

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	~~3509~~ 38	Press
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Dated	11-1-	1864

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*Proceedings of the Madras Government, Judicial Department,
11th January 1864.*

Read the following papers:—

No. 58. Proceedings of Government in the Public Works Department, dated 30th November 1863, No. 3509.

Communicating letter from the Superintending Engineer, 7th Division, reporting on the progress made on the Coimbatore Jail works, and referring for consideration the question of investing Lieutenant Trail with the same powers over the Convicts employed on these works, that he has over those on the road to Goonoor Ghat.

(Vide Proceedings Public Works Department, dated 30th Nov. 1863, Nos. 703 & 704.)

No. 59. From J. ROHDE, Esq., Inspector General of Jails; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Madras, on Circuit. 16th December 1863, No. 474.

In acknowledging your Memorandum endorsed on the Proceedings Madras Government, Department Public Works, 30th November 1863, I have the honor to state that I do not

Dated 10th December 1863.

consider that Lieutenant Trail can legally be

invested with powers of punishment over prisoners confined in the Zillah Jail under charge of the Sessions Judge.

2. The Government will observe, with reference to several of Colonel Walker's remarks, that they have nothing whatever to do with the question, and that the preparation of material, and appropriation of the whole sanctioned amount to the object for which it was granted, did not depend on the exact locality of the Jail: and that the delay in finally settling this did not depend on me.

3. I saw Colonel Walker in August, and approved the site to which residents wished to move the Jail, and handed the Memorandum to Mr. Grant, the Collector, with the view to his showing it and the site to you personally for your own satisfaction, and that you might make the members of Government acquainted with the arrangement and of such details of information as might be required. I again visited the Jail in the beginning of this month, and consented to the slight change in position proposed.

4. I had good reasons for not forwarding the indent for gates, having communicated with Colonel Simpson about them, and ascertained that there was a difficulty in undertaking more work for the Jails, which I hoped would be overcome on his return to Madras, but even had I delayed to do anything, there was abundance of room for pushing on the work without the gates, and Colonel Walker might have called at Ootacamund when there, and had any difficulties removed at once.

5. As for the assertion that I am inimicable to the Department Public Works, I own myself inimicable to their delays and defects: but I believe that no Officer of that Department will deny that they have invariably received from me, when in my power, cordial co-operation and assistance. I object to bad bricks, and I object to sleeping five hours stuck fast in a hole or quagmire in a road that Department has "under repair." I object to the use of bad timber, and to bad work. I may have objected to the impressing of coolies, and the exposure of those coolies to undue risks; but none know better than the Officers of the Department Public Works, with whom I have been or am associated, that they can at all times rely on my aid whether in my official or private capacity. All that Colonel Walker knows of me officially is in connection with that Honore Jail, and the Government knows whether antagonism to the Department, or antagonism to its work should fairly be charged against me; and if the latter, whether my feeling was just or not. The tedious way in which that work crept on, and the result, I think fully justified my apprehensions.

6. I now enclose a copy of my notes written at Coimbatore, which will not only put the Government in possession of the state of progress, but also show whether my "antagonism" to the Department Public Works is such as furthers or hinders the work.

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EXTRACT from the Notes of the Inspector General of Jails, on his visit to the Coimbatore Central Jail site, dated 1st December 1863.

Visited Jail site with Lieutenant Trail, arranged for the entrance about two points more to the west than that fixed on paper without reference to the contour of the land, and which would have given an unsightly aspect, one side of the entrance being much lower than the other; the entrance now fixed will allow the buildings on either side being on a level, and the front of the hospital will still be sufficiently protected from the west and north winds. I consider the foundations allowed in the plan and estimate unnecessarily deep for this soil, where a compact bed of nodular lime-stone presents itself within one foot of the surface. Mr. Trail concurred with me in this, and with the concurrence of the Chief Engineer a saving of one half in the cost of foundations may be made.

2. The intention is to complete one segment of the building containing one block of cells and two ranges of work-sheds at once; this will allow of the transfer for labor of 200 Convicts to assist in the work; indeed 264 Convicts may be kept in the cells when complete, and a further number of selected men, if necessary, in the work-sheds, the old Jail being used for the time as a prison for debtors, prisoners under trial, females and convicts unfit for hard labor.

3. Building stone for rubble work had been delivered of suitable quality at Rupee 1 per cubic yard; firewood was being laid in at 2-8 the 1000 lbs. Timber to a very small amount had been delivered by the Contractor. Indents for iron and iron gates were sent to the Inspector General of Ordnance, who had engaged to have the work done at the Gun Carriage Manufactory, the Ordnance work-sheds being now in full work for Military accoutrements.

4. I arranged with Mr. Trail for the position of the Jailer's house on the road to be made from the Jail entrance, determined as above, to the town; this will be sufficiently removed from the corner selected as a burial ground, &c., and will command a good view of the entrance which must be hereafter kept clear.

5. Ample space about the Jail has been secured to prevent encroachment. The evil I noticed in my last visit to Salem of huts for Police Constables being located on the land secured for the Jail, and their occupation by persons over whom we have no control, may here be avoided, the proper Police lines being already sufficiently near the Jail.

6. From the Jail site I accompanied Mr. Trail to his brick ground, the dirt is very sandy, and will, I think, be improved by a large admixture of clay, which, Mr. Trail tells me, is procurable in the neighbourhood. The prisoners were here employed in working the clay and in piling firewood; some had been employed in moulding; but until the pug-mills turn out clay sufficient for the moulders, the most profitable employment for them will be bringing, mixing, and treading clay.

7. The laying out of this ground in regular hacks for which it is well suited would greatly economise labor. Benches and barrows are wanted to increase the out-turn now only 1000 a day by each skilled moulder, 2000, or in fact 2200 being the day's work of a skilled native moulder on the hills; the moulding here was excellent; my fear is that there is not clay enough in the soil, and that, perhaps, from its nature a much thinner brick will be necessary to secure good quality. Mr. Trail had given directions for experiments on different admixtures of clay with this soil.

8. Mr. Harris spoke of the neglected state of the roads consequent on the diversion of the convicts to Jail building. I observed, however, that where I found the roads bad, it was rather from what had been done than from what had been left undone. The Metapollam road gangs will be returned by May next, quite in time for any road repairs, which, in dry weather, are very unsatisfactory.

9. One gang of prisoners was employed in quarrying stone for the building. I did not visit it, but better tools were evidently required for it, and these I engaged to supply if any remain on hand of the steeled bars furnished for Prison's use on Indent.

10. The best work on which to employ the prisoners in the new Jail work will probably be the working of clay for bricks, of which, exclusive of getting, six men should work, daily, enough

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for 2000 bricks, excavating foundations, levelling, quarrying stone for building, and digging chunam stone; in the last, from experience at Gunttoor, I should expect each man to do at the rate of $1\frac{1}{2}$ to $1\frac{3}{4}$ cubic yards daily, dug and carried to within 40 yards, for each man of the gang employed, the removal of surface soil being included in the measurement; heavy steel pointed bars kept in good order are, however, necessary to this end.

11. On my visit to the Jail the following morning, I found the building decaying, the patching it had undergone two years ago had fallen away, the wards had evidently not been white-washed for many quarters, and the place altogether was in a bad state: the shutters which I had had removed to allow of better ventilation had in general been replaced at the requisition, I was told, of the Surgeon; in the cells in which this had been done, and where the shutters had not been opened, the air was foul: and though I am fully alive to the importance of protecting prisoners while asleep from chilling winds, I thought it well to direct that the lower half only of the shutter should be left to close, and that the second shutter should be fixed outside the window as a weather board in all the wards with a Western aspect. In the Eastern wards the whole of the shutters had long since been removed and fixed as weather boards.

12. As the officer in charge had been unable to get iron doors made to the female and debtors' cells, and I had been unable to provide them, I explained to the Jailer the course to be taken in putting gratings to the present doors, a plank being removed for the purpose. I further desired that the walls of the wards would be immediately scraped and white-washed with hot fresh-prepared wash.

13. The sickness and mortality of the Jail continues high, it includes all serious cases, not only from the prisoners within the walls, but those from the Paulghat and Metapollam road gangs. I can add nothing to what I have already repeatedly said on the subject of the mortality in this Jail.

14. An escape from the hospital had lately taken place, the prisoner having gained access to the roof of the building by means of a chair and the old sentry box in the hospital yard, the removal of the latter was sanctioned; and the Sessions Judge in charge is requested to call Mr. Brown's attention to the Inspector General's Circular, No. 61, cautioning Jailers against permitting loose articles, which might facilitate the escape of prisoners, to lie about the prison enclosures.

15. I found a Eurasian convict, sentenced to rigorous imprisonment, in hospital, where it appears he had passed the greater portion of his time; previous to this he had, I was informed, been employed in "looking after" the Smiths and Carpenters. The Jailer on being told that he had not carried out the sentence faithfully, remarked that since his appointment the man had been in hospital, but that he was very useful as a check on the prisoners, &c.; he was informed that the prisoner was not to be employed to do his work, but that a transfer of this prisoner to Ootacamund, or to the Lovedale gang would be made, where the man will be employed according to his physical powers.

16. The Jailer said there was difficulty in supplying fresh and good water, owing to the detailing of the gangs to the new Jail work, and the system of guarding precluding the sending out of small gangs for the purpose; but this may easily be overcome by making every second prisoner returning from labor bring with him a pot of water.

(True Extract.)

(Signed) J. ROHDE,
Inspector General of Jails.

No. 59 A.

ORDER THEREON, 11th January 1864, No. 38.

Mr. Rohde's letter will be communicated to the Public Works Department.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. J. Tulloch.

Prom 9-11-63

*Proceedings of the Madras Government, Public Works Department,
30th November 1863.*

No. 703. Read the following letter from Lieutenant-Colonel G. W. WALKER, R. E., Superintending Engineer, 7th Division, to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Calicut, 11th November 1863, No. 226 :—

SIR,

1. In reporting on the subject of Government Order No. 3,217 of 4th November, I take the opportunity of making the statement of progress on the Coimbatore Jail works called for in your Memorandum, No. 177 of 29th October.

2. I must premise that the allotment of Rupees 37,000 for Coimbatore Jail was only sanctioned in Government Order No. 1,248 of 18th May, received by the District Engineer on 9th idem. On the 19th June the Collector wrote recommending that no money should be laid out until receipt of orders of Government on a Memorial against the site selected, which was forwarded to Mr. Rohde on the 8th April. These were communicated to me under date the 4th August, No. 2,188. Thus the first quarter of the year was lost, clearly without grounds for imputing blame to the Officers of this Department, who are ordered not to move in such matters, except co-operatively with the Collector and Magistrate; and who are not at liberty, as Mr. Rohde supposes in paragraph 4 of his letter, No. 332 of 8th October, to transfer funds from one District to another at their pleasure. One District Engineer could know nothing of what was going on in another District; it would rather appear the duty of the Inspector General to watch over the progress of Jails and interfere personally and actively where required, which could easily be done in the case of Salem and Coimbatore Jails connected by rail, and so near his head quarters.

3. From the tenor of Mr. Rohde's remarks also, it would hardly be imagined that it required a reminder from me (No. 94 of 7th August) to elicit a reply to my requisition of the 9th June, No. 54, for information as to the portion of the work, commensurate with the sanction, to be undertaken during the year. Previous knowledge of Mr. Rohde's habitual antagonism to the Public Works Department led me in the same letter to request his instructions as to any fittings, &c., that he might wish prepared from his own designs. Manifestly until such information was imparted the Executive Officer was unable to draw out his schedules and specifications for guidance of Contractors. Not that he had been idle, for I found him supplied with calculations for the entire work; but in case of sanctions not being continuous from year to year I had to limit his dealings with Contractors to the operations of the current year only. A fair start could not therefore be made with the contracts until after receipt of Mr. Rohde's No. 183 of 15th August; and then a month's delay was inevitably incurred in awaiting the result of advertisements and other measures adopted.

4. Again Mr. Rohde's requisition in Memorandum to Government of the 11th July, as to a burial ground, required the submission of a survey sketch for his orders as to the exact spot. These, first solicited in my No. 116 of 14th September, I had again to call for under date the 30th September, when he was informed that his neglect to reply embarrassed our proceedings. I am sorry to say that on now visiting the site, I find the Assistant Executive Engineer has laid it out in a manner directly contravening the condition laid down in the Inspector General's Memorandum, viz., that the possibility of erection of any building within 200 yards of the Jail should be obviated. This I found out from his verbal statements, and insisted on having corrected, previous to receipt of Government Orders on Mr. Rohde's letter. I am afraid I must blame the Magistrate for misleading him in this matter; but a closer attention to his own Office Records would have kept him clear of the mistake, which he and Mr. Grant together have committed.

5. Progress with work and collection of materials are not such easy matters at Coimbatore just now, with a heavy demand for labor in all directions; and Lieutenant Trail should be allowed a fair start with his operations, before being subjected to such hasty remarks as those inflicted by the Inspector General. His experience of Coimbatore workmen and Contractors is not such as to induce me to urge him to promise more than he has already done, it would be a poor result if we incurred the displeasure of Government hereafter by not spending our allotment within the year. We shall be very glad to profit by Mr. Rohde's ingenuity and practical knowledge, if he will be so good as to favour with his help on the spot. At least we may expect of

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him that he will avoid reporting us to Government until he has found personal communications to be unavailing. With such I am sorry to say he has not obliged us, though so near at hand for months.

6. In conclusion, I have to call attention to the subject of an Overseer for Coimbatore Jail, whose appointment was understood from the Public Works re-organization Report, to have been provided for specially. A person of some experience is required, and if possible he should understand the management of the brick-making machine, for which indents were forwarded on the 13th October. Moreover, the Assistant Executive Engineer should have the same powers over the Convicts employed on these works extended to him, that he has* over those on the road to Coonoor Ghât; the difference in the value of the labor of those so employed, and really under his orders, being great as compared with that of the prisoners on the Pothanoor Railway Feeders, of whom he can only complain to others unavailingly. Finally, I request that the Inspector General of Jails be instructed to expedite generally his replies to letters, and specially the transmission to me of an indent for iron work which Lieutenant Trail states to have been sent him on the 12th October for that express purpose, after countersignature.

No. 704.

ORDER THEREON, 30th November 1863, No. 3,509.

Proceedings Judicial Department, 27th August 1863, No. 1,387.

Proceedings Public Works Department, 4th November 1863, No. 3,217.

1. Communicated to the Judicial Department with reference to the orders as per margin.

2. The Government regret to observe that the progress of the Coimbatore Jail has not been commensurate with its importance, and judging from the information furnished by the Superintending Engineer, they apprehend that it will be impracticable to spend advantageously in the current year the full allotment for that work. Colonel Walker will be requested to give early intimation of the probable amount of saving from the grant for the Jail, in view to its appropriation to other works, notably to the road from Coimbatore to Kullar.

3. In paragraph 6 Colonel Walker draws attention to the necessity of the services of an Overseer being specially placed at his disposal for employment on the Coimbatore Jail. The attention of that Officer will be drawn to Proceedings dated 10th November 1863, No. 3,261, wherein he was informed that there was no objection to the employment of an Overseer on a special work at the cost of that work; but it will be pointed out that the Government, in Proceedings dated 18th June 1863, No. 1,599, paragraph 6, were led to expect that the Superintending Engineer, 7th Division, would be able to spare a few of the Overseers allotted to one portion of his Division for employment in another by the appointment of one of that class of Subordinates to the charge of two Talooks, an arrangement which they believed to be feasible, as there are few or no irrigation works in Canara and Malabar. This subject should engage Colonel Walker's attention.

4. The question of investing Lieutenant Trail with the powers of punishment, referred to in paragraph 6, will be considered in the Judicial Department.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Judicial Department, with enclosures.

- „ Superintending Engineer, 7th Division.
- „ Controller and Auditor of Public Works Accounts.
- „ Accountant General.

Exd. S. T. Augustin,

*Referred to the Inspector
General of Jails.*

10th Decr. 1863

Judicial. 458

*Proceedings of the Madras Govt.
Read the following papers—*

Pros. in the Pub. Wks.

Dept. Inter 30th Nov. '63 No. 3509

*Letter from the In-
spector Genl. of
Jails*

16th Decr. — "474"

Order — 11th January 1864 No. 38.

*Mr. Rohde's letter with
he communicated to
the Pub. Wks. Dept.*

The Pub. Wks. Dept. Decr. 16th

27/12/63

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