

MADRAS RECORD OFFICE.

Government of Madras.

Indicil DEPARTMENT.

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Proceedings of the Madras Government, Judicial Department,
19th November 1866.

No. 191. Read the following letter from A. WEDDERBURN, Esq., Magistrate of Bellary, to the Secretary to Government, Fort Saint George; dated Bellary, 5th November 1866, No. 81.

I have had the honor to receive a telegram, of the 30th October, requesting me to report, by letter, without delay, the "maximum, minimum, and average number of prisoners in each Jail—Central, Subsidiary, and Lock-up—in this District, in each of the months of June, July, August, and September of this year, and the number which each place of confinement can accommodate, according to standard allowance of space." The detailed returns from the Taluq inspection of Subsidiary Jails will be furnished so soon as received, but, in the meantime, I beg to submit a Memorandum of Subsidiary Jail accommodation, which I prepared for the information of the Sanitary Commissioner, in the view of a representation being made for the early construction of three District Subsidiary Jails, to accommodate 150 short-sentenced prisoners, that being the average number as gathered from the returns of the previous years.

2. This year was an abnormal one as regards crime; and when over-crowding of Jails was reported, measures were taken to transfer from the Central Jail to available places of detention, an unoccupied Barrack, and to build huts for additional accommodation. At the request of the Joint Magistrate in charge of the Jail, I placed my Lock-up at his disposal. Even these means being inadequate to meet the increasing numbers, and no means of transfer to other Districts being feasible, further accommodation was procured in the loan of tents from the Military Department.

3. As regards Subsidiary Jails, the prisoners from the small and over-crowded Ramandrug Jail were sent to Hospett, where a large Station-house* was fitted

* An old Choultry.

up. At Anantapur, the Sub-Collector made arrangements which were reported to Government on the 30th August last. At Alur, an unoccupied building was secured without expense. At Raidrug, a house was taken. To assist a prevention of over-crowding, Sub-Magistrates were authorized to use all available Lock-ups, in addition to those in the so-called Subsidiary Jails.

4. What a view, if possible, to decrease the number of future incarcerated prisoners in the Central Jail, I suggested that minor robberies might be punished as theft with stripes—the small amount of intimidation which accompanied theft of grain, &c., on the high ways, though taking the offence out of the definition of theft into that of robbery, not seeming to me to require a larger amount of punishment, or, under the circumstances, prolonged incarceration.

5. But the prison accommodation for short-sentenced prisoners, even in ordinary years, is utterly inadequate. The buildings used for that purpose were ordinary Cutcheries, only calculated to hold prisoners under trial, and of these not a large number at a time. The only two Cutcheries in the District built on the standard plan are those of Huvindhugali and Hospett. Huvindhugali, the larger one, has cubic space for 10 prisoners, and Hospett for 6; so that the erection of separate and additional Subsidiary Jails is a matter of necessity. Three for the present might suffice; one at Hospett, for the western division; a central one at Bellary; and a southern one at Anantapur for the eastern and southern Sections, each presided over by a European Officer.

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6. But such Subsidiary Jails, say at an average of Rupees 8000 each, will take some time to build, and, in the meantime, if Rupees 5000 were placed at the Magistrate's disposal to enlarge the area of the circumscribed space of confinement, to substitute bars of wood or iron for walls, and to insert windows, a considerable improvement, both in space and ventilation, might be effected in existing buildings, which would be of permanent advantage, even after Subsidiary Jails are erected, in securing the health of prisoners under trial in the Taluqs.

It is not easy to find house accommodation suitable for prisoners, Native houses being deficient in ventilation, and expensive in Police to guard; nor is it easy in a District destitute of timber, and even of bamboos, to erect temporary structures. But if windows are opened out in outer walls, inner walls replaced by iron or wooden bars, and additional space enclosed by bars or palisading, a very considerable amount of improvement may be effected.

8. To procure and submit detailed estimates for each place of detention will occupy considerable time. Were a general sanction given to incur the expenditure, and to submit the actual cost, speedier relief would be effected, than if a plan and proposed alteration in each case has to be submitted for sanction. I intended to have submitted my Memorandum on this subject before, but as I understood that the subject was about to be brought before Government by Mr. Ellis, and that Bellary could not be treated by itself, I proposed to forward the Memorandum through the Inspector General of Jails. As, however, the evil to be redressed requires speedy action, I trust I may be favored with a telegram to authorize all possible and desirable alterations for increased space and ventilation, such as I have proposed, leaving, for future consideration, the erection of suitable buildings to give the standard allowance of space to each prisoner, when a standard plan has been decided upon.

MEMORANDUM

Nine buildings are used in Bellary District as Subsidiary Jails, viz.,

1. Bellary—Sub-Magistrate's Cutcherry.
2. Huvinhugully—Do.
3. Hurponhully—Police Station-house (the Cutcherry is in ruins).
4. Alur.
5. Anantapur—Sub-Magistrate's Cutcherry.
6. Dhurmavaram—Do.
7. Hindupur—Police Station-house.
8. Raidrug—Sub-Magistrate's Cutcherry.
9. Ramandrug—Deputy Tahsildar's do.

Of these Hurponhully Police Station-house is not a proper place for prisoners, as they are not under the eye of the Sub-Magistrate, and Ramandrug has no accommodation at all adequate.

The *Huvinhugully* Sub-Magistrate's Office contains space for prisoners under trial, but it would not be desirable to make it a Subsidiary Jail for the reception of short-sentenced prisoners from Hurponhully, as over-crowding would be the result.

The *Ramandrug* Office is only calculated to hold six prisoners, and the Jail was ordered to be transferred to Hospett, where a large Police Lock-up will be filled up for a Subsidiary Jail.

The *Bellary* Sub-Magistrate's Office, with some improvement, can be made to accommodate the local requirements of prisoners under trial, but not more.

The *Alur* Office can hold six persons, and an unoccupied building has been taken for extending the accommodation.

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Anantapur Jail consists of three rooms calculated to hold 16 or 18 prisoners.

Hindupur Jail is the Police Station-house in the Cutcherry—prison accommodation $5\frac{1}{2} \times 3\frac{1}{2} \times 3\frac{1}{2}$, and $4\frac{1}{2} \times 2\frac{1}{2} \times 3\frac{1}{2}$ yards = 1900 and 1060 Cubic feet respectively.

Dhurmavaram has two cells $1-3 \times 3\frac{1}{2}$ yards $\times 3$, and the other $2\frac{1}{2} \times 3\frac{1}{2}$ yards $\times 3$ = 850 and 780 Cubic feet respectively.

The *Raidrug* Jail can accommodate 15; it is in the Taluq Cutcherry.

Improvements suggested as Taluq Lock-up.

The *Bellary* Jail may be extended by enlarging the space occupied by the wooden lattice work, dry earth conservancy adopted; wall ventilation might be made by piercing two ventilators in the outer wall; being unenclosed, except two sides by walls, it seems pretty airy. I see nothing very emergently pressing in this Jail, except the application of better conservancy; the enlargement of the cells would be an improvement. I do not advocate its being retained as a *Subsidiary Jail*, but only for prisoners under trial.

Huvinhugully is a former standard plan Cutcherry of the 2nd class. The male ward contains 240 square feet, female 100.

It seems only adapted to contain the prisoners under trial, and not a large number of these, only 7 male and 3 female prisoners.

Hurponhully, which is a Police Station-house, not built or adapted for a Subsidiary Jail, should be abandoned.

The Superintendent of Police reports that two more Lock-ups are required, but that these will be found in the new Cutcherry to be built. I do not concur in this view, as I think a Subsidiary Jail should not be part of a Taluq Cutcherry. The prison wards in a Taluq Cutcherry should be for prisoners under trial, who should not be left in a Police Lock-up; neither should the convicted prisoners be confined in a Taluq Cutcherry, as a rule, though for short sentences, which would expire before they could reach a Subsidiary Jail, they might. The dimensions of the *Alur* Lock-up used as a Subsidiary Jail are two corner rooms, each containing $11 \times 11 \times 12$ = 1452

1452

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at 500 cubic feet per head, would accommodate not more than six prisoners; the average number to be confined = 55; prisoners under trial, kept in verandah, at time of inspection, 40.

How 55 prisoners could be confined in a superficial space of 121 square feet, each requiring 9 or more than 4 times that space to lie on, is not explained. An unoccupied building was at once sanctioned to be fitted up for them.

Anantapur male and female Subsidiary Jail—prisoners' wards are two long narrow rooms, utterly unsuited for the purpose, together amounting to 9360 cubical feet, unventilated, except through a barred door with a barred arch above it on one of the narrow sides, with a side window ventilating into another cell; 45 was the number of prisoners in a space sufficient for 16 or 18. A Subsidiary Jail is imperatively required at this place.

Dhurmavaram has two Cells, 810 and 720 cubic feet respectively, together 1530 = 3 prisoners, or 5 at the most. The average number confined is 30. The superficial square feet are six for each person.

Hindupur Police station contains the remanded and Subsidiary Jail prisoners in one Cell, the male ward about 1800 cubic feet, female 1040 cubic feet, with accommodation for six prisoners; 34 were confined at time of inspection, and 25 was the average.

Raidrug contains space for nine prisoners, as many as 65 were to be imprisoned in July last; the average of two years was 15. It does not seem adapted for a Subsidiary Jail, and is badly ventilated; a house was hired.

Ramandrug Cutcherry could have held six prisoners, 49 were confined; they were ordered down to Hospett where accommodation was provided for them in a large Lock-up, for which alterations to a small amount were sanctioned.

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Having shown that not one of these places in which prisoners were confined was ever intended to be put to such uses, and that none are capable of holding more than the remanded prisoners, and many not even these, I consider that three new Subsidiary Jails are imperatively required, if the health of short-sentenced prisoners, and even their life, is not to be endangered; by the mere confinement, the out-break of an epidemic would be truly lamentable. Immediate steps should therefore be taken to build at least three, for the present, new Subsidiary Jails, to accommodate the average number of 150 prisoners, 60, 50, and 40 respectively, namely, at Bellary, Anantapur, and Hospett.

No periodical inspection of these dismal dens, where human beings are huddled together and can only sit upright, can remove the horrors of such a system; temporary expedients, such as not confining the prisoners in these dens, but keeping them in the inside of the Cutcherry under surveillance, hiring house accommodation (and how unsuitable even this must be when the constitution of Native houses is considered, together with the cost of guards) will be availed of when practicable; but no time must be lost in submitting a plan of Subsidiary Jail for a group of Taluqs, and at once putting an end to a system which is a disgrace to our rule.

No. 192. ORDER THEREON, 19th November 1866, No. 1825.

The Governor in Council regrets to learn that the Subsidiary Jails and Lock-ups of the Bellary District are in such miserable condition. It does not appear whether Mr. Wedderburn has or has not availed himself of the authority conveyed in G. O., 29th March last, No. 470; but, pending further measures, the Government resolve to place a sum of Rupees 5000 at his disposal, as requested.

(True Extract)

Chief Secretary

To the Magistrate of Bellary.

" Inspector General of Jails.

" Sanitary Commissioner.

" Public Works Department.

" Accountant General.

" *Inspector General of Police*

Exd. J. Tulloch

19th Nov 1881 No 1825 6

The first letters I have
heard the friends of my father &
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of the Secretary to Government
Mount, Judicial District
Mount. Madras

Dated 5th November 1881

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Reporting on the state
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the Madras District.

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with a note