M.R.O. 1—89,000—16-10-39.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1785—60 Press ~~Mis.~~

76—80

Dated 9 — 12 — ~~19~~ 865

16/17

**Not to be folded or roughly handled**

MS

133

# *Proceedings of the Madras Government, Judicial Department,* *9th December* 1865.

Read the following papers:—

No. 76. From the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Ootacamund, 16th November 1865, No. 502.

In forwarding the enclosed letter from Mr. Lloyd, relative to a retrenchment by the Accountant General of his allowance as Jail Superintendent, on the ground that his Military pay is granted in lieu of all Civil emoluments, I have the honor to submit, that the order referred to had reference solely to Medical duties performed in the Civil Department, and not to extra duties not of a professional character, and not contemplated at the date of the order.

From the Superintendent of Jail, Nellore, to the Inspector General of Jails, Ootacamund; dated Nellore, 10th November 1865, No. 81.

I have the honor to enclose a copy of "Objection Statement" just received from the Accountant General's Office, and to request you will be good enough to obtain for me the sense of Government on the question raised by the Accountant General. It appears to me that for the very slight consideration I receive from the difference of Civil and Military pay, it could never have been the intention of Government, that I, together with the greater number of the Superintendents of Jails, recently appointed, should hold such heavy and responsible posts without any emolument whatsoever.

No. 77. From the Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Ootacamund, 27th November 1865, No. 554.

The Accountant General having retrenched several Jail Superintendents of their allowances on the ground that intramural labor is not the rule of the Jail, I have the honor to request that the Government will sanction the rule and permit Officers in charge to draw the allowance, pending such change in the buildings as shall allow the Rule to be strictly enforced.

From the Superintendent of Jail, Tellicherry, to the Inspector General of Jails, Ootacamund; dated Tellicherry, 23rd November 1865, No. 45.

I have the honor to enclose copy of a certificate which I had to furnish the Acting Deputy Accountant General with.

2. I find from the Deputy Accountant General's Memorandum, dated 10th instant, (copy of which is herewith sent) that if intramural labor is not the rule of the Jail, my Jail allowance will be retrenched. I have therefore submitted the enclosed papers for your information, and request you will be good enough to prevent the retrenchment if possible.

This is to certify that intramural labor is not the rule of the Jail.

(Signed) D. R. THOMPSON, M. D.
*Superintendent of the Jail.*

(True Copy.)
(Signed) D. R. THOMPSON, M. D.
*Superintendent of the Jail.*

TELLICHERRY, *23rd November* 1865.

From the Acting Deputy Accountant General, to the Civil Surgeon and Superintendent of Jail, Tellicherry; dated Madras, 10th November 1865.

Post Audit Department.

The item noted in the margin is pending audit for want of No. 21: to avoid retrenchment be good enough to remove the defect without delay by a Memorandum in the margin, or a separate certificate. This Memorandum must in any case, be returned in original.

Jail allowance bill of Dr. Thompson, Superintendent of Jail, for September 1865, paid at Malabar Treasury on 7th October 1865.

21. Certificate that intramural labor is the rule of Jail.

(True Copy).
(Signed) D. R. THOMPSON, M. D.
*Superintendent of the Jail.*

From the Superintendent of Jail, Berhampore, to the Acting Inspector General of Jails, Bangalore; dated Berhampore, 7th October 1865, No. 112.

I have the honor to forward herewith copy of a letter which I addressed to the Deputy Accountant General, Madras, and his answer, by which you will see that as long as extramural labor is the rule in this Jail, no allowance will be passed to the Superintendent.

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From the Zillah Surgeon, Berhampore, to the Deputy Accountant General, Madras; dated Berhampore, 16th September 1865, No. 49.

Having been appointed on the 8th instant, by the Madras Government, Superintendent of this District Jail, where intramural labor is at present the exception, I have the honor to request you will be kind enough to inform me if No. 152, Proceedings of the Government of India, in the Financial Department, dated 22nd February 1865, No. 912, prohibits my drawing the monthly salary of Rupees 50, granted in Proceedings of the Madras Government, Judicial Department, No. 162, dated 16th June 1865, No. 877.

2. I make this inquiry to obviate retrenchment.

(True Copy).

(Signed) R. W. COCKERILL,
*Zillah Surgeon.*

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From the Acting Deputy Accountant General, Madras, to the Zillah Surgeon, Berhampore; dated Fort Saint George, 27th September 1865, No. 30.

Post Audit Department.

Vide your office letter, No. 49, dated 16th instant.

Dr. Cockerill is not entitled to the allowance in question, so long as intramural labor is the exception and not the rule.

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No. 78.

## MEMORANDUM.

The enclosed letters received from Superintendents of Jails relating to retrenchment of their allowances are forwarded in reference to a letter from this office, dated 16th ultimo, No. 502.

OOTACAMUND,
OFFICE OF INSPR. GENL. OF JAILS,
*4th December* 1865.

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

*To the Chief Secretary to Government, Fort Saint George.*

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From the Acting Zillah Surgeon H. KING, Superintendent of Jail, Mangalore, to the Inspector General of Jails, Ootacamund; dated Mangalore, 13th November 1865, No. 318.

I have the honor to request that you will lay the following statement before the Madras Government, with as little delay as possible.

2. The Accountant General has "objected" to my Jail allowance as Superintendent from 21st to 30th September (and will also, of course, retrench it from October 1st to 30th), on the ground that "Dr. H. King having been granted Military pay and allowances in lieu of all Civil emoluments whatsoever, no more than those allowances can be drawn."

3. It is scarcely necessary to point out (to any one but officials of the Accountant General's Department), that the "all Civil emoluments whatsoever" in the Supreme Government's Resolution of 13th March, and in the subsequent Madras G. O. of 7th June, granting me the Military *unemployed* pay of my rank (433-10-2), instead of Civil allowances (410-10-10), referred solely to such Civil emoluments as I drew as Zillah Surgeon—not to my allowance as Superintendent of the Jail, an office subsequently undertaken by me, and having no essential connection whatever with Medical duties, to which alone the Resolution of the Supreme Government applied.

4. The interpretation put upon this Resolution by the Accountant General implies that those Zillah Surgeons who were specially granted Military pay by Government, and subsequently undertook the duty of Jail Superintendence, were guilty of the incredible folly of assuming new and unprofessional work without any remuneration whatever!

5. In conclusion, the increase to our allowances of Rupees 23 having been conceded as a favor, it must be optional with us to recur to the former rate of Civil pay, if it should prove more favorable to us, as of course it will be, if this extraordinary ruling of the Accountant General be approved by Government. We should lose Rupees 23 per mensem, and gain Rupees 50.

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From the Superintendent of Jail, Tanjore, to the Inspector General of Jails, Ootacamund; dated Tanjore, 15th November 1865, No. 36.

Having made an application several months since that my services might be re-placed at the disposal of the Commander-in-Chief for Military employment, the Governor in Council directed (in Proceedings of the Madras Government, No. 634, dated 15th June 1865,) that Military pay and allowances should be passed to me in lieu of all Civil emoluments whatsoever. This was done because, as stated in the order just referred to, it was inexpedient to relieve me from my appointment as Zillah Surgeon.

2. The Accountant General has taken advantage of this order to retrench the allowance drawn by me as Superintendent of the Jail here, agreeably to paragraph 2 of the Proceedings of the Madras Government, Judicial Department, dated 8th September 1865.

3. Now I would most respectfully submit that a previous order, fixing the amount to be drawn by me for performing the duties of Zillah Surgeon, can in no way interfere with a subsequent order granting me a specified remuneration as Jail Superintendent.

4. I have been put to some expense and a good deal of trouble in studying Tamil, and have just succeeded in passing the prescribed examination in that language.

5. The decision of the Accountant General tells, therefore, all the more hardly against me. Still, as I cannot help believing that Government intended each Medical Officer, doing the duty of Jail Superintendent, to be remunerated for that duty without reference to his allowances as Zillah Surgeon, I have the honor to request that you will be good enough to submit my case for the favorable consideration of Government.

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From the Superintendent of Jail, Coimbatore, to the Inspector General of Jails, Ootacamund; dated Coimbatore, 24th November 1865, No. 47.

I have the honor to call your attention to the correspondence noted in the margin, of which I send copies.

(1.) Letter to the Principal Inspector General, Medical Department.
(2.) Docket in answer thereto.
(3.) Memorandum of objection to the payment of the salary of Superintendent of the Jail, Coimbatore, with explanation, &c.

2. Although the above requires little further comment, I must add that should there be any permanent objection to my drawing the salary for the Jail Superintendence, I beg that you will be so good as to tender my resignation of the appointment. At the same time I feel satisfied that His Excellency the Governor will, upon your kindly representing the case, see fit to allow the payment to be made especially as there seems no doubt that His Excellency intended that the one hundred Rupees should be passed for the performance of the new duties.

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From the Zillah Surgeon of Coimbatore, to the Secretary to the Principal Inspector General Medical Department, Fort Saint George; dated Coimbatore, 9th November 1865, No. 101.

I have the honor to request that you will be so good as to bring to the notice of the Principal Inspector General the following circumstances.

2. I applied to be allowed to return to Military duty on the 24th of April last, and on the matter being referred to the Governor, His Excellency was pleased to direct that I should receive the pay of my rank, which amounted to Rupees 22-13-4 more than I had been up to that time drawing; His Excellency the Governor in his Order now referred to ruled, that this amount was to be "in lieu of all Civil emoluments whatever."

3. Since the above date certain changes having taken place in the management of Jails, I was by G. O., as per margin, appointed Superintendent of the one at this station, and Rupees 100 were ordered to be passed to me, which sum I have drawn since the 11th September, in the Jail Department.

4. The authorities at the Audit office in Madras have recently ordered this sum of Rupees 100 to be retrenched, and quote the above order, especially the words italicised, as their authority for so doing.

5. I feel sure that the meaning of His Excellency's order can only be made to refer to emoluments for Medical services of all kinds, and could not have been meant to have prospective effect upon Superintendence of a 1st Class Jail, the duties of which, besides being very onerous, are quite extraneous to any mere professional work.

6. I would, therefore, in conclusion beg that you would, in calling the attention of the Principal Inspector General, kindly suggest that with his concurrence and approval the matter be referred, feeling, as I do, confident that the interpretation put upon the Governor's Order by the Audit Department, cannot be the correct one.

(True Copy).

(Signed) W. F. DAVIS, M. D.,
*Civil Surgeon.*

Endorsement from the Principal Inspector General's Office.

From Secretary Principal Inspector General Medical Department, to the Zillah Surgeon, Coimbatore; dated 21st November 1865, No. 4012.

REFERENCE.—Your letter, No. 101, dated 9th November 1865.

SUBJECT.—This appeal should be forwarded through the Inspector General of Jails, as the duty in question does not come under the cognizance of the Medical Department.

(True Copy).

(Signed) W. F. DAVIS, M. D.,
*Civil Surgeon.*

From the Superintendent of Jail, Chingleput, to the Inspector General of Jails, Ootacamund; dated Chingleput, 25th November 1865.

I have the honor to forward the enclosed Entrenchment (original), issued from the Accountant General's Office against me for my pay as Superintendent of the Jail, and request that you will have the goodness to obtain the orders of Government on the matter.

2. My pay as Civil Surgeon (Rupees 410-10-10) used to be made up from two sources; it consisted of "Zillah pay consolidated" Rupees 360-10-10, and "Dispensary Allowance" Rupees 50. This explains the phrase "all Civil emoluments whatever," "in lieu of" which Military pay (Rupees 433-10-2) was passed to me by G. O. G. C., No. 642 of 17th June 1865. It seems obvious that it was not meant to refer to the pay of an appointment which was not then in existence.

3. I must beg that you will be pleased to take the necessary steps to relieve me of the charge of the Jail as quickly as possible during the existence of any doubt as to the appointment carrying pay with it.

From the Superintendent of Jail, Tinnevelly, to the Inspector General of Jails, Madras Presidency; dated Tinnevelly, 25th November 1865, No. 34.

In the Proceedings of the Madras Government, Judicial Department, dated 16th June 1865, No. 877, and paragraph 11, the allowance of Rupees 100 and Rupees 50 per mensem, was sanctioned for Jail Superintendents of 1st and 2nd Class Jails respectively.

2. In accordance with my appointment in the *Fort Saint George Gazette*, dated 8th September, I received over charge of the Tinnevelly Jail from the Civil and Session Judge on the morning of the 18th September 1865.

3. I have now the honor herewith to enclose an "objectionable statement" received from the Accountant General, Fort Saint George, who retrenches me the amount of allowance drawn from 18th to 30th September, as Superintendent of the Jail, on the grounds that intramural labor is not the rule.

4. The present Jail (an old Chuttrum converted to its present use), is totally unadapted for intramural labor, being much too confined in space; and until a new Jail, with proper yard and work sheds, be built, intramural labor cannot be carried out as the rule of the Jail.

5. I would, therefore, respectfully request that you will be so good as to submit this subject for the consideration and orders of His Excellency the Governor in Council.

From the Superintendent of Jails, Kurnool, to the Inspector General of Jails, Madras Presidency, Ootacamund; dated Kurnool, 27th November 1865, No. 44.

I have the honor to submit the following papers for your perusal:—

*A.*—Retrenchment bill from Acting Deputy Accountant General for salary as Superintendent of Jail, for October last.

*B.*—My reply thereto.

*C.*—The Acting Deputy Accountant General's rejoinder.

2. I very much regret to find that the allowance of 50 Rupees granted, without any conditions attached thereto, by the Madras Government, in their Order No. 1279, of the 8th September 1865, for the Superintendence of the Kurnool Jail, is now disallowed by the Accountant General, on the ground that the labor in the Jail is not, as a rule, intramural.

3. As you are aware the labor in the Kurnool Jail is chiefly extramural, and the supervision of this labor, of the accounts and of the discipline of the Jail, occupies, on an average, about two hours of my time daily. In proof that this duty has been well performed, I beg to refer to the report of the Magistrate of Kurnool, one of the ex-officio visitors of the Jail, sent to you on the 7th instant.

4. In forwarding these papers to Government, I beg to solicit your support to the application now made that the allowance of Superintendent be passed to me without reference to the kind of labor on which the prisoners are employed.

From the Acting Deputy Accountant General, to the Assistant Surgeon and Superintendent of Jail of Kurnool; dated 10th November 1865, No. 1.

Post Audit Department.

The item noted in the margin is pending audit for want of No. 21; to avoid retrenchment be good enough to remove the defect without delay by a Memorandum in the margin, or a separate certificate. This Memorandum must, in any case, be returned in original.

Of Dr. J. Keess, Superintendent of Jail, Kurnool. Jail allowance bill for September 1865, paid at Kurnool Treasury on the 3rd October 1865.

21. Certificate that intramural labor is the rule of Jail.

(True Copy).

(Signed) J. KEESS, M. D.
*Superintendent.*

From the Superintendent of Jail, Kurnool, to the Deputy Accountant General, Madras; dated Kurnool, 17th November 1865, No. 36.

With reference to your memorandum of the 10th November 1865, I have the honor to state that I am unable to furnish the certificate called for by you, "that intramural labor is the rule of the Jail."

2. The labor of the prisoners at Kurnool is both extramural and intramural; but usually more of the former.

3. I am aware that the Supreme Government, in their Order of 22nd February 1865, No. 912, directed the allowance to be passed to the Superintendents of those Jails only, in which intramural labour is the rule; but the Madras Government, in their Order of 8th September 1865, No. 1279, appointing paid Superintendents, made no such condition.

4. I beg you will be pleased, before retrenching me, to refer the subject of this letter to Government. I beg to add, for their information, that the supervision of extramural labor is more difficult, and involves more exposure to the sun, and moving to and fro, than that of intramural labour.

(True Copy).

(Signed) J. KEESS, M. D.,
*Superintendent.*

From the Acting Deputy Accountant General to the Government of Madras, to Dr. KEESS, in charge of Jail, Kurnool; dated Fort Saint George, 21st November 1865, No. 3276.

Post Audit Department.

I have the honor, with reference to your letter, No. 36, dated 17th instant, to say that any reference must of course be made by you, and am sorry that I cannot, pending reference, withhold retrenchment. But as the allowance was only sanctioned under conditions, it is hard to see what ground for reference there can be when the conditions are not fulfilled: the appeal from the Supreme to the Local Government is barred—though by nothing else, yet—by the express resting of the local order on the higher previous sanction.

From the Superintendent District Jail, Chittoor, to the Inspector General of Jails; dated Chittoor, 30th November 1865, No. 35.

With reference to your Memorandum, No. 113, of the 17th instant, in reply to my letter, No. 30, of the 8th November 1865, I have the honor to inform you that I continue to receive Objection Statements from the office of the Accountant General, Fort Saint George, to my claim for the allowance passed for Medical Officers in charge of Jails. As the loss of this allowance places me in considerable pecuniary embarrassment, while I am at the additional expense of employing a Telugu Moonshee, you will, I trust, consider it not unreasonable in me bringing this subject again to your notice, to be again submitted for the decision of Government as speedily as possible.

No. 79. ORDER THEREON, 9th December 1865, No. 1759.

With reference to the question raised in the first of the letters above recorded, the Government of India will be requested to state whether their Resolution in the Financial Department of the 13th March 1865, No. 1425, precludes the grant of salary for the charge of a Jail to a Zillah Surgeon who has been allowed to draw his Military pay and allowances in lieu of his Civil salary.

2. Adverting to the correspondence submitted with the Inspector General's letter of the 27th ultimo, the authority of the Supreme Government will be solicited for the postponement of the rule laid down in their Financial Resolution of 22nd February 1865, No. 912, until the necessary arrangements for the working of prisoners within the walls of the Jails can be carried out.

(True Extract).

*Chief Secretary.*

To the Inspector General of Jails.

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4

No. 1760.

FROM

A. J. ARBUTHNOT, ESQ.,
*Chief Secretary to the Government of Fort Saint George,*

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

Proceedings, 16th June 1865, Nos. 156—162.
Do. 8th Sept. " " 83—110.
Do. 9th Dec. " " 76—79, & 81-82.

I am directed to submit, for the consideration of His Excellency the Viceroy and Governor General in Council, the accompanying papers, relating to the measures which have been, and are being, taken by this Government, with the view of increasing the amount of Jail accommodation, and improving the system of Jail management and discipline, in this Presidency.

2. The letter from Messrs. Rohde and Ellis recorded in the Proceedings of Government, under date the 16th June last, paragraphs 16 to 30, contains a tolerably full report on the accommodation afforded in the existing Jails, and on the additional accommodation which is required. It will be seen that, while the existing Jails are capable, according to the standard recently laid down by the Government of India, of containing only 4492 prisoners, the number actually in confinement at the date of the report in question was 6802, and at times the latter number has been considerably exceeded. Indeed the average daily number during the last official year was 7855, and on the 30th April last, the actual number of prisoners in confinement was 8120. Two Central Jails are now in course of erection at Rajahmundry and Coimbatore, which will be finished in the course of a few months; and it is proposed to erect additional Central Jails at Bellary, Cannanore, and Trichinopoly, so as to provide altogether for about 4,500 prisoners sentenced to periods of imprisonment in excess of one year. Adding this to the accommodation available for 4492 short sentenced prisoners in the existing Jails, there will eventually be prison accommodation for some 9000 prisoners, which, it is hoped, will be ample to meet the requirements of this Presidency. The proposals of Messrs. Rohde and Ellis included the erection of a Central Jail at Vellore, in addition to those to be provided at Bellary, Cannanore, and Trichinopoly, but the Governor in Council is of opinion that, for the present at all events, six Jails of this description, including the two at Coimbatore and Salem, which are to serve the purposes of both Central and District Jails, will be sufficient.

3. Orders have been issued for the preparation of estimates of the cost of constructing the new Central Jails on the plan submitted by the Committee appointed in June last, and of the improvements which are required to the existing District Jails; and adverting to the letter of the Supreme Government, under date the 23rd June 1864, No. 952, to the effect that the Government of India would be prepared to make the necessary provision of funds for giving early effect to any carefully considered proposals for increasing Jail accommodation, wherever it may be manifestly insufficient, I am directed to request that a special grant of Rupees (2,00,000) two lakhs may be sanctioned for this purpose, as an addition to the amount of the Public Works Budget grant for the current official year, as it will not be possible to meet the additional expenditure which will have to be incurred on Jail buildings from that grant, which under the orders of the Government of

India was reduced to an amount quite inadequate to meet even the ordinary demands upon it. The estimates which have been received for the completion of the Jails at Coimbatore and Rajahmundry, for the erection of new Jails at Tanjore and Madura, and for improving the Jails at Tanjore, Vizagapatam, and Guntoor, amount to upwards of Rupees 3,00,000, and it is very desirable that one, at all events, of the three additional Central Jails which it is proposed to erect should be commenced during the present season.

8th September 1865, Nos. 83—110.

4. Among the papers now submitted are the orders which have been passed by this Government regarding the superintendence of the several Jails, from which it will be seen that Zillah Surgeons have been placed in charge of nineteen of the District Jails, including, as a temporary measure, the Central Jail at Salem; while at Bellary and Cannanore, the Cantonment Magistrates have been placed in charge of the Jails, and at Cuddapah the Magistrate has been instructed to place one of his Assistants in charge, acting under his general supervision.

5. I am directed to request that authority may be granted to pass the salaries sanctioned in the Resolution of the Government of India, in the Financial Department, under date the 22nd February last, No. 912, to the Cantonment Magistrates at Bellary and Cannanore, and that the enforcement of the rule laid down in that Resolution, that the salaries in question are only to be given in Jails where intramural labor is the rule, and not the exception, may be postponed until the necessary arrangements for the working of prisoners within the walls of the Jails are carried out. Sanction is also requested for the salaries proposed in the report made by Messrs. Rohde and Ellis for Jailers, viz:—

| | RS. |
|---|---|
| Jailers of Central Jails... ... ... ... ... ... ... | 150 |
| Do. 1st Class District Jails... ... ... ... | 100 |
| Do. 2nd Class do. ... ... ... ... ... ... | 50, |

and for the salary proposed in paragraph 12 of the Proceedings of this Government, under date the 16th June 1865, for the Superintendents of the Central Jails at Salem and Coimbatore, viz., Rupees 600 per mensem.

From the Inspector General of Jails, 16th November 1865.

6. I am also to inquire, with reference to the question raised in the correspondence noted in the margin, whether the Resolution of the Government of India in the Financial Department, of the 13th March 1865, No. 1425, precludes the grant of salary for the charge of a Jail to a Zillah Surgeon who has been allowed to draw his Military pay and allowances in lieu of his Civil salary.

I have the honor to be,
Sir,
Your most obedient Servant,

FORT SAINT GEORGE,
*9th December 1865*,

*Chief Secretary.*

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No 81

2

5

From

E E Lloyd Esquire
Superintendent of Jail
Nellore

To

J Rohde Esquire
Inspector General of Jails
Ootacamund

Sir

I have the honor to enclose a Copy of "Objection Statements" just received from the Accountant General's office & to request you will be good enough to obtain for me the Sense of Government on the question raised by the Accountant General. It appears to me that for the very slight consideration I receive from the difference of Civil & Military Pay it could never have been the intention of Government that I together with the greater number of the Superintendents of Jails recently appointed should hold such heavy & responsible posts without any Emoluments whatsoever.

how so? The memo shows Rs 451 – 360½ or 91 – ½ ws nearly [illegible] I will [illegible]

Nellore
10th November 1865

I have the honor to be
Sir
Your most Obed Servant
E. E. Lloyd
Superintendent of Jail

From
E. E. Lloyd Esqr.
Supdt. of Jail
Vellore.
To The Inspr. Genl. of
Jails.
Ootacamund

Dated 10th Novr 1865.
Recd 15th Do.
Enclosure-1

No. 84
Requesting to forward herewith an "objection statement" from the Acct. General for the orders of Government.

Ind No 2485 of 1865

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Objection Statement on *Jail allowance* Bill of *Captn Bloomfield* for *September* 1865.

N. B.—*This Statement must be returned within a week of its receipt, or the cause of any delay in doing so explained by docket.*

16 Nov

| Nature of Payment. | Items under Objection. | Nature of Objection. | Explanation. | Orders. |
|---|---|---|---|---|
| Jail allowance of Captn A. F. F. Bloomfield from 19th to 30th September 1865 @ Rs. 60 Rupees per mensem | 24 | Inadmissible as Govt ~~of India~~ not having sanctioned payment of Jail allowance to Cantonment Magistrate in charge of Jail. though proposing to ask G. I. to do so.<br>Maples<br>Ag Dy Accountt Genl. | The amount will be refunded should the order for payment not come from the Govt. of India which I thought when drawing the allowance might arrive any day<br>Bloomfield Capt<br>Supt Jail<br>Trichinopoly<br>14th Novr 1865 | The amt. had better be refunded at once. There may be very considerable delay in getting orders from G. I., & unless they are peculiarly worded they would not have retrospective effect. Any allowance they may sanction can be drawn without any difficulty or delay as soon as they are recd.<br>18 Nov 65 |

DA & AG. Office
Recd 16 } 11 1865
Ansd __ }

Fort St. George
Accountant Genl's Office
3rd November 1865

To Captn A. F. F. Bloomfield
Cantonment & Joint Magistrate
Trichinopoly

W. Manguesaley

No 2650
658

This Paper was received on 8th of Nov 1865
Bloomfield

443.

Objection Statement on Salary and allowance Bill of Medical Establishment Coimbatore for September 1865

N. B. This statement must be returned within a week of its receipt, or the cause of any delay in doing so explained by docket —

| Nature of payment – | Items under objection | | | Nature of objection | Explanation – | Orders – |
|---|---|---|---|---|---|---|
| Jail allowance of Dr W. F. Davis from 11th to 30th September 1865 @ Rs 100 per mensum | 66 | 10 | 8 | Inadmissible as Dr Davis having been granted Mily Pay & allowances in lieu of all Civil emoluments whatever – no more than those allowances can be drawn — | The meaning of the order of the Governor 10th May No 483 can only refer to Medical duties –<br>The subsequent order of the Governor No 1279 – 8th September sanc=tions Rs 100 per mensum –<br>Last order of Governor on the subject 3rd October – No 1419 – directs my having pay 100 Rs without pass=ing in languages –<br>If the above be not suf=ficient I request the matter be referred to Government –<br>(Sigd) W. F. Davis M.D.<br>Superintendent of Jail – | Dr Davis should deduct Rs 66 – 10 – 8 – from his next Bill –<br>(Sigd)<br>Ag Deputy Acctt General – |

Fort St George
Accountant Generals office
4th November 1865

To, W. F. Davis Esqre
Asstt Surgeon & Supt of Jail –
Coimbatore –

Coimbatore
8th Novr 1865

(True Copy)
Wm Farquhar Caine MD
Superintendent of Jail

Objection Statement on Salary Bill of Jail Establishment Nellore for September 1865

| Nature of Payment | Items under objection | Nature of Objection | Explanation | Orders |
|---|---|---|---|---|
| Jail allowance of E. E. Lloyd Esqr from 11th to 30th September 1865 at Rs 60 per Mensem | 40 „ – | Objectionable as Dr E E Lloyd having been granted Military Pay & allowances in lieu of all Civil Emoluments whatsoever no more than those allowances can be drawn | | Dr E E Lloyd should deduct Rs (40) from his next abstract |

Signed/ [illegible] W Taylor

(True Copy) Ag Dy Accountt Genl:

Fort St George
Acctt Genls Office
7th November 1865

To
E E Lloyd Esqr.
Superintendent of Jail
Nellore

E. E. Lloyd
Superintendent of Jail
Nellore

8

No 2485-/65

43

Objection Statement on *Jail Allowance* Bill of *the Superintendent of Jail Chingleput* for *September* 1865.

*N. B.—This Statement must be returned within a week of its receipt, or the cause of any delay in doing so explained by docket.*

| Nature of Payment. | Items under Objection. | Nature of Objection. | Explanation. | Orders. |
|---|---|---|---|---|
| Jail allowance of Apt Surgeon W. J Busteed from 29th to 30th September 1865 @ 30 Rs per mensem | 2 — | Objectionable Dr Busteed having been granted Mily Pay and allowances in lieu of all civil Emoluments whatsoever no more than those allowances can be drawn. | The Military Pay here alluded to superseded my "Civil "Emoluments" as Zillah Surgeon only.<br>The post of Superintendent of the Jail has been created since. and the Pay of the Appointment has been laid down very clearly in G. O. G. G 8th Sept 65. No 1279. which see.<br>See also your letter of 26th Octr 65 No 2729.<br>W. J. Busteed M. D<br>Supdt of Jail<br>Chingleput<br>Novr 13. 65 | Dr W J Busteed should deduct Rs 2 from his next abstract.<br>Kaye<br>Ag Dy Acctt Genl. |

Fort St George<br>Acctt Genl's Office<br>10th Novr /65

To,

Apt Surgeon W. J Busteed.
Zillah Surgeon. Chingleput

[illegible]. DB

DA & AG. Office
Recd 14 11 1865
Ansd

9

The undersigned has the honor to point out that the letter quoted has nothing whatever to do with the claim to an allowance but merely answers a formal Question as to the proper method of drawing one. As military pay & allowances have been given 'in lieu of all civil allowances whatever,' he is sorry not to be able to withdraw the retrenchment

20 Nov 65 Mayne
DAG

Recd 24th Nov: 65

Forwarded to Insp: General of Jails 25th Nov. MB 25th

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10

Memo: showing the amount which is required to complete the undermentioned Jails in the Madras Presidency

| | Rs |
|---|---|
| Jail at Berhampore | 14,318 |
| Do at Vizagapatam | 35,452 |
| Do at Rajahmundry (Is this for the Central Jail) | 43,670 |
| Do at Guntur | 8,460 |
| Penitentiary at Madras | 1,91,140 |
| Civil Debtors Jail at Do | 1,36,000 |
| Jail at Tanjore | 64,000 |
| -Do- at Coimbatore | 83,250 |
| -Do- at Cannanore | 2,50,000 |
| -Do- at Calicut | 80,000 |
| -Do- at Madura | 60,000 |
| | 9,66,290 |

14318
35452
43670
8460
83250
64000
~~80000~~
60000
309150

– Note. The wording of the order of the Supreme Govt. is very unfortunate. It says that when a Civil Surgeon is allowed to draw his military pay and allowances it is "to be" in lieu of all civil emoluments whatsoever.

It is very wide certainly. The question is one if thought desirable to be referred to the G. of I. I question whether I doubt the answer being favourable to Dr Lloyd.

or this a general question

Ld. refer the point. – Dr Lloyd would draw certain allowances beyond his "bare pay" when with a Regt., & it is these "bare allowances" only wh. the G.G. order bars him – either an obstacle of a doubt. –

A.O.H. [illegible]

Press No. 2127, G. M.—7-10-65—300.

Judicial Department.

# PROCEEDINGS of the MADRAS GOVERNMENT.

Read letters from the Inspector Genl of Jails-

(Here enter 16th & 27th November 1865.
Nos. 513 & 554)

& Memo- 4 Dec 1865-

Order thereon No 1759 of 9th Dec /65-

With reference to the question raised in the first of the letters above recorded, ~~enquiry will be made of~~ the Government of India will be requested to state whether their Resolution in the Financial Depart. of the 13th March 1865, No. 1425 precludes the grant of salary for the charge of a Jail to a Zillah Surgeon who has been allowed to draw his Military pay and allowances in lieu of his Civil salary.-

2. Adverting to the correspondence submitted with the Inspector Generals letter of the 27th ultimo, the authority of the Supreme Government will be solicited for the postponement of the rule laid down in their Financial Resolution of 22d Feby 1865 No. 312, until the necessary arrangements for the working of prisoners within the walls of the Jails ~~can~~ can be carried out

To The Insp Genl of Jails desptd 12/12

Offe. of Inspr. Genl of Jails
16th November 1865.

(Your most Obedt. Servt

Inspector General of Jails.

Judicial 1865. Department.

No. 1759-60

PROCEEDINGS OF GOVERNMENT.

Th ~~A~~ 144/66. 943.

" 279 "

Dated 9 December 1865.

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despd 10/12/65

with 3 Pro: & Letter No 503 } Res No
as well as the 5 Plans } "Peames
"Delhi"

13

Judicial Department.

No. 1760.

To

The Secretary to the Government
of India.

~~Home~~ Department.

Pro: 16 June 1865 - Nos 156-162
8 Augt ——— 83 - 110
9 Dec/65 ——— 76 - 79 - 481482

Sir,

I am directed to submit for the consideration of His Excellency the Viceroy and Governor General in Council the accompanying papers relating to the measures which have been and are being taken by this Govt with the view of increasing the amount of Jail accommodation and improving the system of Jail management and discipline in this Presidency.

2 The letter from Messrs Rohde and Ellis recorded in the Proceedings of Govt under date the 16 June last paragraphs

paragraphs 16 to 30, contains a tolerably full report on the accommodation afforded in the existing Jails and in the additional accommodation which is required. It will be seen that while the existing Jails are capable, according to the Standard recently laid down by the Govt. of India, of containing only 4,492 prisoners, the number actually in confinement at the date of the report in question was 6,802, and at times the latter number has been considerably exceeded.* Two Central Jails are now in course of erection at Rajahmundry and Coimbatore, which ~~it is hoped~~ will be finished in the course of a few months; and it is proposed to erect additional Central Jails at Bellary, Cannanore, and Trichinopoly, so as to provide altogether for about 4,500 prisoners sentenced to periods of imprisonment in excess of one year. Adding this to the accommodation available for 4,492 short sentenced prisoners in the existing Jails, there will eventually be prison accommodation for some 9000 prisoners, which, it is hoped, will be ample to meet the requirements of this Presidency. The proposals of Messrs Rohde & Ellis included the erection of a Central Jail at Vellore in addition to those to be provided at Bellary, Cannanore and

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* Indeed the average daily number during the last Official year 7855, and on the 30th April la the actual number of prisoners in confinement was 8,120.

and Trichinopoly, but the Governor in Council is of opinion that, for the present at all events, six Jails of this description including the two at Coimbatore and Salem, which are to serve the purposes of both Central and District Jails, will be sufficient.

~~3 Estimates of the cost of the new Central Jails and of the improvements which are required for the existing District Jails will be laid before the Govt. of India at an early date, and adverting to the intimation conveyed in the Resolution of the Supreme Govt under date the~~

~~to the Effect that the Govt~~

~~of~~

3. Orders have been issued for the preparation of estimates of the cost of constructing the new Central Jails on the plan submitted by the Committee appointed in June last and of the improvements which are required to the existing District Jails, and adverting to the letter of the Supreme Govt. under date the 23d. June /64 No 952 to the effect that the Govt. of India would be prepared to make the necessary provision of funds for giving early effect to any carefully considered proposals for increasing Jail accommodation wherever it may be manifestly insufficient, I am directed to request that

a

a special grant of Rs(200,000) two lacs may be sanctioned for this purpose as an addition to the amount of the Public Works Budget Grant for the current official year, as it will not be possible to meet the additional expenditure which will have to be incurred on Jail buildings from that grant, which under the orders of the Govt. of India was reduced to an amount quite inadequate to meet even the ordinary demands upon it. The estimates which have been received for the completion of the Jails at Coimbatore and Rajahmundry, for the erection of new Jails at Tanjore and Madura, and for improving the Jails at Tanjore, Vizagapatam, and Guntoor, amount to upwards of Rupees 3,00000, and it is very desirable that one, at all events, of the three additional Central Jails which it is proposed to erect should be commenced during the present season ~~in case it should not be possible to meet the expenditure which will have to be incurred out of savings from the sanctioned grant. Judging from the experience of past years it is more than probable that the savings in question will be sufficient to defray the extra expenditure on Jails, and should this turn out to be the case, the additional grant now applied for will not be made use of.~~

4 Among the papers now

8 Septr/65 Nos 83 - 110.

now submitted are the orders which have been passed by this Govt. regarding the superintendence of the several Jails from which it will be seen that Zillah Surgeons have been placed in charge of ~~[illegible]~~ nineteen of the District Jails, including as a temporary measure the Central Jail at Salem, while at Bellary and Cannanore the Cantonment Magistrates have been placed in charge of the Jails, and at Cuddapah the Magistrate has been instructed to place one of his assistants in charge, acting under his general supervision.

5 I am directed to request that authority may be granted to pass the salaries sanctioned

in

in the Resolution of the Govt. of India in the Financial Deptt under date the 22d. February last No 912 to the Cantonment Magistrates at Bellary and Cannanore, and that the Enforcement of the rule laid down in that resolution that the salaries in question are only to be given in Jails where intra-mural labour is the rule and not the exception, may be postponed until the necessary arrangements for the working of prisoners within the walls of the Jails are to be carried out. Sanction is also requested for the salaries proposed in the report made

made by Messrs Rohde and Ellis for Jailors viz,

| | |
|---|---|
| Jailors of Central Jails | Rs 150. |
| Do — 1st Class Distt Jails | " 100. |
| Do — 2d Class — do — | " 50. × |

× and for the salary proposed in para 12 of the pros: of this Govt: under date the 16th June 1865 for the Superintendents of the Central Jails at

From the Inspr Genl of Jails
16 Novr 1865

× Coimbatore viz
0 per mensem.

6 I am also to enquire, with reference to the question raised in the correspondence noted in the margin whether the Resolution of the Govt. of India in the Financial Deptt of the 13 March 1865, No 1425 precludes the grant of salary for the charge of a Jail to a Zillah Surgeon who has been allowed to draw his Military pay and allowances in lieu of his Civil salary.

Fort St George
9 December 1865

[illegible]

of India would be prepared to make the necessary provision of funds for giving early effect to any carefully considered proposal for increasing jail accommodation whenever it may be manifestly insufficient. His Excellency in Council trusts that a special grant will be sanctioned for the purpose

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[illegible] accommodation
[illegible] in this Presidency

Judicial 1865 Departt

No. 1760.

To
The Secy. to the Govt.
of India

F.A. No. 144/66. 701–
~~" 279 "~~ 1285.
~~" 307 "~~
dated 9 December 1865

4.7-13
22/6/24 DV

Pro. No. 156-162
18/6/65

J. Pro. No. 1279
8/9/65

Pub. Pro. No. 14-15
5/4/65

88-91
23/8/65

142
2/10/65

76 to 80.