M.R.O. 1—29,600—16-10-22.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1382	Press Mis.
277-78	
Dated 26. 9. 1865	19

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,

26th September 1865.

No. 277. Read the following Proceedings of Government in the Public Works Department, dated 22nd September 1865, No. 2802.

Communicate for information a Memorandum by the Chief Commissioner, Oudh, on the extent to which Convict labor should be employed in the construction of Jails. (Vide Proceedings, Public Works Department, dated 22nd September 1865, Nos. 530 & 531.)

No. 278. ORDER THEREON, 26th September 1865, No. 1382.

Forwarded to the Inspector General of Jails, for communication to all officers in charge of Jails.

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Inspector General of Jails.

Exd. J. Tulloch.

No. 530. Read the following Proceedings of the Governor General of India in Council, Public Works Department (Civil Works—Buildings), dated Simla, 17th August 1865, Circular No. 78 :—

Extent to which Convict Labour should be employed in the construction of Jails.

Read the following :—

Memorandum by C. J. WINGFIELD, Esq., C. B., Chief Commissioner of Oudh, on convict labour in construction of Jails.

As several new Jails will be erected shortly, and the Government of India has determined that, in their construction, convict labour shall be employed to the largest extent possible, it seems necessary, to ensure the due fulfilment of the intentions of the Government, that certain rules be laid down, and a system prescribed from which no deviation will be allowed. The recent examination of the Lucknow Central Jail Estimates has shown how strong is the tendency of Jail Officers to employ hired instead of convict labour on very insufficient pretexts.

One plea that is constantly urged is, that convicts with irons cannot mount ladders or platforms, and, therefore, cannot build high walls. This plea, the Chief Commissioner dismisses with the remark, that fetters are not part of a Judicial sentence, and, therefore, should not be placed on men required to do work that cannot be performed with them ; while a Jail is in course of construction, minor considerations of Jail discipline must bend to the paramount one of completing the Jail with the least cash expenditure. So must all such other considerations, as that manufactures pay better. The first demand on the labour of prisoners is for the construction of the Jail ; and until that demand is satisfied, no prisoner can be put to any other use.

The Chief Commissioner will now state what work he thinks prisoners exclusively may be expected to do, and for which the use of hired labour or the purchase of any but raw materials may be positively interdicted—

1st.— Kutcha masonry to whatever height walls may be carried.

2nd.—Kutcha-pucka masonry with, perhaps, the aid of one or two masons to throw the plumb line, &c.

3rd.—To make all kiln-burnt bricks, tiles of different sorts, coping stones ; one or two experienced brick-makers may be employed to direct the scientific construction of the kilns, but all the manual labour must be performed by prisoners.

4th.—To make all thatched roofs

5th.—All pounding of soorkee and mixing of mortar.

6th.—Sinking wells with the aid of professional direction.

7th.—Forging coarse iron-work such as bars, clamps, hinges.

8th.—Sawing logs or rough planks.

9th.—Making all *tat purdahs*.

10th.—Painting, white-washing.

11th.—All ramming earthern and soorkee floors, or laying tiled floors.

There are probably other kinds of work which could be performed by convict

labour alone, but they do not just now occur to the Chief Commissioner's memory; however, he begs that the Chief Engineer and Inspector of Prisons will go over the list to supply deficiencies. A classified table of work to be done by prisoners and by hired labour should then be drawn up and published for guidance.

The Chief Commissioner is aware that there may be few or no prisoners in any one Jail who are blacksmiths, carpenters, or masons by trade, but there must be some in the entire Province, and they should be sent to the scene where their labours are required. But in the case this resource should fail, prisoners may be instructed to act as masons, carpenters, and blacksmiths, as several new Jails are to be built, and their services will be required for a considerable time.

Many prisoners of the Lucknow Central Jail must have, by this time, acquired considerable skill in particular branches of labour, and they should be distributed among the stations where new Jails will be built.

The works for which hired labour may be employed are—

Pucka foundations of buildings and wells.
The finer kind of wood-work, such as doorways, making up roof trusses and of iron-work.

The Chief Commissioner may have omitted one or two items; but, as before observed, the Chief Engineer and Inspector of Prisons must go over the list together; when fixed, it should be submitted for Chief Commissioner's approval.

It having been determined what work shall be executed by prison labour alone, the Chief Engineer would apprize the Executive Engineer, and reduce the rates of the Jail Estimates by the equivalent of the work to be done by convicts. The Executive Engineer would look to the Jail Officers to supply the labour, and the Jail Officers must decide what number of prisoners will be required to perform the work. The Jail Officer and Executive Engineer must understand that they are to work together for a common purpose, and they will soon overcome difficulties of detail by mutual concert.

As regards repairs, the Chief Commissioner can hardly conceive any that may not be executed by prison labour. The excuse of prisoners not being able to ascend ladders has been deprived of all force. Plastering, white-washing, and painting can all be done by prisoners. Repairs may, therefore, be superintended by the Civil Officers in charge of Jails, who may, when necessary, be aided by an annual grant for materials. Their accounts might be in the simple form lately authorized for Civil Officers acting as Public Works disbursers.

Finally, the Chief Commissioner calls on all Engineers, Jail and Civil Officers, to combine to give the fullest effect to the wishes of the Government; all difficulties will disappear if they act with the single object of saving the public money. The Chief Commissioner is determined that the intentions of the Government of India shall be fully carried out, and will listen to no pleas or excuses for evading compliance with them, and he warns all Officers that, if they pay for any article, work, or labour, that he has directed shall be supplied by prisoners, he will call on them to make good the amount improperly expended.

Proceedings of the Madras Government, Public Works Department, 22nd September 1865.

Governments of Madras, Bombay, Bengal, North Western Provinces, and Punjab.
Chief Commissioners, Oudh, Central Provinces, and British Burmah.
Commissioners of Mysore and Coorg.
Resident at Hyderabad.
Agent's Governor General, Rajpootana, and Central India.
Governor, Straits Settlement.

ORDER.—Ordered, that a copy of the above be forwarded to the Local Governments and Administrations noted on the margin, for information.

(Signed) C. H. DICKENS, Lieut.-Colonel, R. A.,
Secy. to the Govt. of India.
(Signed) A. B. SAMPSON,
Asst. Secy. to the Govt. of India.

To the Secretary to the Government of Madras, Public Works Department.

No. 531. ORDER THEREON, 22nd September 1865, No. 2,802.

CIVIL WORKS, No. 62.

Communicated to the Judicial Department, and to the Superintending Engineers for information.

(True Extract.)

Major, R. E.,
Under Secretary to Government.

To the Judicial Department.
" Superintending Engineers.

Ed. S. T. Augustin.

Rec'd 5 Oct 1865

Medical Director's Office
Dept of Texas
Proceedings of Commanding
Public Works for Oct
No 2802

Dated 22d Sept 1865
Rec'd 28th Sept 1865

No 2030

Communicate for inform
a Return of the Civilian
-ployees and Public Works
Extent to which each
Laborer may be employed on
the Construction of
Jails -

Brvt Bvt

277-278.

25th September 1865 No 1382

Forward to the Engineer Officer
Jails Commissioners
Engineer Officer
Charge of Jails &c.

To the Engineer of Jails Austin 26/9