

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 423

Press

268-269

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Dated

30. 3 - 19 1864

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
30th March 1864.*

Read the following papers :—

No. 268. From R. COLE, Esq., Principal Inspector General, Medical Department, Fort Saint George; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Judicial Department, Fort Saint George, dated 11th January 1864, No. 8.

I have the honor to forward for submission to Government a correspondence which has taken place between the Deputy Inspector General of Hospitals, Ceded Districts, and the Sessions Judge of Bellary, on a question which involves an im-

portant principle in the sanitary management of Jails, and I respectfully submit that the distinct enunciation by Government of its being the duty of Inspecting officers of the Medical Department to visit the Jails, to inquire into the Medical and sanitary concerns thereof is required. As it is, under the interpretation put upon existing rules by the Sessions Judge of Bellary, a Deputy Inspector General may be refused admittance into a Jail, unless introduced by his subordinate officer, the Civil Surgeon.

2. An inspection of a Jail by a Medical officer must be understood to mean a *medical* inspection, but all ambiguity should have been prevented by Mr. Balfour stating this specifically; for, regarding the general management and arrangements of a prison, there is a special Inspecting officer.

3. Mr. Balfour would have done well to have quoted the orders of Government contained in the 7th paragraph, Section 7 of the Medical Code, which enjoins on Deputy Inspector Generals to make "frequent personal inspection of all Regimental or other Hospitals," as authority to enter Jail at any time; for, to inspect the hospital, he must enter the Jail precincts.

From E. BALFOUR, Esq., Deputy Inspector General of Hospitals, Ceded Districts, to the Secretary to the Principal Inspector General, Medical Department, dated Bellary, 2nd January 1864, No. 10.

1863, 30th December, No. 526, to Sessions Judge, Bellary.
" 31st " " 911, from do. do.
1864, 1st January " 3, to do. do.

I have the honor to submit to the Principal Inspector General, the correspondence as per margin, from which the Principal Inspector General will observe that on 30th ultimo I men-

tioned to the Sessions Judge, Bellary, my intended inspection of the Jail Hospital and Jail.

2. That officer in reply No. 911 recognises the full and free right of Inspecting sanitary officers to inspect the Jail Hospital, but, at the same time intimates that he has hitherto looked on the Inspector of Jails as the only public officer vested with right to officially and supervisingly inspect

Zillah Magistrate.

" Surgeon.

Superintendent of Police with his Subordinates.

either the Jail under the Session Judge's charge (or any other) and names the officers as per margin as alone having the right of ingress into the Jail, without special permission.

3. My letter No. 526, mentioning to the Session Judge, my intended inspection of the Jail Hospital and Jail, of itself evinces my recognition of his position as in charge of that Institution; and I may add that, though, from circumstances, it was unfortunately late in being sent, it was written with the express object of courteously recognising his position.

4. But, as the Sessions Judge is under the impression that the Inspector General of Jails is the only public Inspecting officer, and the Zillah Magistrate, Zillah Surgeon, and Superintendent of Police are the sole official visitors, unless with a special permission, the Honorable the Governor in Council may perhaps deem it desirable to issue, for the sanitary care of the Civil Institutions of the

* G. O. No. 82, page 554, dated 24th October 1863.

State an order similar to that recently promulgated* by His Excellency the Commander-in-Chief, for the preservation of the health of

the army, and thus assimilate the work of inspecting sanitary officers in all Departments of Government.

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30th March 1864.*

From E. BALFOUR, Esq., Deputy Inspector General of Hospitals, Ceded Districts, to J. RATLIFE, Esq., Sessions Judge, Bellary, dated 30th December 1863, No. 526.

I have the honor to report that I will have the honor to inspect the Bellary Jail Hospital and Jail to-morrow morning at 6½ A. M.

(A true Copy.)

(Signed) E. BALFOUR,
Deputy Inspector General of Hospitals,
Ceded Districts.

From J. RATLIFE, Esq., Session Judge, Bellary; to the Deputy Inspector General of Hospitals, dated Bellary, 31st December 1863, No. 911.

In acknowledging receipt, at 7½ P. M. last night, (when my opening it, even, was a matter of chance) of a communication from you, expressive of your intention to inspect the Jail under my charge, as well as the hospital attached to it, at 6½ A. M. this morning, I have the honor to solicit the favor of copy of the instructions, or authority, under which you act, in the matter, as regards the Jail proper, being myself (though perhaps ignorantly) unaware of the existence of any such authority, and having, hitherto, looked upon the Inspector General of Jails, as the only public officer vested with right to, officially and supervisingly, inspect (either) the Jail under my charge (or any other) though of course admitting your full and free right to visit, the Jail Hospital whenever so minded.

2. The only officers who have ingress to the Jail, de jure, and without special permission from the officer in charge, are, the Zillah Magistrate, the Zillah Surgeon, and the Superintendent of Police (with his subordinates), admittance being, however, also granted to parties accompanying i. e., *bona fide* with either of them, when paying a visit.

3. Such being the standing order to the Jailer, you would not, I may observe, have been admitted this morning, unless (as the Jailer has since reported you to have been) accompanied by the Zillah Surgeon.

From E. BALFOUR, Esq., Deputy Inspector General of Hospitals, Ceded Districts; to J. RATLIFE, Esq., Session Judge, Bellary, dated Bellary, 1st January 1864, No. 3.

I have the honor to acknowledge receipt of your letter No. 911, in which you ask of me copy of the instructions or authority under which, as regards the Jail proper, I inspect the Jail.

2. I beg to enclose copy of the form of Annual Inspection Report, which this office is required to complete, also copy of the Circular directing same.

3. I have the honor to add that, on examining the previous Annual Inspection Reports sent from this office notices though brief, of the Bellary Jail occur.

4. I regret that, from circumstances, the intimation to you of my intention to inspect the Bellary Jail Hospital and Jail was so long deferred.

5. I would wish to abstain from, here, entering on the discussion of other points opened up by your letter No. 911.

(True Copy.)

(Signed) E. BALFOUR,
Depy. Insp. Genl. of Hospitals,
Ceded Districts.

No. 268.

ORDER THEREON, 30th March 1864, No. 423.

The Deputy Inspectors General of Hospitals are clearly at liberty to inspect the Jails whenever they think fit, for the purpose of ascertaining and reporting on their sanitary condition. Mr. Ratliff

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30th March 1864.*

must have been aware that this was Mr. Balfour's object in proposing to visit the Jail at Bellary, and should have abstained from questioning his authority to do so.

(True Extract.)

A. J. ARBUTHNOT,
Chief Secretary.

To the Principal Inspector General Medical Department.

" Inspector General of Jails.
" Sessions Judge of

Exd. J. Tulloch.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter of
the Principal Inspector General,
Medical Department.

(Here enter 11th January 1864 No. 8.)

Order thereon 30th March 1864 No. 423.

The Deputy Inspectors General
of Hospitals are clearly at liberty
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ascertaining and reporting on the
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W.D.

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10. To the P. J. Medical Dept
3. " Dispute of Sails } dep 2 1/4
6. " All session judges }

Archival 1864. Department.

No. 423.

PROCEEDINGS of GOVERNMENT.

*Dated 30 March 1864.
J. H. 697.*

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