

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	263	Press Mis.
Dated	21-2-	1966.

Not to be folded or roughly handled

7/8

MEMO.

SALEM, 7th March, 1865.

Occasion of Visit.

I again visited this station in consequence of several references from Mr. Sullivan and reports of the increasing unhealthiness of the prisoners.

Abuses of the Jail.

One of the questions which, in the present crowded state of the Jail, is important, is the continuance of the practice of using the Jail as a Police lock-up. The Procedure Code provides for the commitment to Jail of cases cognizable by the Sessions Court, but no where provides for the detention, except in Police custody, of cases remanded by, or sent up to the Magistrate or Principal Sudr Ameen in his Magisterial capacity; the practice has been attended with very great inconvenience and risk to the health of the large body of prisoners confined; as this risk of infection is of course in exact proportion to the numbers so passed into Jail, and when it is remarked that the admission of the cases will of necessity be in general in the evening, after the Court rises, the precautions usually taken become inoperative. It is argued by the Police that the Jailor must obey the Sub-Magistrate's warrants of committal, but it is forgotten that in such cases a Sub-Magistrate has ordinarily *no authority* (see Para. 6, Proceedings of High Court, 22nd December 1864) (see also Section 276, Procedure Code). In short, the Procedure Code contemplates no Magisterial commitment of prisoners, under trial, except to the Court of Sessions.

In cases of Prisoners on transit.

Another question of similar intent arises from the practice adopted by the Police of bringing into Jail prisoners transferred by Rail when halted for the night at Shoranoor; thus marching men, often in a weak state of health, 8 or 9 miles unnecessarily and short-coming the hours for food and rest. I told Mr. Ablett, Police Inspector, that this was not to be done, that the Police must make their own arrangements for the security of prisoners arriving and proceeding by Rail, but that in the case of arriving from or proceeding to, stations not on the line of Rail, they were in the ordinary course to be lodged in Jail for inspection and orders.

Abuse in a case of transfer.

Mr. Sullivan informed me of his having discovered, on the complaint of some prisoners transferred from Mangalore for transportation, that the Warder in charge had given them no food for two days; except a few plantains, though he asserted that he did purchase rice which there was not time to cook, but which he was unable to produce, he therefore deprived him of his belt reporting the circumstance to the Judge of Mangalore and sending on one of his own Warders in charge.

Rules and responsibilities in case of prisoners transferred.

There has been great confusion in respect to these transfers lately; the old Rules were clear, under them the whole charge of prisoners in transit devolved on the Magistrates, a single Peon or Daloyet of the Court whose presiding Officer had charge of the Jail from which the transfers are made, having charge of the warrants and orders to which he as well as the Magistrate's officials were bound to conform. On the introduction of the New Police, the duty of the Magistrates in respect of the transfer of prisoners devolved on the Police Superintendents, but the Inspector-General of Police first insisted on being relieved of all responsibility of his officers on account of the expenses, on a subsequent occasion, consequent on the escape of some prisoners whose escort the Police had undertaken, he insisted with Government on having the entire charge and arrangements left with his officers: on the Government Order to this effect being promulgated he again remonstrated,

and I am not sure to what extent the Rules defining the relative duties of the Prisons and Police authorities are now held to be in force; the matter will be considered in Committee with Mr. Ellis in the adaptation of the Code prepared, by the Calcutta Committee, for all India to this Presidency.

Mr. Sullivan desired to make a partition in the guard room to screen off a small compartment for the European Constable. I gave instructions for this being done.

The arrangements directed on my late visit are not yet commenced.

Progress in new buildings. Satisfactory progress had been made in the two remaining blocks—which there is every prospect of having complete by the end of April or middle of May.

Removal of Hospital requisite. The urgent need of a hospital *outside* the walls is becoming greater, 126 prisoners were reported sick this morning, no fewer than 83 out of 117 of these, who were admitted as sick being Cuddapah men of the gang from which place 5 only were at labor!! Dr. Roberts' letter (A) which had alarmed me, I append. It was written, I find, immediately on this sudden increase of his sick list, but I now find that he is convinced that a large proportion of the men are Malingerers, that very many cases of the sore-gums are caused artificially and that the same persistent intention on the part of these Cuddapah men to return to their own country, though the means taken would cost them their health, perhaps their lives, which originated with the Cuddapah men in the asylum gangs, actuates them here. To Cuddapah they cannot go, for there is no place for them there, a more able, bodied party than these were could not be found, and able bodied many still appear to me to be.

Proposed transfers to Mahals. Mr. Sullivan had entered many of these men and among them many who really are now aged and emaciated, in the list of those whose transfer to Vellore he would propose, but so many of these are long term men, recently sentenced, that I could not, even when the Mahals are ready, under the existing arrangements, send them there. Whether, when the buildings are ready, I may find it desirable to propose any change as to the classes to be transferred must depend on circumstances.

Mortality. There have been 9 deaths since the 1st January, of which 5 were in Cuddapah men.

Accommodation. The 48 wards in the Jail when complete will, with 6 men in each ward, and 2 in each of the 144 cells, accommodate 576 prisoners, exclusive of the Hospital and Civil Jail, at this present 4 of the six blocks of upper story only are complete, so that, exclusive of Hospital and Jail proper, there is room for only 480 prisoners, the actual numbers as mustered this morning are:

For Labor.		Sundry.		For Trial.		In Hospital.		Total.	
M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
376	23	13	...	14	1	124	2	537	26

Should a separate Hospital be built outside, the dead house, the want of which is urged, will be included, as it is, the better plan will be to build the dead house in the place where it would be if the new hospital enclosure is sanctioned.

Curb stones. I desired that a few stones should be put down to confine the Engineer's carts to the road-way in the Jail entrance.

Proposal to transfer an East Indian prisoner.

There is an East Indian prisoner, William Dicker, sentenced to three years' imprisonment for theft, whom it will be convenient to have transferred to the Madras Penitentiary, there being no suitable employment for him in this Jail.

Clothing of East Indian convict in transit.

I learn that a convict, Chinnery, in course of transfer from Tanjore, arrived here in a dress by no means in accordance with prison rules. Mr. Bird will be addressed on this subject.

Diet.

On going into the question of diet with Dr. Roberts, I find that his proposed change is attended with a little additional cost, (B) and is so well suited to native habits, that I have directed its immediate adoption, especially with reference to the number of sick, that nothing may be wanting; both this and the former (C) diet table are appended.

Exceptional diet for Cuddapah gang.

I have however in communication with Dr. Roberts, recommended resort to Cholum for the Cuddapah gang as the staple.

Malays.

Among the Malay prisoners I find a female sentenced to seven years for "larceny."

Employment of.

Several of the Malays shew great aptitude for learning trades, one man had made a strong and well finished work basket which I purchased of the Jail. I advised Mr. Sullivan to purchase a stock of rattan for the employment of these men.

Necessity of a Granary.

As a sanitary as well as an economical measure, granary should be built that old grain (rice and raggy) (cholum cannot be stored) may be always available, the basement of the central tower might be excavated for this purpose.

Ablution.

There is not water enough for the prisoners washing; they now go once a week to the Nullah at, perhaps, half a mile distance to wash; this should be done oftener.

Improved Ventilation.

I directed the immediate removal of one course of bricks under the arch of the cells next the entrance, and I hold the Jailor responsible that it be done within two days in all the cells. I have been for two years directing this, but the building has been regarded as in the Engineer's hands and to the Engineer this requisition has invariably been referred.

Hospital.

The large Hospital wards must be coal tarred one-sixth at a time, the hospital cell floors must also be coal tarred; the tar has arrived.

Sleeping banks.

Mr. Sullivan had undertaken the sleeping benches and was getting on with the work. I found all the lower ventilators stopped as causing a draught over the floor on which the men sleep, why or wherefore these benches were not supplied, according to design, when the Jail was built, I know not. They were subsequently promised.

Maistries, selection of.

In regard to the appointment of improper men as Maistries noticed at my last report, it is stated that there are no qualified men of intelligence, but I have left the matter with Mr. Sullivan to arrange according to rules. In regard to one man it was maintained that being a skilled artificer others were put under him, I desired that in his case he should be employed as an artificer and receive the same allowance for his skill as Maistries get for supervision, namely, double condiments.

Inspector General of Jails.

A.

From

No. 91.

W. H. ROBERTS, M. D.,
Zillah Surgeon, Salem.

To

H. E. SULLIVAN, Esq.,
Acting Sessions Judge, Salem.

SIR,

I have the honor to bring to your notice the very unhealthy condition of a certain number of the prisoners, more especially the Cuddapah men, at present incarcerated in the Salem Jail.

2. These men chiefly have, during the last two and a half months, been reporting sick in large numbers, and complaining for the most part, of obscure Rheumatic pains in different parts of the body, generally the lower limbs; the part said to be so affected, may, sometimes present a little swelling, but most frequently no swelling, fever, or any other usually concomitant symptoms whatever exist; so much so, that I have thought several of them to be malingering and repeatedly refused them admission to Hospital, some I still believe to be schemers, but with the mass, I fear there is no room to doubt that they are in a bad state of health altogether.

3. There is further verified by the tendency (lately aggravated) which these men have to that "spongy" state of the gums, and all of them, as a rule, have very much fallen off in weight and general appearance.

4. When I first took up this appointment in September 1864, this spongy state of the gums was very prevalent in the Jail, chiefly, if not entirely, among the Cuddapah men. Giving them cholum twice a week in place of raggy was attended with the best results, and this state of the gums, for a time, quite disappeared. It is now again becoming prevalent, not only among the Cuddapah men who are almost all so affected and are sick; but from this morning's inspection I regret to say that some of the Salem men are also exhibiting the same state of gums, &c.

5. I have withdrawn all these men and have placed them on my sick list, and propose that, on them be first tried (pending the approval and sanction of Government for the whole Jail) the effects of the men's scale of diet just made out and sent to you. Should it have the effect of raising men who are below par, to par, we may rest assured that it will also meet the requirements of men in average good health.

6. My sick list men is enormously heavy. I give an analysis of it below for your information.

CUDDAPAH MEN.

Suffering from Rheumatism, accompanied with spongy gums.....	85
Salem men and others.....	37
Total...	122

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) W. H. ROBERTS, M. D.,
Zillah Surgeon.

SALEM, 15th February, 1865.

B. Memorandum of "New Scale" of Diet proposed for Salem Jail.

	Rice.		Cholum.		Raggy.		Cumboo.		Mutton.		Butter Milk.		Dholl.		Vegetable.		Salt.		Tamarind.		Chillies.		Coriander seeds.		Onions.		Mustard, &c.		Oil for curry.	
	lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	oz.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.
Sunday.....	1	10							1		3		3		5		1		6		1		1		1		1		2	
Monday.....											3		3		5		1		6		1		1		1		1		2	
Tuesday.....									1		3		3		5		1		6		1		1		1		1		2	
Wednesday.....									1		3		3		5		1		6		1		1		1		1		2	
Thursday.....									1		3		3		5		1		6		1		1		1		1		2	
Friday.....									1		3		3		5		1		6		1		1		1		1		2	
Saturday.....									1		3		3		5		1		6		1		1		1		1		2	
Total.....	3	4			3	4			1	10	21		21		20		7		5		1	2	1		7		7		1	6

Note.—Cumboo to be given when easily procurable.

Three ounces of Dholl I think sufficient, this with mutton and vegetables on alternate days forms the Curry.

The above scales for "hard labour" Convicts.

W. H. ROBERTS, M. D.,
Zillah Surgeon.

C. Scale of the Diet at present issued to Prisoners in the Salem Jail.

	Rice.		Raggy.		Cholum.		Cumboo.		Mutton.		Butter Milk.		Dholl.		Vegetables.		Salt.		Tamarind.		Chillies.		Coriander seeds.		Onions.		Turmeric, Mustard, &c.		Oil for Curry.		Price according to New Scale.		Price according to Old Scale.		Difference.	
	lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	oz.	lbs.	oz.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	oz.	dra.	Rs.	P.	Rs.	P.	Rs.	P.
Sunday.....	1	10							1		3		3		5		1		6		1		1		1		1		1		1	10				
Monday.....											3		3		5		1		6		1		1		1		1		1		1	10				
Tuesday.....									1		3		3		5		1		6		1		1		1		1		1		1	10				
Wednesday.....									1		3		3		5		1		6		1		1		1		1		1		1	10				
Thursday.....									1		3		3		5		1		6		1		1		1		1		1		1	10				
Friday.....									1		3		3		5		1		6		1		1		1		1		1		1	10				
Saturday.....									1		3		3		5		1		6		1		1		1		1		1		1	10				
Total.....	3	4			3	4			1	10	21		21		20		7		5		1	2	1		7		7		1	6						

SALEM,
JAIL OFFICE,
20th February, 1865.

H. E. SULLIVAN,
Acting Sessions Judge,
In charge of Salem Jail.

15
CIRCULAR LETTER No. 140.

THE OFFICER IN CHARGE

of the Jail at

SIR,

I have the honor to request that whenever Prisoners are transferred from the Jail under your charge a list of all property sent with the gang may be handed to the Warder in charge and that his receipt for the same may be taken, all cloths and cumbles, indeed all the articles, should be distinctly marked in the middle with a stencil plate and cocoanut husk brush with the initial letter of the Zillah Station with marking nut, and the Warder on handing overcharge will take a receipt for the articles delivered. In like manner he will lodge his accounts of expenditure to be transcribed in the Office of the Jail to which the transfer is made and he should be warned before starting in charge of the gang that any fraud or false entry will induce his being prosecuted criminally.

Particular instructions should be given for the care and proper feeding of the prisoners on the way the care and conveyance of the sick the cooking of the food &c.

Prisoners setting out on a journey which does not occupy more than 6 days should carry with them grains and condiments sufficient for the journey, in this case firewood only will have to be purchased.

The choice of grains to be used on the road should be left to the option of the Surgeon who will consider what grain may most readily be cooked, &c.

In other respects the Rules already prescribed should be followed.

I have the honor to be,

Sir,

Your most obedient Servant,

J. ROHDE,

Inspector General of Jails.

OOTACAMUND:
OFF. OF ISSP. GENL. OF JAILS.
12th. December 1864.

Judicial Department.

101

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Inspector G. of
Jail
(Dated 10 Feb/66 No. 775)

Order - 21st February 1866 No. 263.

The San Council
observes that the construction
of a safe lock-up
at Sooramingalun
for the accommodation
of Camrick passing up
down the rail has
already been sanctioned
with a view to bridle
the inconveniences
pointed out by Mr
Chele.

Full enquiry
should be made
into the circumstances

MD
JH
JH
Wor

No. 2

Enclosed in a letter
from the Inspector
of Jail dated 10 Feb/66
No. 775

Enclosed in a letter
from the Inspector
of Jail dated 10 Feb/66
No. 775

reported in the letter
of the Sup^t of Jail
at Salem regarding
the case of convicts
despatched from
Calicut, & the result
submitted for the
information of Gov^t.

* 7 Feb/66 No 17

g/h

Inspector General
of Jails. } des

to 26/2

From 5th March 1866 - 24th April 1866

W. H. H. H.
J. H. H. H.
J. H. H. H.

Judicial 1866. Department.

No. 263.

PROCEEDINGS OF GOVERNMENT.

Off. 1013-2091.

Dated 21st February 1866.

Press No. 2765, G. M.-14.11.65-500.

19x192.

