persons	Petty Case 1862 Total number	Petty Case 1862 Total number Persons	Petty Case 1863 Total number	Petty Case 1863 Total number Persons	Summons Cases 1862 Total number	Summons Cases 1862 Total number Persons	Summons Cases 1863 Total number	Summons Cases 1863 Total number Persons
Vizagapatam	1,136,926	1335	2005	6801	6976	876	1373	1994	3182	12,746	23,357	16,840	18,798	9,521	5,885	7,243	8,730
Rajahmundry	1,715,602	577	1721	836	1066	1738	4228	1914	3111	23,357	16,840	18,798	24,965	5,885	"	"	"
Masulipatam	1,366,831	1972	4448	2602	5889	627	1809	518	1678	16,840	18,798	24,965	10,463	220	"	"	"
Nellore	1,144,421	627	1809	1642	3805	1767	4128	1902	4998	18,798	24,965	10,463	6,103	1257	"	"	"
Madras	999,254	1767	4128	3247	4808	3702	4228	3401	6998	24,965	10,463	6,103	3,032	"	"	"	"
Chingleput	726,763	1373	3702	1531	3472	4228	9681	11278	27,346	10,463	6,103	3,032	1,257	"	"	"	"
Tanjore	1,234,674	1738	4228	1806	2969	9681	27,346	11278	27,346	6,103	3,032	1,257	"	"	"	"	"
Trichinopoly	1,060,104	876	2876	2391	3444	27,346	11278	27,346	11278	3,032	1,257	"	"	"	"	"	"
Madura	1,684,857	1994	4618	4882	6287	11278	27,346	11278	27,346	1,257	"	"	"	"	"	"	"
Tinnevelly	675,390	513	773	1037	1687	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"
Coimbatore	1,128,430	1902	5510	2881	3651	11278	27,346	11278	27,346	"	"	"	"	"	"	"	"
Salem	1,652,170	3401	11394	3838	6849	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"
Nilgiris	939,400	1278	7346	1642	1642	11278	27,346	11278	27,346	"	"	"	"	"	"	"	"
Malabar	1,856,406	5061	9081	5190	6543	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"
South Canara	1,670,262	3879	4948	8894	9999	11278	27,346	11278	27,346	"	"	"	"	"	"	"	"
Kanara	1,493,221	3011	4506	5074	5205	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"
Ceylon	1,210,920	2846	14223	3406	3525	11278	27,346	11278	27,346	"	"	"	"	"	"	"	"
	1,709,081	3182	8505	3111	3703	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"
		818	996	1678	1698	11278	27,346	11278	27,346	"	"	"	"	"	"	"	"
	4,226,309	33545	88179	63580	83230	27,346	11278	27,346	11278	"	"	"	"	"	"	"	"

No 2

Warrants and Summons issued in Grave Cases during the year

Districts	Population	Grave Cases Warrants Number of Process	Grave Cases Warrants Number Persons	Grave Cases Summons Number Process	Grave Cases Summons Number Persons	Total Number of Processes	Total Number Persons	Proportion to Population
Ganjam	1.136.926	1282	1456	5519	5819	6801	6975	163
Vizagapatam	1.715.652	353	759	283	307	636	1.066	1609
Godavary	1.366.831	780	1.088	1872	4434	2652	3.889	232
Kistna	1.194.421	437	823	1.205	2982	1.642	3.805	313
Nellore	999.254	786	1186	2461	3622	3.247	4.808	207
Kurnool	725.768	347	673	1204	2799	1.551	3.472	209
Bellary	1.234.674	294	656	1512	2.313	1806	2.969	415
Cuddapah	1.050.104	480	696	1911	2718	2.391	3.414	304
North Circars	1.654.557	2251	2812	2631	3475	4882	6.287	263
Madras	675.390	481	481	1.106	1.106	1587	1587	425
South Arcot	1.128.430	1153	1594	1728	2.057	2881	3.651	309
Tanjore	1.652.170	1115	1382	2723	4237	3838	5619	294
Trichinopoly	939.400	636	536	1106	1106	1642	1642	572
Madura	1.856.406	1809	2.353	3381	4.190	5190	6.543	283
Tinnevelly	1.670.262	1354	1452	7540	7747	8894	9199	181
Salem	1.493.221	1277	1391	3797	3814	5074	5.205	286
Coimbatore	1.215.920	781	829	2625	2696	3406	3.525	3444
S. Malabar	1.709.081	1230	1290	1881	1883	3111	3173	350
N. Malabar		552	564	1126	1134	1678	1698	
Canara	788.042	571	573	2.100	2.100	2.671	2673	294
	24.206.509	17869	22.961	47.711	60.269	65.580	83.230	290

Chief Office of the
Inspector General of Police

W Robinson
Inspector General of Police

No 3

Return of Warrants and Summons issued in Minor Cases during the year 186

Districts	Population	Minor Cases Warrants Number of Process	Minor Cases Warrants Number Persons	Minor Cases Summons Number Process	Minor Cases Summons Number Persons	Total Number of Processes	Total Number Persons	Proportion to Population
Ganjam	1.136.926	2203	2294	12.753	12.753	14.956	15.047	75
Vizagapatam	1.715.652	3.377	9131	14.172	16.125	17.549	24.256	70
Godavary	1.366.831	1.110	2.222	6915	16.721	8.025	18.943	72
Kistna	1.194.421	1632	3892	9.996	27.380	11.628	31.272	38
Nellore	999.254	1368	1937	9.528	11.845	10.893	13.782	72
Kurnool	725.768	879	1844	2.840	8.189	3.719	10.033	72
Bellary	1.234.674	929	2.005	7853	12.390	8.782	14.395	85
Cuddapah	1.050.104	747	1.129	6.173	7969	6.920	9098	115
North Circars	1.654.557	2890	4.640	7193	12.087	10.083	16.727	98
Madras	675.390	3734	3734	16.305	16.305	20.039	20.039	33
South Arcot	1.128.430	4.709	5962	30.325	36.940	35.034	42.902	26
Tanjore	1.652.170	1.174	1402	20.305	28.255	21.479	29.657	55
Trichinopoly	939.400	1646	1646	11.905	11.905	13.551	13.551	61
Madura	1.856.406	3.271	4037	23.199	27.227	26.770	31.264	59
Tinnevelly	1.670.262	1.629	1.949	17.512	18.456	19.141	20.105	83
Salem	1.493.221	3.229	3.360	27.146	27.208	30.375	30.568	49
Coimbatore	1.215.920	1.444	1.558	12.749	13.511	14.193	15.072	80
S. Malabar	1.709.081	1.058	1.156	11.031	10.970	12.089	12.126	84
N. Malabar		1.717	1.740	6.275	6.286	7.992	8.026	
Canara	788.042	721	721	4.249	4.261	4.970	4.982	158
	24.206.509	39.457	56.359	258.721	325.486	298.188	381.845	63

Chief Office of the
Inspector General of Police
Kolaghemy 4th Aug 1864

W Robinson
Inspector General of Police

Return of Wards
and Accounts
1863.

REPORT

OF THE

INDIAN JAIL COMMITTEE

ASSEMBLED IN CALCUTTA,

IN MARCH–APRIL 1864,

UNDER THE ORDERS

OF

His Excellency the Governor-General in Council.

WITH NOTES.

CALCUTTA:

P. M. CRANENBURGH, *Printer*, BENGAL PRINTING COMPANY LIMITED.

1864.

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1864.

MINUTE BY THE GOVERNOR-GENERAL.

THE subject of Jail Discipline and the condition of Prisoners in India appear to be a question which calls for earnest consideration at the present time.

2. A period of twenty-six years has elapsed since the Prison Committee appointed by Lord William Bentinck submitted their Report, in which the evils of the then existing system of Jail management were fearlessly exposed, and certain reforms recommended and carried out; but it is generally admitted that the full measure of improvement contemplated by Lord William Bentinck, and to which the Government was pledged by a Legislative enactment (Regulation II. of 1834) has never been carried out.

3. Although much good has been effected by the appointment of Inspectors of Prisons in the different Presidencies and Provinces, and though doubtless there has been great amelioration of the condition of prisoners of all classes in this country, especially as regards food and clothing, yet still little progress has been made either towards the improvement of the prisoners or the prevention of crime, while the loss of life amongst all classes of those confined in Jail continues, year after year, to be very great, amounting at present to 7 per cent.

4. When this death rate is compared with the mortality in the Jails in England, which is less than one per cent., it will be at once seen in how many cases the sentence of imprisonment in India becomes virtually one of capital punishment; and it seems on this ground alone that the inquiry is forced upon us, as to what steps should be taken to reduce the great mortality which far exceeds that amongst other classes of the population.

5. But there are many other points connected with the subject of Jail management on which some Legislative action appears to be urgently called for. Amongst these may be specially mentioned—

1*st*.—Juvenile delinquents and reformatories.

2*nd*.—Female prisoners, whether to be associated in Jails specially set apart for their reception or not.

3*rd*.—Jail dietary, whether sufficient in *quality* as well as in quantity to preserve health.

4*th*.—The non-deterrent nature of imprisonment under the present system, as indicated by the large number of re-convictions.

5*th*.—The long term of the sentence, tending in many cases to nullify the desired object both on the offender and on his companions in crime.

6*th*.—The want of some settled principles, which should be observed alike in every Jail throughout the country.

7*th*.—The necessity of ruling that a certain portion of labor and punishment must be undergone by every criminal before he can be admitted either to a course of probation or reward.

8*th*.—The massing of prisoners together in large numbers in Central Jails.

9*th*.—The ticket-of-leave system how far applicable in India.

6. I would suggest the formation of a Committee formed of the following gentlemen:—

Mr. A. A. Roberts, C. B., President.

Mr. H. L. Anderson, Bombay Civil Service, Member of the Council of the Governor-General for the purpose of making Laws and Regulations.

Mr. R. S. Ellis, C. B., Madras Civil Service, Member of ditto ditto.

Mr. J. Strachey, Bengal Civil Service, President of the Board of Health.

Mr. J. W. Sherer, Bengal Civil Service, Commissioner to examine into the Claims of the Native Government of Oude.

Mr. H. A. Cockerell, Bengal Civil Service, Magistrate and Collector, 24-Pergunnahs, and Superintendent of the Alipore Jail.

Dr. F. J. Mouat, Inspector-General of Jails in Bengal.

Dr. C. Hathaway, late Inspector-General of Prisons, Punjab.

Dr. J. P. Walker, late Superintendent, Central Jail, Agra.

Dr. T. Farquhar, late Officiating Civil Surgeon of Lahore.

who should be directed to assemble at Calcutta at an early day during the current month, to report fully on the present state of Jail Discipline in India, and the improvements they would suggest in the management and treatment of our prisoners.

3*rd March* 1864. JOHN LAWRENCE.

To

E. C. BAYLEY, Esq.,

Secretary to the Government of India.

Sir,

We have the honor to submit, for the consideration of His Excellency the Governor-General in Council, the Report we were directed to furnish on the present state of Jail Discipline in India, and the improvements we would suggest in the management and treatment of our prisoners.

2. It seems at the outset desirable, that we should explain how we have understood the Minute of His Excellency the Governor-General, as well as the orders with which it concluded.

It appeared to us that the time at which the Minute was written, as well as the names of the Public Officers appointed to sit upon the Committee, indicated the nature of the Report with which the Government desired to be furnished.

For coming, as the Minute did, almost immediately after the passing of the Whipping Act, we could scarcely be wrong in supposing that the appointment of the Committee was intended to intimate, that that Act was not to supersede the necessity for the large measures of Prison Reform which had been promised, from time to time, since the days of Lord William Bentinck, but, on the contrary, was actually to inaugurate their introduction, and was to be followed by immediate action in the matter.

But, looking at the names of the Officers appointed to serve on the Committee, and finding only a small minority whose public duties would permit them to remain in the Metropolis for more than a month or six weeks, we believe we were also right in conceiving that it was not desired of us that we should enter with exhaustive minuteness into the important topics to which the Minute directed our attention, but rather that we should briefly sketch out what struck us as prominent evils, and as briefly, recommend what appeared to us adequate and suitable remedies.

3. It is necessary we should thus early explain what we understood to be our duties, as otherwise the treatment of more than one highly important subject might seem inadequate, and might lead to a suspicion of undue haste, or of a misapprehension of the amount of consideration such subjects demand. But if the recommendations of the Committee are chiefly of a practical nature, are briefly expressed, and are left unsupport-

ed by the arguments and illustrations which a longer period of time would have permitted us to add; we would, on the other hand, point out that with four of our Members, questions connected with the Prison system have been for years the subject of close investigation, of deep thought and practical experiment, and that thus, although our opportunities of discussion have been comparatively few, many of our conclusions result from observations which extend back to the very commencement of that general interest in Indian Jails, which sprung up nearly twenty years back.

In addition to the advantages of the scientific acquirements and practical knowledge of the subject possessed by Drs. Mouat and Hathaway, Walker and Farquhar, Mr. Cockerell brought us his experience of the working of the large Industrial Jail at Alipore, whilst Messrs. Anderson and Ellis, although disclaiming special knowledge, have been able to supply many interesting facts in connexion with the Jails in the Bombay and Madras Presidencies.

Nor should we fail to point out that Mr. Strachey's labors, formerly on the Cholera Inquiry, and now on the Sanitary Commission, have rendered him a peculiarly valuable coadjutor in matters connected with the health of prisoners.

The practice now universal, of publishing Annual Reports has also placed within reach of the Committee a large store of valuable information, and from a careful perusal of these and a comparison of their contents, it has been possible to form a trustworthy idea of the present condition of the Indian Jails throughout the Continent. We desire especially to record the great assistance we have derived from the statistical portion of the Bengal Reports, on which Dr. Mouat has bestowed particular attention.

4. It is now twenty-six years since the Committee appointed by Lord William Bentinck to inquire into prison discipline in India presented the result of their labors to his successor.

Those labors had extended over a period of two years, during which a vast amount of information had been amassed and evidence taken as to the existing state of Jails, and from the consideration of facts then disclosed, it had been thought necessary to lay down the principles of an entirely new system, whose adoption was urged upon the Government.

The Report which embodies the results of this work is a masterly production, and whether we look at the heterogeneous collection of facts clearly worked out into a succinct narrative, or at the sound principles of reform enunciated with all the gravity and precision their importance demanded, the claim on our admiration is equally great.

No one probably could now peruse this able document without a mixed feeling of pleasure and regret; of regret, to think that so many excellent suggestions should, as it were, have lain dormant for a period of years; of pleasure, to believe that the picture presented of the Jails of 1836 is one which would be no longer applicable to those of 1864.

The Indian Jails of that period, though seldom, if ever, disgraced by any of those horrors and cruelties, with the recital of which John Howard electrified Christian Europe, were still lamentably deficient when viewed in connection with the objects and ends for which Jails should be constructed.

The system was one of lax discipline; easy, dirty habits; light work; general corruption; indulgences: abuses—and the consequence of course was, that the Jail came to be looked upon by habitual criminals as comfortable free quarters, in which it was natural, and not altogether unpleasant, they should from time to time be immured.

With these hardened culprits, the innocent and the casual offender were constantly mixed up: had enacted before them repeated scenes of connivance and corruption: learnt to look upon crime as the recognized occupation of a certain portion of the community; lost all sense of shame at what did not appear to be considered disgraceful: and left the Jail, but too often, we may reasonably fear, to swell the ranks of that criminal class whose acquaintance they had first made within its walls.

The death rates in the old Jails were high. The average mortality amongst the prisoners for the four years preceding the inquiries of the Committee, was in the Lower Provinces 8·33 per cent., in the North-Western Provinces 4·74 per cent., and in both together 6·56 per cent. yearly.

The system of rations was in force in the Madras and Bombay Presidencies, but in both the North-West and the Lower Provinces of Bengal a daily money allowance was given to each prisoner for the purchase of his own food. Out-of-doors labor led to much intercourse with friends, and articles of food were doubtless often obtained, which the allowance would not suffice to purchase, as well as narcotic drugs and other indulgences.

Little attention was paid to Conservancy and Drainage, and Jail buildings were often badly arranged, so that on the out-break of an epidemic the Medical Officers were able to do little towards diminishing the mortality.

All these evils were clearly discerned by the Committee of 1838, and the general scheme of Reform which constituted the concluding part of their Report, entered very fully into measures which they regarded as calculated to abolish such glaring abuses.

But although the President in Council followed up the suggestions of the Committee by an expression of his approval and by directions that in certain points they should be at once carried out, little positive action appears to have taken place. The subject, indeed, would seem for a while to have been lost sight of, and it was not till the years 1845 and 1846 that it began to attract a new attention.

The labors of Mr. William Woodcock, in the North-Western Provinces, may be said to have inaugurated a fresh era in the history of our Prison system in India.

This active and excellent man, possessed originally of a great capacity for organization, to which he added practical knowledge of building and mechanics, had for some time past devoted his attention to the subject of Jails, when in the year 1845 he was appointed by Mr. Thomason (from whom his peculiar merits had not remained concealed) to construct a large Model Prison at Agra, and to superintend the whole of the Jails throughout the North-Western Provinces.

This appointment gave a great impetus to the introduction of important reforms. Mr. Woodcock's own labors were chiefly, perhaps, directed to the better housing, clothing, dieting, and general treatment of prisoners, and to the reduction of unnecessary expense; but his measures were ably followed up and carried into other directions, by those who succeeded him in his own Provinces, as well as by those who transplanted the best points of his system to other parts of India.

As time advanced, such subjects as skilled labor, discipline, classification, &c., engaged the attention of those interested in Jails, and projects in connexion with them were introduced with greater or less success in places where there was an opening for the experiment.

In the Punjab especially, where there were no traditions to fetter and no prejudices to oppose, success of a marked character followed the exertions of Dr. Hathaway, who, appointed Inspector of Jails in that Province in 1853, labored for a series of years, until as great a degree of perfection in Prison organization was obtained as circumstances would permit. In matters of Conservancy particularly, the lead had to be conceded to that Province.

In 1853 an Inspectorship of Prisons was constituted for the Lower Provinces of the Bengal Presidency, and in 1855 the post was occupied by Dr. Mouat. The published Reports by this gentleman show what a large amount of special knowledge he brought to the performance of his duties, and how his acquaintance with the Prison systems of England and the Continent have led him to suggest many excellent measures.

In Madras, Bombay and Oude also, Inspectors have been appointed, and the labors of such men as Mr. Rohde, and Drs. Ogilvy, and Cannon, have not, as may be imagined, been bestowed without most valuable results.*

From all these active but independent efforts, many benefits have arisen. Much attention has been paid to the physical condition of prisoners: cleanliness, especially in the Conservancy of Jails, has been enjoined, and to a great extent, as in the Punjab and generally in the North-Western Provinces observed; the sick have been provided with medical care and treatment; the supply of food and clothing has been regulated by some degree of system; and very great attention has been paid to all matters of internal arrangement, as far as the original defective construction of the buildings would allow. Great economy, too, of expenditure has been effected; in fact, the limit has, as it appears to us, been reached, if it has not been exceeded, in the Presidency of Bengal.

6. But while it is very gratifying to believe that so much good has been done; so many reforms organized; so many excellent measures carried out; there are still two startling and painful facts to which our particular attention has been called in the Minute of His Excellency the Governor-General.

They are these: that the mortality in our Jails has reached an alarmingly high rate, and is apparently on the increase; and that our present system of punishment is so far from being deterrent, that the number of prisoners is largely in excess of that for which prison accommodation has been provided.

These facts cannot stand alone. They certify the existence of other evils.

The circumstance that the death rate amongst prisoners has reached 7 and 8 per cent., suggests a crowd of anxious questions—Have the prisoners fitting accommodation? Have they proper food? Have they sufficient clothing? Have they satisfactory medical attendance?

* Much may be looked for from the Central Provinces, to which the services of Dr. Abbott have been assigned, in a similar capacity.

So again with the crowded condition of our Jails; if crime is so much on the increase, the inquiries are forced upon us—Does a residence in Jail necessarily entail a sufficient amount of punishment? Can our discipline be called severe and sustained? Or is the superintendence of our Jails of a nature to ensure, or even to admit, of its being so?

To investigate these and cognate questions: to probe such great evils to their causes; to search out and suggest the fitting remedies, have seemed to us to constitute the task placed before us by the Govermnent, and we have endeavored to perform it, if with a brevity imposed upon us by the pressure of time, with a promptitude also, we hope, suitable to the emergency of the case.

The plan upon which the Committee has worked has been this. They have fixed days for the discussion of the different topics; and the points upon which all Members have finally agreed, after each of these Meetings, have been worked up into the form of resolutions or recommendations. Occasionally a paper has been read out, which has formed a nucleus for the observations of different Members, and has suggested the particular shape the recommendation of the Committee has finally taken.

The body of the Report now submitted will be found to consist of the recommendations agreed upon by the Committee, with such connecting narrative as will indicate the considerations which led to their adoption. A few notes have been added on points requiring some explanatory remarks, or some further illustration. The order in which the different topics are treated is not exactly that in which they were presented to the notice of the Committee in His Excellency the Governor-General's Minute, because some other allied subjects have been touched upon which necessitated a new arrangement, but it is trusted that every point specified by His Excellency has met with attention.

The Committee have throughout desired to found the remedies they had to offer for specific evils, on such principles as should be deemed of permanent and general applicability, when the serious causes of alarm which have called for immediate action shall have ceased to operate.

If they have succeeded in their wish, and have laid down some trustworthy canons, compliance with which shall be held essential to the well-being of Jails, something will have been done to facilitate the future consolidation of the Prison system, and a commencement will have been made towards ensuring that uniformity which, in principles at least, is so highly desirable.

A Sub-Committee has been sitting simultaneously with the larger one, to consider the adviseability or otherwise of compiling a Manual of Rules and Instructions for the use of Jails generally throughout India. Their Report, and the revised Bengal Code of Prison Rules to which it serves as an introduction, have been printed separately, in an Appendix.

Consisting of
Mr. Ellis.
Dr. Mouat.
Dr. Walker.
Dr. Farquhar.

We have the honor to be,

SIR,

Your most obedient servants,

A. A. ROBERTS.
H. L. ANDERSON.
R. S. ELLIS.
JOHN STRACHEY.
J. W. SHERER.
H. A. COCKERELL.
F. J. MOUAT.
CHAS. HATHAWAY.
JAS. PATTISON WALKER.
T. FARQUHAR.

Calcutta, 6th April 1864.

INDIAN JAIL COMMITTEE.

A.—Health of Prisoners.

The first point to which we have given our attention has been the health of prisoners in Indian Jails. We were prepared to find that sickness is excessive and the rates of mortality very high. The percentage of deaths during the last ten years in Bengal, the North-West, the Punjab, Bombay, and Madras, will be found in Note a.

The average rate for the whole period in the Presidencies combined is 7·85.

The number of men who have died within the walls of Indian Jails during the ten years is 46,309.

From an examination of all the facts within our reach, and from the results of their own experience and observation which several of our colleagues were able to afford, we have come to the conclusion that the sickness and mortality may be considered as mainly attributable to the following causes:—

I. Over-crowding.
II. Bad Ventilation.
III. Bad Conservancy.
IV. Bad Drainage.
V. Insufficiency of clothing.
VI. Sleeping on the ground.
VII. Deficiency of personal cleanliness.
VIII. Bad water.
IX. Exaction of labor from unfit persons.
X.* Insufficient Medical Inspection.

We shall consider these causes *seriatim*, and under each heading, place the suggestions the Committee have to make for their removal or mitigation.

I. Over-Crowding.

It is the unanimous opinion of all Medical men and others who have devoted their attention to the subject of Jails, that one principal source of the excessive sickness and death which have heretofore prevailed amongst prisoners is the want of sufficient accommodation in our Jails, and the practice of allowing prisoners to sleep in over-crowded wards, and in unhealthy proximity to each other.

* Two other causes of sickness, imperfectly cooked food and insufficient food (from fraudulent diminution), are touched upon under Dietary.

It is well known that the same evil has been recognized as the cause of ill-health and mortality amongst British Soldiers in India, and that its prevention has earnestly occupied the attention of those who are engaged in carrying out measures for the improvement of the health of the army.

It has been sometimes argued that the same precautions with regard to over-crowding are not so necessary in the case of natives of this country, as they are with Europeans, because native villages are over-crowded, and the huts in the villages again are over-crowded; and, in fact, that it is an immemorial Indian habit to live in a degree of gregariousness which we should at once pronounce to be unhealthy in the extreme.

But the argument is unsound for two reasons: The first is, that in the one case we are acquainted with all the surrounding circumstances; and in the other, we are not.

For instance, with a Jail ward, we know that a certain number of men sleep in a certain space, have a certain amount of cubic feet of air, and must remain under these conditions all the night. The same number of persons may occupy a house in a village, the superficial space of whose chambers combined, is less than that of the Jail ward, but then we know nothing of surrounding circumstances. Half the number of inmates may sleep on the roof of the house in the open air; and those sleeping in more confined places can get up and go out if they please, at the first intimation of oppression. The cases are not similar, and cannot be correctly compared.

But the argument has another defect.

What was stated by the Committee of 1838 holds good at the present day. "There exist no known data from which to infer the mortality of the laboring classes in this country."

The rate of mortality in our Jails is considered high, because it is so as compared with general European rates, and with what we suppose to be that existing amongst the native population. The Jail rate is infinitely higher than that of the old Sepoy Army, and it greatly exceeds that which has been ascertained to prevail in a few of the larger cities, such as Lahore and Delhi.

But the comparison of prisoners with Sepoys is untrustworthy, because the latter were men chosen for their apparently good constitution; they were enlisted at the healthiest period of human life, and they were invalided if they grew sickly.

Still it may be generally surmised that the rate of mortality in Jails does greatly exceed that of the free population: only our information is too scant to be safely used in argument: and should the statistics of health amongst the general Indian community ever be accurately ascertained, it would not improbably be discovered that considerable sickness and a portion of the mortality have to be laid at the door of over-crowding, and of the habit the natives have acquired of living and sleeping in too great proximity to each other.

Our colleague, Mr. Ellis, has supplied us with the following striking instance of the evils of over-crowding, which fell under his notice at Madras:—

"In the old Jail at Salem the mortality of late years had been excessive, varying from 18 to 30 per cent. A new Jail was recently constructed "on improved principles, and the death-rate fell at once from 18 per cent. "to 2 per cent., and although cholera prevailed all round Salem, and in "the town of Salem, the Jail escaped.

"Last year this new Jail was overcrowded, and the mortality was so "great that it became necessary to distribute the excess of prisoners "among other Jails."

And Dr. Mouat informs us that very similar circumstances have occurred to his knowledge in the Jails of Morshedabad and Jessore, the degree of overcrowding having been accurately indexed, so to speak, by the death-rate.

The following passage is extracted from the Report on the Jails of the Lower Bengal Provinces for 1861-62: "M. Boudin, the eminent "French statistician, has stated that by increased space and improved ventila-"tion alone, the mortality in French Military Hospitals, all other conditions "being unchanged, was reduced at once 25 per cent., and that this favor-"able change has been permanent—an epidemic of health having prevailed "ever since.

"According to a statement made by Dr. Farr at the last meeting of "the British Association, and quoted more recently by Sir G. C. Lewis in "the House of Commons, the greatly diminished sickness and mortality of "the British Army at home has been in a great measure due to the same "cause."

The Committee are perfectly aware that there are great difficulties in the way of carrying out some of the suggestions they have felt bound to make for increased Jail accommodation.

They know, for example, that large Jails have been constructed, or are in the course of construction, in the North-Western Provinces, the Punjab, and elsewhere, whose dimensions are calculated to contain a far larger number of prisoners than that which the Committee recommend as the maximum one for any Jail, namely, one thousand. But they have deemed it far better that they should fix what they consider the true principles for securing proper accommodation,—the only ones indeed to guarantee health,—than that they should suggest some half measure dictated by present deficiencies, and cramped by apparent difficulties in the future. How much of their recommendation it may be deemed possible immediately to carry out, it is not for them to decide. They are satisfied of the urgency of the measures proposed, and of the benefits which would ensue from their adoption.

They beg therefore, to recommend—

1. That no Central Jail should contain more than one thousand criminals, and those all men whose sentences exceed the period of one year.

That District Jails containing only prisoners whose sentences are for less than one year, should be divided into two classes, according to the requirements of their position.

1st Class District Jail to contain not more than 500 prisoners.

2nd Class District Jail to contain not more than 300 prisoners.

2. That in existing Jails, where many prisoners sleep in one ward, the minimum floor space allowed to each prisoner should be nine feet by six ($9 \times 6 = 54$ square feet). This, calculating the height of the ward to be never less than 12 feet, will give each prisoner a minimum cubic space of 648 feet ($9 \times 6 \times 12 = 648$ cubic feet). (See Note b.)

3. That in new Jails the number of prisoners sleeping in one ward should not exceed 32. This rule to be carried out also, as far as practicable in existing Jails, and to be always kept in view in proposed alterations.

4. That wherever the separate cell system is introduced, the cells should contain a superficial space of 10 × 10 feet, with an altitude of 15 feet. This size to be considered the minimum. And that where these cells are used for solitary confinement, they should be provided each with an airing yard.

5. In the event of a Jail being full, the officer in charge should be authorized to accommodate any other Prisoners who may be sent either in huts or tents outside the Jail. A greater number of prisoners than the Jail is calculated to contain, should not be admitted on any account.

II—Bad Ventilation.

Closely connected with the evils of over-crowding, are those which spring from the stagnation of air in sleeping wards.

Impressed with the frequent insufficiency of lateral ventilation by means of doors and windows, our colleague, Dr. Mouat, would wish to see new Jails built upon arches, so as to admit of perforation of the floors, here and there, with gratings. This arrangement, in connexion with free roof ventilation, would ensure a constant supply of fresh air from below, whilst an exit for the effete air would be provided above.

The circumstances, however, of the different Provinces seem to render the introduction of a uniform system of ventilation undesirable; as a current of air, which would be suitable in a tropical climate, might be more than was required in the latitude of Lahore. Existing deficiencies also appear to differ considerably in degree, and therefore the Committee would recommend in general terms: That special attention should be paid to ventilation in the sleeping wards, and that in all cases there should be amply sufficient lateral ventilation, amounting to not less than 20 feet for each prisoner, and in addition, free roof ventilation.—(See Note c.)

III—Bad Conservancy.

This has been an evil productive doubtless of much sickness. The existing state of Indian Jails as to this particular is very different in different places. We may say, generally, that more attention has been paid to the subject in the North-Western Provinces and the Punjab, and subsequently in Bombay, than elsewhere. The attention of the Committee was drawn by Dr. Mouat to a valuable paper from the pen of the Revd. H. Moule, published in a recent number of the Journal of the Society of Arts, on the subject of the Dry Earth Conservancy system.

They have since witnessed an experiment of the system at the Alipore Jail, which was completely successful, and they are very anxious that the great merits of the plan should be generally known. As Mr. Moule's paper is herewith re-published (see Note d.), and as the Conservancy rules, in the Revised Bengal Code, have been modified to admit of the introduc-

tion of the system, more need not be here said than that the principle involved is the de-odorizing properties of dried and sifted earth.

The scientific aspect of the question has met with full consideration in the last edition of Baron Liebig's treatise on Agricultural Chemistry.

A plan very similar to that advocated by Mr. Moule was hit upon some years back in the Punjab, and was from thence imported into Bombay. It differed in so far that the peculiar virtues of *earth* were not fully recognized, and therefore that material was not always the only one employed. Minor differences as to application, need not be specified.

The Committee are confident that the best results may be expected from the introduction of this system, and, as it can be so easily carried into effect, they would earnestly recommend:

That the Dry Earth Conservancy system be introduced into all Jails, with such construction of day and night privies as the system may require. And that to carry out the plan effectively, where convict labor cannot supply at least two scavengers to each hundred prisoners, the employment of hired scavengers may be sanctioned.

IV—Bad Drainage.

The noxious exhalations from drains have, as is well known, the worst effects on health. The subject of drainage is better understood than it was, and no one now, probably, would construct any other kind of drain in our Jails than that which is called the saucer drain, and is shallow and open.

But many of the deep, open drains still exist, and are a great source of trouble to those interested in conservancy. It seems highly desirable that their abolition should be at once effected.

We must be understood to be referring, exclusively, to drains used for purposes of sewage. The saucer drains, though efficient for carrying off rain water, would be unserviceable for relieving the soil on which Jails are built, of damp. Here the employment of sub-soil drains, wherever sufficient fall can be obtained to make them act, is certainly to be enjoined. Our recommendations then take this form:

That deep, open drains be absolutely prohibited: that where they exist, their abolition should be carried out as speedily as possible. The shallow saucer drains should be everywhere introduced. Sub-soil drains, as contra-

distinguished from deep, open drains, are highly desirable, and should be constructed wherever the physical nature of the soil will permit.

V. Insufficiency of Clothing.

The present rule in Jails is, that untried prisoners are not entitled to a supply of clothing. In point of fact, many of the Hajut or Hawalat prisoners have sufficient clothing of their own, the free use of which they are of course permitted before trial: and where a prisoner appeared particularly destitute, he would be probably supplied from the spare stock of prison clothing. But no guarantee exists that a prisoner before trial shall have a sufficiency of clothing, and this seems to us an evil of sufficient magnitude to require a prompt remedy.

It is the unanimous opinion of those of our colleagues, who have had practical experience of large numbers of Jails, that the seeds of disease are often sown in prisoners during the period of their confinement before trial, (see Note e.) which exhibit themselves in broken health, when labor comes to be imposed. Statistics also, as we shall afterwards show, indicate a low state of health amongst untried prisoners, and it seems most urgent that our system should be reformed in this matter, and that we should take at least as much care of those who may be innocent, as of those who have been proved to be guilty.

Some of the very old also, and the broken down occasionally require more clothing than the prisons rules allow, and we think that all obstacles in the way of their receiving it should be removed.

Our recommendation therefore is:—

That in all cases requiring it, suitable clothing should be provided for prisoners, whether untried or convicted, and that extra clothing, on an order from the Medical Officer, should be supplied to the sick, the aged and the infirm.

VI. Sleeping on the Ground.

That sleeping on the ground is unhealthy is not doubted. That it would be highly desirable that the prisoner should sleep in such a manner as to be elevated above the exhalations of the earth, is admitted by all. But considerable difficulties exist in the way of devising a plan which should effect this object, without facilitating the escape of the prisoner or supplying him with the means of offence. Some of our colleagues are strongly opposed to the introduction of charpoys or wooden beds of any kind, under the idea that they could be broken up or employed to assist in scaling

walls. It is thought that the iron bars used to secure doors and windows, could be easily snapt asunder, by such leverage as a strong bamboo or part of a plank would afford. During the mutiny a disarmed regiment of Sepoys supplied themselves with rude weapons by breaking up their charpoys. On the other hand, mattresses stuffed with straw were objected to, as likely to become damp, sodden and filthy, and to be used as receptacles for hiding different articles. Whilst to raised, earthen, bed-shaped mounds, in Bengal at least, the same objections would exist as to the ground itself; namely, that they would be damp and cold, and give out malarious exhalations. Without, therefore, being able to settle a definite plan, we still think it right to record our recommendation:—

That it is of great importance that prisoners should not sleep on the ground itself, but be raised above it, provided some method could be adopted for securing this object, without providing facilities for offence and escape.

VII. Deficiency of Personal Cleanliness.

The habits of the prisoners in this respect appear to be somewhat neglected. Laboring prisoners, probably, bathe every day in the hot weather, and objections are not made to the non-laboring class doing so, but system seems much required. Prisoners under trial, especially, are not looked after and are often allowed to get very dirty. The great prevalence of cutaneous diseases in this country, and the very contagious nature of some of them, render cleanly habits essential to the preservation of health.—(See Note f.)

We, therefore, recommend:—

That the personal cleanliness of prisoners should be rigorously insisted upon.

That ample provision should be made to enable each prisoner to bathe once daily during the hot weather and rains; and after suitable intervals and at proper hours in the cold season: two in a week being considered the minimum number of complete bodily ablutions.

VIII.—Bad Water.

Sufficient attention is not paid to securing purity in the water used by prisoners, for cooking purposes and for drinking. Water is often unhealthy in this country from the nature of the soil where it is found, and during the heavy rains is likely to contain much animal matter.

One of our medical colleagues thinks it a good precautionary measure always to boil water used during the rains.

The bad effects of impure water on health are very serious.—(See Note g.)

Our recommendation on this point is: That greater attention should be paid to secure purity in the water used by prisoners for cooking and drinking. Always in the Jail Hospital, and whenever necessary in the Jail itself, the water should be filtered through charcoal and sand.

In marshy Districts, or wherever much organic matter is observed in the water, it should be a rule to first boil the water and then pass it through charcoal and sand.

When wells or tanks are low, the water should be examined, and if impure, rejected for water from other sources.

IX—Exaction of labor from unfit Persons.

We find that no general rule prevails to secure the medical examination of a prisoner previously to his being put to labor. Such examination is customary in parts of India, but enjoined only by local directions. Prisoners are occasionally in such a physical condition, that the exaction from them of any amount of labor is improper. It is undesirable that the capacity of a prisoner for labor should be only tested by experiment. Such experiments must be frequently injurious, and may be occasionally fatal. A man's constitution may be utterly broken down; or he may be past the time of life to be any longer capable of physical exertion; or he may be threatened with fatal disease which labor would accelerate. In these and similar cases it would be right for a Medical Officer to possess the power of exempting from labor altogether, or of indicating a class of labor which might, with safety, be exacted.

The Committee desire, therefore, to recommend:—

That new convicts should not be set to hard labor, till pronounced by the Medical Officer capable of undergoing it. That the different kinds of labor being properly classified under the heads of hard, medium, and light, the Medical Officer should be empowered to indicate in the case of a prisoner, physically weak or diseased, what class of labor might, with safety, be exacted from him. Great care, however, should be taken that these precautions are not improperly wrested to the undue mitigation of the sentence.

X.—Insufficient Medical Inspection.

It is of the utmost importance, especially in hot climates, that the presence of disease in a Jail should be early detected. And this, not only as regards the treatment of individual cases, but to enable all due precautions to be taken to prevent the spread of epidemic complaints. The weekly inspection of prisoners by the Medical Officer on Sunday, which is at present customary, is quite insufficient to secure him that prompt intimation of disease which it is so desirable he should possess.

We should scarcely have thought it necessary to have insisted upon the personal responsibility of Medical Officers for the treatment of sick prisoners, had not instances been brought to our notice, where the obligation had not been fully recognized. The report of the native subordinate has occasionally, we have reason to fear, been held to supersede the necessity for a personal inspection of the Jail Hospital.

Our recommendation, to secure improvement on these points, is:—

That frequent, and in case of epidemics, or a sickly season, daily inspections of prisoners by the Medical Officer and the Officer in charge should be considered obligatory. And that the treatment of the sick in Jail Hospitals should be distinctly understood to be the personal duty of the Medical Officer, not to be delegated by him, under any circumstances, to a native subordinate.

B. Juvenile Delinquents and Reformatories.

The Committee entertain great hopes that the provisions of the Whipping Act will prove of eminent service in thinning the juvenile population of our Jails.

The applicability of the punishment of whipping to the classes of offences usually committed by the young, and the peculiarly deterrent effects it will, in all probability, have upon them, encourage us to believe that the class of juvenile offenders will not be, henceforward, considerable enough to render the establishment of Reformatories necessary.

Several of our colleagues think that in this country there would be great danger of unworthy parents urging their children to the commission of crime, in the hopes of obtaining for them a Government education, were this advantage offered through the means of Reformatories.

With a view to prevent such courses, it has been made lawful in England to recover from the parents of any child detained in the Reformatory institutions, a sum of money not exceeding five shillings a week for

its maintenace. The certainty that every subterfuge would be resorted to by native parents, to avoid such a payment, and the difficulty which would be experienced in realizing it, militate against the feasibility of such a plan in India.

But if there does not at present appear any urgent necessity for the establishment of Reformatories, it is of the highest importance that juvenile offenders should not be exposed to contamination, by associating, within our Jails, with more hardened and practised culprits.

However well the Whipping Act may work, and whatever aid it may lend in diminishing the number of juvenile convicts, there will at least exist a considerable body of the young amongst our untried prisoners, and against their further demoralization every effort should surely be exerted.

There are many reasons which exist everywhere, and some which have peculiar force in the East, for thinking that in absolute isolation from adults, lies the only prospect of preserving the young from corruption during their residence in Jail. We are therefore unanimous in recommending:

That in every Jail means should be provided for separating juvenile offenders from adults, and that it is, moreover, highly desirable, wherever such an arrangement is practicable, that separate sleeping accommodation should be provided for each juvenile prison inmate. XX

C. Female prisoners.

The number of female prisoners in this country is comparatively small. That there is an unwillingness in many quarters to prosecute women is undoubtedly one cause, why so few offenders of that sex find their way into our Jails, but others also, probably, contribute to the same result.

If it were decided that women should be kept in entirely separate institutions, their numbers would not be considerable enough to fill more than one Central Female Jail under each local Government.

That there would be great advantages in an institution under the superintendence of a matron with a staff of female subordinates, where industrial occupations could be largely introduced, cannot be doubted. Isolation from the other sex could be absolutely ensured, and a suitable discipline introduced, which would doubtless prove of great benefit.

But there are other points to be considered. The removal from their own district to the central prison would, with many of the women, involve that entire change of climate which is deprecated

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by our medical colleagues, as so often detrimental to health. And then, the transit of female prisoners from the part of the country where their crimes were committed to the city or station where the Jail was situated,—a journey in some instances of hundreds of miles—and their restoration to their friends, which would render another journey of the same length necessary, present many objections. The women would have, on such occasions, to be entrusted for some days and nights to the Police, and even should they escape contamination, such an exposure would entail suspicion and disgrace. On a careful consideration, therefore, of the bearings of the question, we are disposed to discourage the establishment of female prisons, and think that, under the circumstances, the following recommendations will meet what is required:

I. That the present accommodation for female prisoners in District Jails should be increased and improved. There should be separate accommodation for tried, untried, and civil female prisoners. Although the female wards should be within the walls of the District Jail, they should be removed as far as possible from the male wards. The women should have a separate hospital in their own part of the Jail. XX

II. There should be separate accommodation for female convicts, sentenced to more than one year's imprisonment, within the walls of every Central Jail, and this separated portion should be placed, when circumstances will admit of it, under an English or Eurasian Matron, with female turnkeys and attendants.—(See Note h.) XX

D. Jail Dietary.

We have decided, under the guidance of our Medical Colleagues, that the existing scales of Dietary in the different Presidencies and Provinces are sufficient in the particular of gross quantity, but, except in the Lower Provinces of Bengal and in parts of Madras, deficient in variety.

This especially refers to the absence of animal food.

In 1860 Dr. Mouat submitted a special report to the Government of Bengal on the subject of Dietary, and one of his suggestions was, that the laboring portion of the prisoners and certain tribes who had been used to meat from childhood, should be allowed animal food every other day.

The recommendation was adopted, and the results have proved to be beneficial.

It appears desirable that laboring prisoners should have the support of animal food, as their loss of weight, when nourished only on cereals and vegetables, is remarkable. But the condition also of untried prisoners seems to call for some improvement in diet. Statistics appear to show that, as compared with that of non-laboring convicts, their condition of health is very low. The following death-rates are taken from Dr. Mouat's Report on Bengal Jails for 1862:—

	1861.	1862.
Non-Laboring Prisoners	2-71	3-99
Untried Prisoners	10-87	6-22

Whether this tendency to sickness and death is caused by uncertainty and anxiety, or by the comparative neglect to which the untried prisoner has hitherto been exposed, it seems to demand a remedy. We have already advocated greater attention to the clothing of this class, and we think also its members should be allowed animal food.

Our recommendations shall now be given in detail.

It is necessary only to premise that a practice had sprung up, in some places, of reducing laboring rations to the scale of non-laboring on Sundays, which we think unadviseable; that we consider diminution of food a form of punishment which should never be allowed, as being open to abuse and likely to interfere with health; and that we attach great importance to the proper cooking of prisoners' food and to precautions undertaken with a view to securing them the prescribed quantities. We desire particularly to emphasize these two last points. No scale of dietary can have fair play unless the proper dressing and the honest distribution of rations are rigidly attended to.

1. That animal food should form a portion of the dietary of all laboring prisoners and of those under trial.

This is deemed necessary in the first case, to repair the waste caused by hard labor, and in the second one, to meet the requirements of that depressed health which, as experience shows, accompanies the condition of an untried prisoner. Convicted prisoners, without labor, appear to thrive without the support of animal food.

2. Animal food to be understood to include fish, flesh and milk with its various products, such as ghee, curds, &c.

3. That there should be always two meals daily, and the evening meal should be the principal one.

4. That the diminution of food should be under, no circumstances whatever, permitted as a punitive measure.

5. That no difference be made in diet on account of Sunday.

6. That it is of the highest importance that the food supplied to the prisoners should be completely and properly cooked, and that occasional inspections of the food when dressed for use, should, to secure this end, be compulsory upon both the Officer in charge and the Medical Officer.

7. That it is also of the highest importance that there should be no tampering with the quantity of food, either by means of false scales or through the deduction of portions as perquisites for the distributing subordinates. The dietaries being drawn up with the view of allowing each prisoner only what is necessary and requisite, it falsifies the whole plan, if care is not taken to prevent embezzlement of the stores or pilfering from the prepared food. As this matter must rest with the Superintending Officers, the urgency of examining scales and testing the distributed portions, after short intervals, cannot be too strongly insisted upon.

8. The extension of Jail gardens where they exist, and their establishment where they do not, is a matter of great importance. When properly managed, they should supply all the fresh vegetables and most of the condiments required. To them, too, must the Medical Officer look for a sufficient supply of antiscorbutic vegetables, such as potatoes, beetroot, &c., and ultimately, (allowing time for the growth of trees), of antiscorbutic fruits, such as limes, citrons, tamarinds and the like. But these gardens should be invariably outside the Jail walls.

E.—Jail Discipline.

Under this section we proceed to consider the present effects of the punishment of imprisonment, and whether measures are necessary, and if so, what measures,—to render it more deterrent.

It might be urged at the outset, that since the mortality in our Jails has been shown to be so excessive, a very general feeling of terror must, as a matter of course, prevail at the thought of entering those portals, which have been to so many, without metaphor, the very gates of Death. But this argument ignores the character of eastern ideas on such subjects. An uneducated native takes but scant interest in the law of probabilities,

and having been accustomed from his childhood to look upon life as the gift of fate, would scarcely abstain from crime in the hope of postponing that predestined date which he believes to be written on his forehead. For especially in cases where chance seems to be at work, does the fatalist rely on his creed.

It is clear that if a residence in our Jails is not looked upon with dread, habits of industry, order and regularity cannot be stringently insisted upon, since such are peculiarly distasteful and repulsive to the worthless and the vicious. We may rest assured that if the punishment of imprisonment is not deterrent, the fault must lie in the discipline, and when that is lax and unsustained, we can entertain no reasonable expectation that the fear of imprisonment will deter from the commission of crime.

If we had the means of ascertaining what proportion the number of re-convictions bears to the number of convictions, we should have some satisfactory data to go upon in forming a judgment as to the present effects of imprisonment. But, unfortunately, the returns are so imperfect in this respect, that they throw little light on the subject. If certain figures which Punjab and Madras statistics afford, might be considered to indicate the general rate throughout India, the number of re-convictions is very low, being only 10 per cent. But these figures are so favorable as to warrant suspicion of their correctness.

In the absence, therefore, of full information on this point, we are driven to the guidance of a less trustworthy test, which is—the number of prisoners. Is it on the increase or on the decrease? It is largely and alarmingly on the increase; so much so, that our Jails are everywhere overcrowded and unfit to contain the masses sentenced to reside in them. In the Lower Provinces of Bengal alone, ten thousand more persons passed through the Prisons in 1862 than were admitted within their walls in 1861.

An increase of prisoners does not necessarily prove that punishment is not deterrent, because a new Code of Laws or a new body of Police might either of them produce it: the first by rendering more acts criminal, and the second by a more active and certain mode of detecting the perpetrators of crime. And it so happens that both these contingencies have occurred throughout the larger part of India, within the last few years. But in point of fact, there is little reason to think these two causes have had much to do with the result under notice, and we believe we are not far wrong in considering the increase of prisoners to indicate an increase of crime, and in attributing the latter to the undeterring effects of existing punishments.

This view is much strengthened when we come to find that no reasonable grounds exist for expecting that a residence in our Jails should be looked upon with apprehension, because it is an undeniable truth that our Jail discipline is in a very unsatisfactory state. It is the unanimous opinion of those of our colleagues to whom the prevailing system is peculiarly familiar, that, as a general rule, no proper and sustained discipline either does exist in Indian Jails at the present time, or can be looked for, till better methods of superintendence are introduced.

When it is considered how various the avocations of the Magistrate are; how impossible it is that he can devote more than a fraction of his time to his Jail duties; how frequently he is changed; how often absent in the district, it is only to be wondered at that Jails under Magisterial management are as good as they sometimes are. No sustained discipline can be carried out as long as the Native Jailor is the principal Jail authority, which he must virtually be when the supervision is so nominal a one as that of the Magistrate.

But although no Magistrate can spare sufficient time to see discipline enforced, still individual character makes a difference, and one Magistrate attempts to do something, where another, hopeless of ultimate success, would exercise his superintendence in a perfunctory manner. From this springs up an evil: there come to be easy-going Jails,—Jails decidedly more comfortable than others; consequently, an inequality of punishment, and as far as it goes, a failure of justice.

It is true that in the North-West and the Punjab, it is not unfrequently the practice to make over the Jail to an active assistant, and in the Bombay and Madras Presidencies the Jails are nominally superintended by the Judges; but still the fact remains, that there is no fixed provision for the proper superintendence of Jails, and that when a Jail does receive attention, it receives it by a fortunate accident, for whose continuance or recurrence no guarantee exists.

We wish it to be understood that we attach no blame whatever to those functionaries, on whom duties have been cast which it was not within their competence to perform: on the contrary, it is much to the credit of Magistrates and their subordinates, that notwithstanding all obstacles, a desire has so often been exhibited to do something towards the amelioration of a system they were powerless to re-construct.

We have carefully thought out the recommendations we have to make for the introduction of such a discipline into our Jails as shall tend to

make imprisonment a really deterrent punishment, and have classified them for the sake of clearness, under five heads, *viz*:—

I. Superintendence.
II. Labor.
III. Rewards.
IV. Punishments.
V. Education.

Previously, however, to giving in detail the regulations which we think should be introduced for the internal government of Jails, we desire to record a general recommendation of short terms of imprisonment, as a condition which may almost be considered indispensable to the maintenance of a strict system.

We are unanimously of opinion:

That short terms of imprisonment, as they render a severe course of sustained discipline practicable, have great advantages over long terms where the same constant surveillance of habits and actions tends to render the prisoner reckless and desperate. And discipline, if it declines at last into connivance at the breach of its own restrictions, loses all moral effect.

I. Superintendence.

The first point here seems to be, to look out for a body of men who may be relied upon to keep up a supply of qualified Superintendents. We have no hesitation in pointing to the Medical Service as most likely to meet this demand. The simple fact that almost all the zealous Jail reformers this country has produced, have been medical men, encourages us to hope that a special qualification will often be found amongst the members of that branch of the public service.

We recommend then:

1. That, as a general rule, Medical Officers should be the Superintendents of Jails, and that the management of Jails should be so far constituted a regular service, that special aptitude might be held to possess a claim to promotion in the same line. (Perhaps it might be possible to combine a Jail service with the department of Public Health, which we learn is about to be organized under each local Government.)

2. That a specially-qualified Medical Officer be always selected as the Superintendent of a Central Jail.

3. The Civil Surgeon, if a European, and possessing suitable qualifications, should invariably have charge of the District Jail.

At large Civil Stations, where under our recommendations (if they are carried out) there would probably be a Central Jail *and* a District Jail; it might so happen that the ordinary duties of the Station might be so heavy as to prevent the Civil Surgeon undertaking those of the Jail; in that case the local Government might, on the recommendation of the Inspector-General, place the District Jail under charge of the Superintendent of the Central Jail.

4. We think it highly desirable that suitable emoluments should be attached to the post of Superintendent in the Jail Department, and we venture to recommend the following scale as what appears to us, after much deliberation, suitable and not excessive:—

Superintendents of 2nd Class District Jails: 80 Rupees per mensem, in addition to all their pay and allowances.

Superintendents of 1st Class District Jails: 150 Rupees per mensem.

Superintendents of Central Jails, 800 Rupees per mensem, consolidated allowance, with free quarters: and if they have charge of the District Jail also, to receive 150 Rupees per mensem extra.

II.—Labor.

Proper superintendence having been secured, the next point is to introduce a well-organized system of labor. For labor is the principal means of enforcing discipline in Jails. From it alone is derived the possibility of insisting upon order, punctuality, and that clock-work distribution of time which is so burdensome to the lawless and irregular.

One great feature of stringently imposed labor is, that, whilst it cannot fail to have some moral effect on men of depraved lives, it is so peculiarly repugnant to them. This is as it should be, for it must be always kept in mind, that the law intends imprisonment to be a punishment, and therefore the first thing to be looked to in labor is, not that it should be remunerative, not that it should keep prisoners in subjection, not that it should detach mischievous hands from more congenial tasks, but that it should render a residence in Jail a matter of dread, apprehension, and avoidance.

Dr. Mouat informs us that the Penitentiary at Deegah, near Patna, was so dreaded by convicts, simply on account of the strict routine and carefully supervised labor enforced there, that they would piteously entreat the

Judicial Officers not to send them thither. This was at a time when that institution was in a perfectly healthy condition, and when there was no greater risk to life from a residence in it than in any other Jail.

So long however as the object of making labor punitive is steadily kept in view as the primary object, it is perfectly legitimate that secondary purposes should be allowed due weight. If labor can be made remunerative, if a prisoner's previous knowledge of some handicraft can be brought out and put to use, or if teaching a useless man a trade kindles in his mind some hope of a better life when he is released: no one should surely wish that these things should not be so.

We think the following recommendations calculated to ensure that the system of labor shall be a stringent and sustained one.

1*st*. That every prisoner sentenced to rigorous imprisonment and labor should undergo a certain portion of his sentence before any indulgences can be allowed him.

2*nd*. That there should be three descriptions of labor.

I.—Hard.
II.—Medium.
III.—Light.

(See Appendix.)

And that the proportion of each allotted to a prisoner, should be regulated according to the length of his sentence after the following table:—

	Hard.	Medium.	Light.
Up to 3 years ...	18 M.	18 M.	
Ditto 4 years ...	2 „	18 „	6 M.
Ditto 5 years ...	2½ „	2 „	6 „
Ditto 6 years ...	2½ „	2½ „	1 „
Ditto 7 years ...	3 „	3 „	1 „

As far as possible, the hard labor should be imposed during the earliest period of imprisonment, the medium labor next, and the light labor should come towards the end of the term.

The transfer of a convict sentenced to hard labor, from that to work of a medium and afterwards of a light order, must, however, be looked on as an indulgence, not as a right, and should depend on the conduct of the prisoner.

Time in hospital should count as light labor.

The Committee attach great importance to the principle that a judicial sentence should remain inviolate. They are therefore unanimous in recording this supplementary recommendation in connection with the subject of labor:

Remission of any portion of the sentence should not be allowed to depend upon the conduct of a prisoner.

The duration of a sentence should always remain inviolate, except in the case of epidemic visitations.

In the emergency of a rapidly spreading mortality, such as is not unknown in this country, where timely removal of the prisoners to camp or their transfer elsewhere was impossible or deemed inadmissible, the Superintendent of a Jail might be empowered, with the consent of the chief Civil Authority on the spot, and subject to the confirmation of the Local Government, to direct the release of

1. Short-term prisoners whose sentences do not exceed six months.

2. Long-term prisoners who have not more than six months to serve.

III.—Rewards.

We consider it to be an allowable means of encouraging a strict obedience to Jail discipline to reward marked tractability and good conduct in convicts. And a suitable method of so rewarding them, we think to be, admitting them to subordinate offices on the Jail establishment.

The absence of all gratuities gives so completely to the performance of the duties of these offices the character of enforced labor, that there seems no danger that the position of the convict-officers should be misunderstood either by themselves or others. We may add that the plan has been tried and found to answer well in different parts of the country. Our colleague, Dr. J. P. Walker, gives as the result of his experience in the matter at Agra, that a high degree of fidelity is not unfrequently exhibited by the convict guard.

Our recommendations take this form:—

1.—In addition to the gradual mitigation of labor from hard to medium, from medium to light, which is always to be looked upon as an indulgence,

further favor may be shown to the best behaved convicts, in their admission to subordinate offices, without gratuities of any kind.

2. There might be three posts accessible, representing three grades—

I.—That of Work Overseer.
II.—That of Ward Master.
III.—That of Guard, to be employed only inside the Jail.

3. These duties should rank as medium labor, and therefore should not be entrusted to any convicts, till after the expiry of the prescribed term of hard labor.

4. Convict Officials should never exceed 10 per cent. of the number of convicts in any one Jail.

5. Those prisoners are disqualified for ever holding office who have been convicted of the following crimes: murder, dacoity, highway robbery, rape, and unnatural crime.

IV.—Punishments.

For the maintenance of discipline and the coercion of the obstinate and the violent, it is quite necessary the Superintendent should be armed with powers of direct punishment.

We recommend that these modes of punishment be the only ones permitted in Jails:

I.—Aimless labor, such as the crank.
II.—Solitary confinement for a period not exceeding 72 hours.
III.—Flogging, according to the provisions of the law on the subject.

A register should be kept of all punishments inflicted, and should be forwarded from each Jail monthly to the Inspector-General.

V.—Education.

Education may be a reward or a punishment, according to the character of the prisoner to whom it is accorded. To the sullen, the stupid, and the idle, it must be a real infliction, whilst to the quick and intelligent, it might be a mitigation of the tedium of confinement. It has been found, we understand, an important aid to discipline by employing the time after the conclusion of labor, which is otherwise occupied in idle conversation. And it is a means of completing the plan of never leaving the convict to

himself; which is to the unreclaimed class one of the most punitive elements in a strict system. We are prepared to make the following recommendations on this head:—

1. That education may be used as a means of prison discipline, but should on no account lead to any relaxation of the sentence. It will be found a useful employment of that portion of the prisoner's time which is not occupied in labor. Nothing further should be aimed at than elementary instruction in reading, writing, arithmetic, and the keeping of village accounts.

2. That well-behaved convicts who are sufficiently educated might be employed as class instructors, but such instruction must never be allowed to count as, or exempt from, labor.

F.—Habitual Offenders.

Notwithstanding the most stringent laws and the existence of the best regulated Jail, it is to be reasonably expected that there will still be found a certain class, whom no experience will teach, no punishment amend, no encouragement induce to abandon evil habits, but who follow crime with all the eagerness of a pursuit, till it has landed them on the penal settlement, or brought them to the foot of the gallows.

It appears to be agreed amongst the more advanced nations, that the only way to deal with this class is to banish its members in perpetuity, or to lead them so harassing and burdensome a life, that they voluntarily emigrate.

This latter happy consummation is not to be looked for in India, where the subject is also much complicated by the existence of predatory tribes, or hereditary as well as habitual offenders.

The Committee observe with satisfaction that the Penal Code places in the hands of the Judicial Authorities the power of transporting for life a certain class of offenders against property, who, by a repetition of crime, place themselves in the category of professional criminals. But they have reason to believe that the Judicial Authorities abstain from acting upon this power, from a knowledge that suitable arrangements have not yet been made for the reception of offenders sentenced to banishment.

The habitual and the hereditary offender, whenever the distinction between crimes committed through determinate predilection for crime, and those committed through family influence and habitude, can be clearly traced, seem to call for different treatment.

For the persistent and irreclaimable pursuer of a chosen course of crime, the convict prison in banishment, from which nothing but sustained

good conduct can gain even the partial release of freedom in banishment, on a ticket of leave, seems the appropriate destination.

But with the members of predatory tribes, such as the Gypsies, who, under various appellations, lead homeless lives throughout the Indian Continent, it is not perhaps so much their punishment which should be aimed at as their incapacitation from further evil. It consequently does not follow that the measures which are applied to these classes, after sentence of transportation has been carried out, should be punitive in their character. Their object ought rather to be to give to these offenders the means of gaining an honest livelihood. We require for them penal colonies rather than prisons.

If such colonies existed, it may be anticipated that Judicial Officers would act far more frequently upon the provisions of the law to which reference has been made, than they now consider right.

Measures for the establishment of penal settlements for these classes of criminals have, on several occasions, been taken in various parts of India. But it has been proved by experience that no permanent success can be anticipated from such undertakings, and that no such settlements can answer the object we would now advocate, unless they are situated in places far removed from those in which the offenders have been in the habit of practising their crimes.

Although the subject of transportation does not directly fall under the cognizance of the present Committee, and indeed would require a fuller consideration than the time at their disposal would permit, they cannot conclude these general remarks without venturing on a suggestion to which they attach much importance.

They think it highly desirable :

That no prisoner sentenced to more than seven years' imprisonment should be detained for the whole period of his sentence in any Jail on the Continent of India. But till such time as prison buildings have been built and prison discipline has been introduced into the places of banishment, every prisoner so sentenced should be subjected to three years' imprisonment in a Central Jail in India.

G.—Tickets of leave.

Consistently with the paramount importance which we have professed to attach to the inviolacy of the sentence, we cannot advocate the introduction of the ticket-of-leave system.

We confess we look forward to a connected series of measures which will in the end render this device unnecessary. For after all, when carefully examined, it will be found to partake of the nature of a device for surmounting some of the many evils attendant on long sentences.

But if, as we confidently trust, a general feeling will ultimately prevail in favor of short sentences ; if by a system of hard labor and strict discipline it shall be possible to compress a sufficient amount of punishment into a comparatively short period of time ; if, in short, punishment shall assume two aspects, either the sentence of a limited period of rigorous imprisonment in Indian Jails, or the sentence of banishment from the Continent, we do not think that recourse to tickets-of-leave will be at all necessary or appropriate.

When, however, proper convict prisons are established in the foreign places selected for the reception of banished criminals, the subject of tickets-of-leave, under such different circumstances, will deserve consideration.

H.—Classification of Convicts.

We may assume that the necessity for, and benefits of, a Classification of Convicts are now generally admitted. The object of classification is to prevent the contamination by depraved prisoners of prisoners not so depraved ; and to attempt to insure that a man shall go out of Jail, if unreformed, at least not worse than when he came in.

The separation of untried and civil prisoners from criminals is everywhere prevalent, but further division of criminals, according to the nature of the offences they have committed and their own circumstances, is urgently called for. This has been attempted with much success in our larger institutions, but it seems desirable that a few simple principles should be laid down, which may serve as guides when the system shall be universally carried out.

The first great divisions which we recommend, are founded on the assumption that offences against the person and offences against property are dictated by a different class of motives and impulses. Speaking in general terms, we may say that the first kind of offences indicates the presence of ungoverned passions, and the second kind, the absence of principle or moral restraint. Here then we have two large sections, which again severally demand a second division, to be effected by regard to the degree of gravity attaching to the offence.

The four divisions so formed will stand thus :

I.—Offences against the person.

A. With premeditated malice.
B. Without premeditation.

II.—Offences against Property.

A. Robbery or Theft with aggravating circumstances.
B. Simple Theft.

In the Appendix will be found a complete list of crimes adapted to the foregoing plan of division. Occasionally a crime will be found under a heading to which it belongs more by analogy than in strict precision, but the great gain of simplicity counterbalances these slight imperfections, which, indeed, are mostly nominal.

When we have then founded our four principal classes on these simple principles, other considerations step in, such as, propriety, decency, the maintenance of discipline,—and suggest these further sub-divisions :

I.—Sex. Males to be separated from females.
II.—Age. Juvenile offenders to be separated from adults.
III.—Religion. Christians to be separated from Non-Christians.
IV.—Nature of punishment.

A. Condemned prisoners } To be separated from all
B. Life prisoners } other prisoners.

This scheme of classification must be considered an archetypal plan, and one which could certainly not be fully carried out as Jails are at present constructed.

It will mostly occur, in point of fact, that the sub-divisions will have to be carried out, regardless of the importance of the greater divisions first laid down. But it must be kept in mind that such a proceeding is of the nature of a shift, imposed by the necessities of the case, and may involve most undesirable results. For instance, it is surely at least as important, that a boy who has committed murder should be separated from a boy who has picked up a lotah, as that both should be separated from adults.

We agree that if one set of divisions must be disregarded, it had better be the larger divisions: some of the sub-divisions could not be set aside without outraging public decorum. But we wish it to be distinctly understood that we do not consider that classification will have had a fair trial, or its moral effects any opportunity of fully developing themselves, unless in carrying it into effect, due regard is had both to the nature of the offence *and* the circumstances of the offender.

To aid in preventing neglect of classification, it seems a good plan to have the prison dresses distinctively colored, according to the crimes of the prisoners. Under this arrangement, a man out of his class immediately catches the eye of the Superintendent.

I.—Salaries of Jailors.

To aid in carrying out the stricter system of discipline which we trust will soon be introduced, it is of importance to secure a good class of men for Jailors.

To the smaller Jails natives will probably always be appointed, suitable Europeans may sometimes be found for the Central Jails; the salaries should be sufficient to attract respectable candidates.

We think the following minimum scales should be fixed:—

Jailors of 2nd class District Jails to receive not less than 50 Rupees per mensem.

Jailors of 1st class District Jails to receive not less than 100 Rupees per mensem.

Jailors of Central Jails to receive not less than 150 Rupees per mensem.

This last salary, augmented by the percentage on profits of manufactures, will form emoluments sufficiently large, we hope, to secure the services of a specially qualified person.

The allowance of a percentage on profits we admit to be generally advantageous, but it is open to abuse; and it should be the duty of the Inspector General and of the local Superintendent to take care that discipline is not sacrificed to the desire of increasing the profits.

J.—Fines imposed on Prison Officers.

We only think it necessary on this point to recommend that the principle should be recognised, that such fines ought never to exceed in amount half a month's salary. Our colleagues, who formed a sub-committee, have in the revised Bengal Code of Prison Rules drawn up a carefully graduated scale of fines, regulated in their amount by the nature of the offence. We have requested them to keep in view that no fine should exceed the limit which we have agreed should be fixed.

K.—European Prisoners.

We consider it a matter of great importance that suitable accommodation should be provided in every District and Central Jail for the reception of a limited number of European prisoners. The amount of accommodation required would of course depend upon the situation of the place, and could not be laid down in any general way. We think, in the construction of such buildings as may be necessary, the principles

which have been lately laid down with reference to the accommodation of British soldiers in India should be strictly adhered to.

The Jail and the House of Correction in Calcutta, in both of which Europeans are confined, are not under the supervision of the Bengal Inspector General of Jails. We may take this opportunity of saying that we question the propriety of exempting any Jail from the control of the officer who is responsible to the Local Government for the condition of such institutions. The supervision of those who may be only partially conversant with the subject of Jails, and have no means of comparing the state of management and discipline with what exists elsewhere, may be influenced by good intentions, but is not unlikely to be inefficient.

On the 27th February 1864, a Report was signed at the Great Jail, Calcutta, by certain Honorary Magistrates, representing that the condition of that institution was, on the whole, satisfactory. This testimony was doubtless given in good faith, but we are bound to say that it corresponds in no degree with the opinion formed by the Committee after a visit to the same institution on the 19th March 1864.

Great difficulties are experienced, doubtless, both in the Jail and the House of Correction, from the unsuitability of the buildings to the purposes for which they were erected. This must militate against the introduction of good arrangements.

And we may remark with reference to this point, that if our recommendations should be accepted, and should lead to the erection of Central Jails in different parts of India, it would be very urgent that some uniform plan, so designed as to meet the peculiar requirements of institutions of the kind, should be adopted.

The execution of such a design would be doubtless entrusted to some one who had been fully instructed as to the system which was to be carried out when the building was built, both as regards the classification of prisoners and their wants and habits ; and as to the methods of conservancy and ventilation it was proposed to adopt.

L.—Statistics

The Committee desire to express their opinion that the whole subject of Judicial Statistics calls for early attention.

The system which prevails in France is so complete in its details and so clear in its arrangement, that important facts connected with the increase or decrease of crime, its periods and localities; the particular classes who commit particular crimes, etc., etc.—all points of the utmost moment to the

legislator,—can be discovered by an intelligent perusal. It seems urgent that some such system should be introduced into this country, where the fixed habits of the people are so remarkable, and where the range of particular crimes is believed to be often local.

With regard to that branch of Judicial Statistics, which comes more immediately under the cognizance of the Committee, namely, Jail Statistics, we find that Returns of a considerable degree of fullness are furnished in the different Yearly Reports, but that no uniform system prevails, and therefore for purposes of comparison, they are not so useful as they would otherwise be.

The Returns of the Lower Provinces of Bengal are by far the most detailed, and they have been objected to both on this account and because of the great expense their printing is supposed to involve. During the sitting of the Committee, the desirability of lessening the expense incurred by printing voluminous Jail Returns, has been demi-officially brought to our notice by the Financial Secretary to Government. But on examining Dr. Mouat's Returns, we do not find them to exceed those which were pronounced by the International Statistical Congress sitting in London in 1860, to be indispensable to the right understanding of the subject of Jails, but on the contrary, in more than one particular, to be deficient.

It is a subject of the highest importance that our Statistics in India should be presented in forms which will render them available to the scientific men, statesmen and others interested in such topics in Europe, and we do not think that the cost of preparing intelligible Returns should be allowed any weight when their value is so incontestable. The cost, viewed as an Imperial expense, is quite insignificant.

The Returns, as required by the Congress, are fully detailed in the revised Bengal Code of Prison Rules, which serves as an Appendix to this Report.

The Committee beg to recommend :

I. That Jail Statistics should be kept on a uniform plan, and that they should include all the Returns pronounced essential by a Resolution of the International Statistical Congress held in London in 1860.

II. That to effect this object a sufficient establishment should be allowed in every District. The Committee makes this last suggestion in the belief that the expense incurred will be very small when weighed against the advantages gained. (See Note i.)

~~We have the honor to be,~~

~~Sir,~~

~~Your most obedient servants,~~

A. A. ROBERTS.
H. L. ANDERSON.
R. S. ELLIS.
JOHN STRACHEY.
J. W. SHERER.
H. A. COCKERELL.
F. J. MOUAT.
CHAS. HATHAWAY.
JAS. PATTISON WALKER.
T. FARQUHAR.

NOTES.

Note A, page 10.

STATEMENT of the Annual Mortality in the Jails of the Lower Provinces of Bengal, during 10 *years from* 1853 *to* 1862.

Years.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
1853	19,494	1,866	9·57	
1854	19,238	1,209	6·28	
1855	18,742	1,640	8·75	
1856	19,453	1,833	9·42	
1857	17,521	2,120	12·09	
1858	20,714	2,800	13·51	
1859	19,546	2,116	10·82	
1860	18,348	2,440	13·29	
1861	16,388	1,456	8·88	
1862	17,406	1,306	7·50	
Total ...	1,86,850	18,786	10·05	
Mean average ...	18,685	1,878	10·05	

STATEMENT of the Annual Mortality in the Jails of the North-West Provinces, during 10 years from 1852 to 1856 and from 1858 to 1862.

Years.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
1852	21,185	966	4·56	Taken from 1852 as there are no records for 1857.
1853	21,355	1,293	6·05	
1854	22,097	1,000	4·52	
1855	22,311	1,598	7·14	
1856	21,466	2,761	10·02	
1858	12,798	1,134	8·86	
1859	13,661	1,375	10·06	
1860	14,468	2,056	14·21	
1861	17,393	2,368	13·61	
1862	15,742	1,174	7·45	
Total ...	1,82,476	15,725	8·61	
Mean average ...	18,247	1,572	8·61	

STATEMENT of the Annual Mortality in the Jails of Punjab Provinces, during 10 years from 1853 to 1862.

Years.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
1853	10,242	507	4·95	
1854	12,054	748	6·21	
1855	12,785	648	5·07	
1856	12,469	137	10·10	
1857	11,959	798	6·67	
1858	13,652	660	4·83	
1859	11,417	268	2·34	
1860	10,065	235	2·33	
1861	11,185	967	8·64	
1862	10,706	674	6·29	
Total ...	1,16,534	5,642	4·84	
Mean average ...	11,653	564	4·84	

STATEMENT of the Annual Mortality in the Jails of Madras Presidency, during 10 *years from* 1853 *to* 1862-63.

Years.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
1853	5,679	339	5·96	
1854	6,372	393	6·16	
1855	6,363	358	5·62	
1856	6,755	331	4·90	
1857	6,178	462	7·47	
1858	6,708	496	7·39	
1859	6,098	506	8·29	
1860-61	5,827	386	6·62	
1861-62	6,974	627	8·99	
1862-63	7,557	676	8·94	
Total ...	64,511	4,574	7·09	
Mean average ...	6,451	457	7·09	

STATEMENT of the Annual Mortality in the Jails of the Bombay Presidency, during 10 *years from* 1852 *to* 1861.

Years.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
1852	4,168	148	3·55	The details of 1862 are not available, therefore the Bombay mortality is taken from 1852.
1853	3,621	103	2·84	
1854	4,164	190	4·56	
1855	4,294	140	3·26	
1856	4,165	143	3·43	
1857	4,290	154	3·59	
1858	4,081	146	3·56	
1859	3,758	178	4·73	
1860	3,435	176	5·12	
1861	3,634	204	5·61	
Total ...	39,610	1,582	3·99	
Mean average ...	3,961	158	3·99	

TOTAL MORTALITY of the Jails of the Provinces named below for 10 *years.*

Names.	Daily average strength of Prisoners.	Number who died.	Rates of deaths to average strength.	Remarks.
Madras Presidency	64,511	4,574	7·09	
Punjab Provinces	116,534	5,642	4·84	
Lower Provinces of Bengal	186,850	18,786	10·05	
North Western Provinces...	182,476	15,725	8·61	
Bombay Presidency	39,610	1,582	3·99	
Total ...	589,981	46,309	7·85	
Mean average ...	58,998	4,630	7·85	

Note B, page 13.

ON

THE ARRANGEMENT OF PRISONERS IN SLEEPING WARDS.

In designing new wards for prisoners in Jails, the same principles which have been laid down for the construction of barrack-wards for Soldiers will be generally applicable.

No ward should contain more than thirty-two beds.*

Not more than two rows of beds should be placed between opposite windows, the heads of the beds being towards the walls, with a passage down the centre of the ward.

The ward should not be less than 18 feet broad.

In regard to wall space, the following rules should be observed. No bed should be placed immediately in front of a window. Not more than two beds should be placed between two windows. The bed should not be placed within six inches of a window. A space of 2 feet should be left between every two beds. Taking $2\frac{1}{2}$ feet as the width of a bed, and 4 feet as the width of a window, the total remaining feet of length will be for two beds 12 feet, or 6 feet per man.

The minimum floor space to each man would therefore be $9 \times 6 = 54$ square feet.

The height to the top of the wall should not be less than 12 feet.

The minimum cubic space to each man would therefore be 648 cubic feet; but as the roof will seldom in practice be made flat, the actual allowance of cubic space will generally be larger.

J. STRACHEY.

Note C, page 14.

Extract from Dr. Hathaway's Punjab Sanatory Report.

The three essentials to life are air, food, and water, and, as a universal rule, according to their purity or impurity, so will either health or disease exist.

In no quarter of the globe, probably, is the essential value of pure air so patent as in this country, whether we consider the morbific influences resulting from malaria, the deadly exhalations from stagnant water and decomposing animal or vegetable refuse matter, or the poisoned state of an atmosphere that has been contaminated by the products of expiration from the human body.

If air were more constantly considered as a fluid, capable of being fouled and dirtied in the same way as water is, we should be more inclined to pay attention to the natural sense of smell, which, like all our senses, has been wisely given us, not merely for our

* I use the word "bed" to signify the space occupied at night by each prisoner. It is necessary to explain this, because prisoners have usually no beds properly so called.

gratification and enjoyment, but as a valuable guide by which we are capable of detecting danger and avoiding it.

Has any one ever entered a barrack (in the middle of the night) in which fifty or a hundred soldiers were sleeping, without being sickened by the close and unwholesome effluvium that pervades the whole building? And yet there is no reason that it should be so; there is no reason why the atmosphere during the night should be permitted to become more loaded and offensive than in the day. But certain it is that free ventilation is most unmistakably called for; not mere cubic or superficial space but a greater ingress of fresh air, and a more rapid egress of that which has become impure and unwholesome.

And this is, I think, one main reason why the European Officer enjoys a greater degree of health than the Private, and rallies sooner when attacked with sickness; for if pure air be necessary to health when well, it becomes doubly so in a state of disease, when the secretions from the skin, and exhalations from the lungs, become not only injurious but highly poisonous.

* * *

I beg to give the following brief extract from Dr. Wm. Walker's last published Report; it is the result of three years' practical experience gained by studying the health of a large body of men, exceeding 2,000 in number, who are located in the Agra Jail:

Theoretically, the standard amount of space appears sufficient; practically, I believe, it is not so. If we could always supply a strong wind blowing through the barracks, well and good, but this is not the state of things in practice. Let us go into one of these barracks, in a still night in the hot weather or rains, and stoop down so as to be on a level with the stratum of air that lies dormant over the mass of bodies; we then become aware of the condition of the atmosphere breathed by the prisoners. Their perspiring bodies throw out exhalations, which are either absorbed into the bedding to be thence evaporated, or hang in a cloud over them to be received over and again into their lungs. There is no means of getting rid of this cloud of noxious vapours completely; increased height in the barracks will not affect it, for the exhalations, I complain of, gravitate downwards on the sleeping men, and ventilation, without a circulating current of air, will not accomplish what is wanted.

Note D. page 14.

[*The following paper was read before the Society of Arts on the 13th of May last, and was published with other papers on the same subject in the Society's Journal of May 15th, 1863.*]

ON

A SYSTEM OF EARTH SEWAGE.

BY THE REVD. H. MOULE.

In a paper on the "Utilization of Town Sewage," which is contained in Vol. xxiv., Part I. of the *Journal of the Royal Agricultural Society*, Mr. Lawes has written thus:—

"No one will doubt that if the sanitary requirements of the nation could be attained by any system which would preserve the excrements of the population free from admixture with water, and present them for use at once undiminished in value by decomposition, and in a portable and innoxious condition, the land of the country devoted to the growth of human food might, by their application to it, be greatly increased in its productiveness. The question of the sanitary arrangements of our towns was taken up by our engineers before agricultural chemistry was much studied; and they have committed us to plans

which, though they effectually remove the noxious matters from our dwellings, must greatly limit the area and mode of their agricultural utilization, and which, at the same time, have tended to the pollution of our streams. To say nothing of the enormous cost that would be involved in entirely subverting the present methods of removing the excrements of the inhabitants of our large cities from their dwellings, it must be admitted that no feasible scheme has yet been proposed by which this could be accomplished without the use of water. Such is certainly a great disideratum, but, perhaps, a consummation more to be wished than expected."

By thus placing this extract from Mr. Lawes's paper at the head of that which I am about to read, I would not lead to the expectation of any attempt on my part to prove that, for the removal of the excrements of the inhabitants of our large towns from their dwellings, the scheme I propose is perfectly feasible. Such a proof, indeed, I am quite prepared to give; but so great is the array of prejudice, of self-interest, and, shall I say, of ignorance, against it, that, though I should establish my scheme beyond all contradiction, my proof would not, for any practical purpose with reference to our great cities, have, at the present time, the weight of a feather. It will probably require another half-century of experience to convince the public that the present drainage system, while relieving particular premises and special localities, is at the best but a shifting of an evil, increasing in its noxious character as it goes along from one spot to another, and that even the boasted and extravagant drainage of this metropolis is only a palliation and a temporary relief. The day will come, when, from the increase of the population higher up the river, an equal amount of pollution to that which is now to be withdrawn from it will be poured into the Thames; and when, from the increase of filth, sand and rubbish poured into them, the main sewers, calculated for the present evil, will then be ineffectual for their purpose. There is only one observation which I would make on my scheme with reference to its application to large cities in which the water drainage now exists. Mr. Lawes says that the subversion of the present system in favour of any other would be attended with enormous expense. Now, in the establishment of the earth sewage system, no public works are required, whilst the three-and-a-half millions being spent by the Metropolitan Board for the greater efficiency of the public works now existing, would have defrayed double the cost of all private works of the earth sewage system for London; and the manure saved instead of wasted would, on the very lowest estimate, have produced a clear income of £50,000 a year. But enough of this; I will proceed to state—

I. The principles of what I have ventured to call the system of earth sewage.

II. The mode of their application in closets, or commodes and urinals.

III. The provisions of earth for single dwelling houses, or for large establishment, and for our smaller towns.

I. The peculiar adaptation of various kinds of earth for the complete and economical removal of excrementitious matter consists not in the mere fact that earths are good deodorisers. This has long been observed and known. But it was not known, until a very recent period, that, under certain circumstances, the quantity of earth required for this purpose is very small. When the contents of a vault or cess-pool have been allowed to ferment and generate offensive gases for months and years, it has been found that the proportion of earth required to destroy its offensiveness is immense. If, however, the evil be taken in detail, and the remedy applied at once, the reduction in the quantity required is incredible until tried. Three half-pints of earth dried in the atmosphere and passed through a sieve with a mesh as one-eight or one quarter of an inch, is amply sufficient

for each use of an earth closet. It at once stops emission of offensive smell; it prevents fermentation; and these results are so complete and lasting, that either the same day, or after a week, or even a longer period, the mass of soils and earth can be removed from the room and the premises without any offence. If when thus removed a coarse sieve be used, the earth which passes through the sieve will in a day or two be dry enough to be used again, while all that which will not pass through, being thoroughly mixed together by a spade, or in any other way, forms a highly concentrated and inoffensive manure. Or, if on removal the whole mass be thus mixed together and left to dry, it may with equal absorbing and deodorising efficacy be employed in the closet again. And so remarkable is this capability of earth for the absorption of such substances and gases, that I have myself subjected it to this repeated action ten times.

Here, then, in the case of a single closet is exactly that which Mr. Lawes requires. Indeed in comfort and sanitary considerations be taken into the account, there is more than he requires; for, together with the entire suppression of fermentation and of the escapes of noxious and offensive gases, there is here "the preservation of the excreta free from admixture with water; and they are presented at once undiminished in value by decomposition, and in a portable and innoxious condition."

II. As to the mode of application of earth in closets and commodes, it is obvious that it can in many cases be done without the use of machinery; and thus, in fact, it has been applied in not a few cottages and amongst other public institutions, in the workhouse school of 55 children, at Bradford-on-Avon. A box of dry earth, with a scoop is placed in the privy, and the children are required to throw in a scoopful on each occasion of its use. This has been attended with such complete success, that the Vice-Chairman of the Board of Guardians of the Bradford Union states that, where all before was "noxious pungency," there is now no offensive smell. And as to the quantity of earth used, he states that, from the repeated use of the same earth, the whole mass at the end of five months amounted to no more than 1½ ton, but that a mass of valuable manure.

It soon became clear, however, that in such cases self-action would be advisable, and in some cases almost a matter of necessity, whilst an application of the earth by machinery would be far more convenient, and might be more immediate than by hand. Accordingly, a very simple contrivance was tried for a time, which, however, soon in its use betrayed two or three defects. In consequence of these defects, Mr. James White, of Dorchester, applied his mind with much ingenuity and patience to a subject attended with far more and greater difficulties than any one who has not gone into it can conceive, and has produced in the patent earth closet of his manufacture that which, while almost equally simple with the former plan, obviates all its defects, and is, in my estimation, perfect. In its simplest form it may be thus described. At the back of the commode or closet is a box or reservoir filled with dry earth, at the lower part of which is a revolving hopper with four compartments, each of which is capable of containing the required quantity of earth. By a very simple piece of machinery the weight of the body in sitting down turns this hopper and fills the compartment with earth. On the person rising from the seat, the hopper revolves one quarter of its circumference, and throws the earth by means of a shoot directly on to the soil and under the pan. The same operation can, of course, be performed by the use of a lifting handle, and in this case the application can be instantaneous, an advantage which, in sick rooms and in hospital wards, appears to me to be incalculable. The excreta and earth together can of course be received, in the case of a commode, in a bucket, or from a fixed closet passed through a pipe or shaft into a receptacle below, from whence its removal would be most practicable. There is another form of closet, consisting of a set of knives in the form of a screw, which mixes the mass and

at the same time cuts the paper to pieces, and forces the whole out in a perfectly inoffensive form. But the description of this I leave to the manufacturer. As to the use of earth in urinals, no machinery is necessary, and its efficacy is complete. A truck or pit, eighteen inches or two feet deep, and filled with dry earth, occupies the space both under the standing place and three or four feet in front of this. The standing is formed of an iron grating, the continuation of the iron railing which forms the barrier. All offensiveness is thus prevented and a valuable manure produced. Public urinals on this plan in the metropolis, and in large towns, and at our railway stations, instead of the nuisances such urinals now are, might be completely inoffensive and innoxious, and might be made to pay. One ton of earth or of London clay would be sufficient for 1,000 uses, and dried at a temperature under boiling heat, might be used for the same purpose and with increase of value again and again.

III. In speaking of the supply of earth for closets, &c., I will take first the case of a detached house with a garden. All that I, in such a case, have to do is to take a few barrow loads of earth from my garden and allow it to lie for a time to dry. When used sufficiently in the closets, instead of being a loss to the garden, it is returned, as money borrowed, with interest. It has become a manure, highly concentrated, and so easy of application that a handful or two may be equal to a barrow-load of ordinary manure. This I have proved by many experiments. If from this we rise to a large establishment, say a barrack with two troops of cavalry, the same farmer who supplies straw for the horses, as soon as he sees the value of the human excrement, and can have the opportunity of removing it, will supply earth, for closets. He will not grudge the earth from his fields, which is to be returned to him after a time equal in value, as it may be made to superphosphat, or crushed bones, or guano. But if his soil be light and thin, and he have clay in the neighbourhood, then he can easily and cheaply procure that substance, and if he mix it with such ashes as he can get, or with street sweepings, he obtains by the admixture a most valuable manure, exactly suited to his land. Or if in the last place we take the case of a town which either is in such a position that it cannot be drained, or, the inhabitants of which, being unwilling to enter on the expensive, and now doubtful, system of water drainage, should be disposed to adopt the earth system, a Company could provide, according to the circumstances of the neighbourhood, clay, peat, earth, silicate of alumina, or any other earth or sub-soil, except chalk or limestone, and adding to it, if they please, soot or any other fertilising materials, they might send it with as much ease as they send artificial manure, to those parts of the country which manure prepared from any of those earths and substances would best suit. For instance, the manure of London, instead of being either wasted in the sea, or, not much better, wasted on a few thousand acres in the marshes of Essex, if mixed with the clay which is everywhere at hand, and with the soot and some ashes and street sweepings, might convert the sandy heaths to the west and south-west into fruitful pasture and corn fields. There would, in the one case, moreover, be no transfer, as there is in the other, of the locality of malaria and offensive smell from the town to the country. And, whilst the whole neighbourhood of the Essex marshes will abominate the daily influx into those marshes of a lake of filthy slush, the most offensive part of that slush, freed from the water, and converted by the earth into an inodorous and valuable fertiliser, would, by the owners and occupiers of the heaths of Surrey, Hants, and Dorset, be not only welcomed but readily purchased.

The Punjab Plan of Conservancy. (From Dr. Hathaway's Punjab Sanatory Report.)

But we cannot have pure air in our barracks and hospitals if a foul atmosphere prevails without, caused (as it constantly is) by badly constructed or ill kept latrines and urinaries, cess-pools, or open reservoirs of fetid water from the wash-houses and kitchens, and neglected drains. With proper management, no effluvium should be preceptible from any of these places, and if it does exist, the converse inference is equally certain, viz., that there is want of proper supervision, or, in other words, neglect.

The latrines used in the Punjab Jails are perfectly free from any effluvium whatever, and the essential points in which they differ from the majority of those constructed for Military use are as follows:

A. The absence of all masonry or pucca work containing lime cement.

B. The prohibition of all cess-pools or reservoirs, and all drains or pipes, whether closed or open, leading in or out of the latrine or urinary.

C. The prohibition of water being used to flush the ground or flooring, which is to be kept perfectly dry.

D. The flooring being of earth (instead of pucca masonry or stone), on which dry sand to the depth of 4 inches over a layer of well rammed clay is strewed, and the portable vessels for the reception of both fluid and solid refuse matter being deposited on the sand.

E. The immediate removal of all refuse matter from the latrine itself, and the careful burial every evening in trenches dug for the purpose.

F. The abolition of the practice of sprinkling powdered lime in the urinaries and latrines, or in any other spot.

That these several differences are very essential ones, and that much advantage, both in a sanatory and financial point of view, would be gained by the practice which obtains in the Punjab Jails being extended to the barracks in which European troops are located, I will attempt to show *seriatim*.

It is a well known fact that the acid contained in urine (known by the name of uric acid) has a strong tendency to combine with lime in any shape, and the new compound formed thereby is highly offensive from its strong ammoniacal odour. It is this which produces the overpowering fetor in all urinaries where lime-stone or pucca cement containing lime is used, and there is no remedy but to break up and remove the entire brickwork with its coating of concrete, a troublesome and expensive process, especially as it has to be done constantly. The destructive effect produced by urine on lime cement, cannot fail to be apparent to any one who takes the trouble to examine one of the urinaries attached to a European barrack, and the effluvium is perceptible to a painful degree even before entering the building. Stone slabs are only one degree less objectionable than pucca masonry, as they are mainly composed of lime-stone joined together with lime cement.

For the same reason, all drains or conduits, however small, should be prohibited.

They soon become saturated and tainted with the ammoniacal odour, which no washing or flushing with water can remove: they are, also, constantly made use of impro-

perly, and every modification and plan of copper and zinc tubing, stone drains, and leaden piping, has been tried, but all have been condemned from the urine infiltrating and finding its way beneath, where it remains, giving rise to a constant and irremediable stench, which is communicated to the clothes of those who enter the building.

The superiority of the dry over the wet system, or, in other words, the total abolition of the use of water for flushing the urinaries, requires but ocular demonstration to convince the most sceptical or prejudiced. In theory, the idea of a stream of water constantly flowing through the urinaries appears perfect; in practice, it is known to be a total failure, because the urine is passed above and below, and on the sides, while the water itself merely trickles along a small portion of the conduit; added to this, the water after flowing through the urinary becomes itself polluted, and has to be got rid of. It cannot be used to lay the dust or water the road, and hence expensive cess-pools are dug to receive it, where it remains stagnating and offensive, or it occasionally bursts through the surface of the ground, in close proximity to the sleeping barracks, and even the wells which supply the troops with drinking water.

The sprinkling of powdered quick-lime is proved to aggravate the evil, by causing the evolution of fetid ammoniacal gas on its meeting and combining with urine. Quick-lime, it is true, destroys animal matter, when buried with it beneath the surface of the ground, but no such decomposition is effected when it is exposed to the open air; and as a deodorizer, especially when applied to urine, it only increases the effluvium it is intended to destroy.

But further, it is positively injurious, as it serves to conceal filth that ought to be removed. I have frequently detected the sweepers in the act of covering over with lime the filth they had neglected to take away.

The only remedy for these evils, and they exist to a greater or less degree at every station in India, is to break up and remove all the old flooring, plaster, and masonry work which has become in any way offensive, to destroy and fill up all cess-pools and drains, and to increase largely the ventilation by turning small arched openings at the base of the rear wall for the removal of the pans, and making apertures of ample size below the roof, on all four sides of the building, so as to establish a thorough lateral current.

On the occasion of His Excellency the Commander-in-Chief visiting Lahore in December last, he inspected the Central Jail, which contains 2,200 prisoners, and after minutely examining the details of the system, he was pleased not only to express his thorough approval of the plan, and to admit its merits, but he gave orders for it to be adopted at some of the principal Military stations without delay.

* * * *

There must be a perfectly organized plan, with rules for the guidance of each individual, and not only must every one have his own separate duty assigned him, but, in case of neglect, the responsibility must be fixed upon some one against whom the neglect or want of supervision rests.

It is one thing to give an order, and another to see it properly carried out.

* * * * *

As long as there is anything to offend the senses, the supervising Officer may rest satisfied that the system is only imperfectly followed, and no excuse should be accepted in justification.

Note E. page 16.

Extract from a Paper read before the Committee by Dr. J. P. Walker.

The mental distress occassioned by a protracted confinement pending trial and sentence is generally great, and has a very depressing effect upon the body which, unless well housed, well nourished, and sufficiently clothed at night, becomes greatly debilitated. I have reason to believe that a great deal of prison sickness and mortality arise from the debility indengered in Havilats.

Lord William Bentinck's Prison Discipline Committee defined that "the object which "we have in view in respect to this class of prisoners is, to treat them in every respect as "innocent men whom there is an indispensable necessity to confine, because no other "means exist of securing their attendance on trial. We would therefore do every thing "that can be done to make this necessity fall as lightly as possible upon them by making "the public bear as much of the loss as it can bear."

An amelioration in the treatment of the untried and unconvicted is urgently called for, and, independently of the benefit it will confer upon the innocent, will be of immense importance in diminishing sickness and mortality amongst the convicted, arising from bad lodging, insufficient nourishment, and often inadequate clothing.

Note F. page 17.

Extract from Dr. Hathaway's Punjab Sanatory Report.

Personal Cleanliness.

If we consider that every adult exhales by the skin and lungs, in the course of twenty-four hours, three pints of moisture "loaded with organic matter ready to enter into putrefaction," that in disease it is both greater in quantity and still more noxious in quality, and that it is necessarily absorbed by the clothes and bedding, can we wonder on being told, by those who have paid the subject most attention, that this noxious matter, if not removed, is again absorbed into the body by the action of the cuticle, and that poisoning by the skin is as certain and deadly in its effects as poisoning by the mouth?

The main point in all sanatory suggestions, in my opinion, is constantly to insist upon the fact, until we fully realize the idea and have it vividly impressed upon our memory, that the secretions of the human body are in themselves noxious, and that our duty is to assist nature in her efforts to remove the elements of danger, instead of concentrating and intensifying the poison. This is the real object in bathing, in wearing clean clothes, in exposing bedding to the atmosphere, in cleansing the floors and ventilating the rooms of our dwellings, and establishing a proper system for carrying away and burying all excrementitious matter.

Note G. page 17.

Extract from Dr. Hathaway's Punjab Sanatory Report.

In very few stations is the water filtered, even for the sick in hospital, and I failed to ascertain that it was done regularly any where, except at Peshawur. In the Jails

of the Punjab it is now a standing regulation, that, during four months in the year, *viz.* from June to September, all water used for drinking purposes is to be not only filtered but boiled, and I believe it to be a measure of great prophylactic value.

When it is considered that the wells in this country are all open, that the water is close to the surface, that leaves of trees, dust and dirt of every description, and frequently insects and reptiles may be seen floating on the surface ; that the water is carried in bags made of the skins of animals very imperfectly tanned, and used promiscuously either for drawing stagnant water out of a ditch or tank, or that required for drinking purposes ; that there is no method of cleaning this bag or even of opening it to examine how dirty it may be inside ; that in nearly every water-jar (where special care is not taken to prevent it) will be found organic vegetable and animal matter, frequently in the shape of worms and animalculæ visible to the naked eye, is it wonderful that health gives way to disease, and that fever, diarrhœa, and dysentery so abound ?

The recent discoveries made by analysis of the different wells in London, abundantly prove that water may have all the external signs of being wholesome, that it may be bright and sparkling in appearance, cool and agreeable to the taste, and yet that these very qualities of transparency and coolness are produced from the decay of organic matter, with which it had been previously contaminated.

But by boiling, the germs of vegetable and animal life are destroyed, the earthy and saline particles which are held in solution are precipitated, and all noxious matter being thus eliminated, nothing more is required than to allow the water to cool slowly in the vessel in which it has been boiled, and then to pass it though a filter of sand and charcoal, which completely restores its briskness and taste.

Note H. page 21.

The Female Prison at Lahore.

About a year ago most of the women from the Punjab Jails were brought to Lahore to undergo their term of imprisonment in a separate Female Penitentiary that was established there for the purpose.

When they first came they seemed quite unaccustomed to any systematic employment, and a good deal of trouble was found necessary to bring them under discipline. The Prison Warders had to be selected and taught their duties, and several minor difficulties had to be surmounted ; but in time the chaos became order, and weaving, knitting, spinning, &c., were rapidly introduced.

The selection of a Eurasian Matron was most fortunate, as she has great energy and considerable physical strength, which gives her confidence in dealing with those under her care.

The progress of the women in all the branches of labor was soon marked. They seemed more easily trained to all varieties of labor than men, and were very handy in arrangements for the cleaning of their wards and ordering of their several duties and employments.

Once only did one of the women try to rebel against the authority of the Matron, who quickly hand-cuffed her, and then fully asserted her authority.

No men are attached to the Jail, except a Persian Writer, an old Seikh Chupprassee, a Native Doctor and a Compounder.

The Guard at the door is from the Police, and consists of five or six men, with one Sentry. None of the men, except the Native Doctor, are allowed inside the Jail, unless the Matron is present, and if any repairs are required to be executed they are done under her supervision.

The occupation, cleanness and order in this Penitentiary contrasted very favorably with what is usually seen in the female portion of ordinary Jails. The clothing of the prisoners was more fully attended to, and the *constant* employment is of itself punitive to most or all of the women.

An improvement in the diet seemed all that was necessary to the health of the prisoners, who were comfortably lodged. The doors of the court yards were guarded by female turnkeys, hired servants, who were instructed to report on any irregularities they might observe among the prisoners. But the general management of the women was principally conducted by the more intelligent female prisoners, who acted as Warders.

Some of the knitting, &c., of the women was shown at the Lahore Exhibition, for, in such a short time, the teachableness of the women had produced manufacture of a high order.

From what I personally observed, I am sure, when such a Matron can be secured, a separate female prison must be an invaluable addition to prison discipline and to the proper treatment of the women confined in our Jails.

T. FARQUHAR.

Note I. page 37.

Extract from Dr. Mouat's Report on Bengal Jails for 1861.

In all Statistical Returns it is not only necessary to state results, but it is essential to furnish the details of figures on which those results are founded. In no other way can their accuracy be established, or any confidence be placed in the conclusions derived from them. Upon this subject the eminently gifted Prince Consort remarked in his Inaugural Address* :—

"Gentlemen, old as your science is, and undeniable as are the benefits which it has rendered to mankind, it is yet little understood by the multitude ; it is new in its acknowledged position among the other sciences, and still subject to many vulgar prejudices.

"It is little understood, for it is dry and unpalatable to the general public in its simple arithmetical expressions, representing living facts (which, as such are capable of arousing the liveliest sympathy) in dry figures and tables for comparison, much labor is required to wade through endless columns of figures, much patience to master them, and some skill to draw any definite and safe conclusions from the mass of material which they present to the student ; while the value of the information offered depends exactly upon its bulk, increasing in proportion with its quantity and comprehensiveness."

* Inaugural Address of His Royal Highness the Prince Consort to the Fourth Session of the International Statistical Congress held in London, July, 1860.

It is, in fact, the "political arithmetic" by which "statesmen, financiers, physicians, and naturalists" seek to support their statements and doctrines, showing that they all acknowledge it as the foundation of truth.

The omission of details necessary for completeness of record on the score of expense has been termed by Lord Brougham, the most eminent living authority on the subject of judicial statistics, "expensive parsimony." The same gifted observer stated on the same occasion that "full and minute statistical details are to the lawgiver, as the chart, the lead, and the compass to the navigator. In a word, the knowledge required by the lawgiver for the performance of the most difficult and most important of human duties, legislative knowledge, the most important of all sciences, without the department of judicial statistics, cannot be regarded as any branch at all of inductive science, within the scope of Lord Bacon's rules."

In the memorandum of subjects for discussion at the Congress above referred to, the following remarks were addressed to the Judicial Section :—

"The statistics of crime and of criminals are never intended to gratify an idle curiosity, but to furnish most valuable lessons and warnings; and no effect should be spared in the collection of such statistics to evolve from them the most valuable suggestions for moral and legislative reform.

"Much is said with respect to the difficulty of collecting such statistics, especially in countries like England, where the State seeks to obtain the necessary information by voluntary co-operation, rather than by compulsory means. But we should not allow the indolence, caprice, or ignorance of Public Officers to stand in the way of substantive reform. The collection of the facts here hinted at, and which may be recommended by the International Statistical Congress, may be difficult, some expenditure may also be required in the various departments to furnish the proper record of such facts, but no sum could be more advantageously expended than in laying the foundation for sound, social, and moral reforms. For every £1,000 expended in statistical enquiries of such a nature, hundreds of thousands may eventually be saved; and we cannot sufficiently estimate the value of any instrument which may lead to the dimiuntion of crime, the abatement of vice, the improvement of morals, and the better administration of justice."

There is no reason that I know of why uniformity of practice should not prevail in all parts of India in the collection of Prison Statistics, and why the recommendation of the Statistical Congress should not be adopted in its integrity.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Govt. Enter 23rd June 64 No. 952.

Order — 20th Sept. 1864 No. 1384

Communicated, with the Report of the Committee, to the Inspector General of Jails & to the Commissioner of Police.

2. The Inspector General is requested to report how far the several recommendations of the Committee on matters of Jail discipline, treatment of prisoners, &c., can be carried out in the Jails under his control, and what arrangements should be adopted for

for the purpose.

3. Referring to para 5 of Mr. Bayley's letter, the Governor in Council observes that the want of sufficient Sail room in this Presidency has been a very serious evil, productive of much embarrassment to the Govt. As a means of affording immediate relief to the crowded Sails, it has been resolved as a provisional measure to permit the employment of Convicts on Large public works, the gangs so employed being lodged in temporary structures provided on the sites of the works. The completion of the Central Sails now in course of construction at Coimbatore & Rajahmundry will it is hoped, afford ample accommodation for the excessive number of prisoners for whom at present there is no adequate provision

provision in this respect. A
ich is important on other
grounds, besides that of the
want of Sail room, that
the building of the new
Central Sails should not
be retarded, - application
will, when necessary, be
made in the Public Works
Dept. for a Special grant
for the prosecution of
the works in question or
of any other Sails in lieu
building with reference
to the offer of funds made
by the Govt. of India.

4. As regards paras 6 & 7, it is observed that the Govt. is the sole authority with whose sanction remissions of sentences passed by the Criminal Courts are granted in this Presidency.

by Act XVIII. 1855

The Inspector Genl. of Sails. } With Report.
Commr. of Police }
Sanitary Commissioner }
Public Works Dept.

dep 22/9

J2-3-64-

Judicial 1864. Department.

No. 1384

PROCEEDINGS of GOVERNMENT.

Ft. 2002. 2475-2448.
1954/65

Dated 20 Sept. 1864.

Forwarding to the Inspector General, Jails and Mr of Presidency Police with certain observations the Report of the Calcutta Committee on matters of Jail discipline treatment of Prisoners &c

127-128
230-137

C20: Judl.
1822
C 22
No 23