

MADRAS RECORD OFFICE.

Government of Madras.

Juridical DEPARTMENT.

G.O. No.	2052	Press
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Dated	13-12-1918	67

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
13th December 1867.*

No. 169. Read the following letter from Lieutenant Colonel W. J. WILSON, Inspector General of Jails, to the Chief Secretary to Government, Fort Saint George; dated Ootacamund, 13th November 1867, No. 135.

Having been informed by Captain Hankin, during a recent inspection of the Jail at the Lawrence Asylum Works, that the men procurable on the Hills as Warders were so inferior as to be of little real service, I requested him to make a report as to the feasibility of supplying their places by Convict Warders, and I have now the honor to forward, for the favorable consideration of Government, a copy thereof, together with one of a draft of proposed Rules, and an original letter in reply to a further reference made by me.

2. Captain Hankin is of opinion that the present Warders are a needless expense, and that he believes the duty can be efficiently performed by convicts, whom he would select from amongst the best behaved long-sentenced men who have served two-thirds of their time. As he works with large gangs, one Convict Warder for every 50 prisoners will suffice, but no reduction would be made on the occasion of any temporary diminution in the number of prisoners in Jail.

3. If the measure is approved of, it is intended to discharge all the paid Warders simultaneously with the nomination of the Convict Warders, and I agree that such is the method to be adopted; for, if the paid Warders are retained, pending a trial of the scheme, they will do what they can to thwart it. None of them are entitled to pension or gratuity by reason of length of service, nor are there grounds for recommending any of them for special gratuity on discharge.

5. Captain Hankin proposes to retain one Head Warder as Assistant Jailer, and to raise his pay to 20 Rupees. The present establishment, which is paid by the Department of Public Works, consists of two Head Warders, on 14 Rupees each, and of eight Warders, on ten Rupees each.

From Captain F. G. HANKIN, Superintendent of the Jail at the Lawrence Asylum Works, to the Inspector General of Jails; dated Ootacamund, 23rd October 1867, No. 82.

On the occasion of your inspection of the Jail under my charge, you directed me to report whether I considered it practicable to introduce a system of employing convicts as Jail Warders, and to submit to you any scheme I thought feasible for the better carrying out of such an arrangement. I have, therefore, the honor to forward, for your consideration, the following; and, as the most concise way to show what I would propose, I beg to submit a set of Rules for the better carrying out of such a system.

2. I consider the present class of men we obtain as Warders as quite useless, and their salaries a waste of Government money. They are quite unable to direct the work of a gang, nor do I believe that they are of the least use in assisting to maintain Jail discipline; in fact, I consider them utterly untrustworthy.

3. In the low country, it may be that fit men can be obtained for this post; here, it is simply impossible. We get applications for the post from many boys out of place, men who have wandered up to the Hills with no settled object, &c. Any really respectable man can obtain a situation on the Hills with more pay, with, to them, for less disagreeable duty. An ordinary coolie can earn 10 to 12 Annas for carrying a load from Ooty to Coonoor.

5. By doing away with these men, we should not only save their pay, but the expense of keeping up huts for them to live in.

6. I believe the possibility of attaining to the post of Convict Warder would be an immense inducement to a great many convicts, especially to men of the higher castes, to behave well, with a hope of eventually obtaining it. From the training they would have had in Jail, they would be

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quite able to superintend the execution of work, and the discipline they would be under, and the fear of loss of appointment, would, I quite believe, make them really useful as Jail servants. I think allowing service as Jail Warder to count in some way towards reduction of sentence—thus one year as Jail Warder to count as two years of sentence—would have an immense effect, but I believe Government are opposed to any scheme involving any shortening of the term of imprisonment a man is sentenced to undergo. I have, therefore, no real reward on occasional days leave of absence from the Jail. I do not think this confidence would be misplaced. I suggest that the Jail Superintendent should have power to reduce any man, merely reporting the circumstance; because, if the sanction of higher authority had to be waited for, the man would be the interval, knowing what was to happen to him, highly probably abscond.

7. I would suggest that one Head Warder be retained as an Assistant to the Jailer.

RULES.

1. Convict Warders shall be selected from well conducted prisoners. As a rule, preference should be given to men with long sentences, two-thirds of whose term have expired.
2. A roll of men selected, showing crime, date of sentence, cause of selection, &c., shall be submitted to the Inspector General of Jails, and approved of by him before appointment.
3. These men shall be dressed (on the Hills) with a cloth jacket, something similar to a Jasear's jacket) with distinctive facings, one pair of cloth trousers, a turban, and linen under-clothing; this clothing shall last one year from date of issue. They shall wear on the right arm a brass badge, with the words "Convict Warder" on it.
4. They shall not leave the Jail limits without the Jailer's orders, but the Jailer may send them from the Jail on any duty to any gang that may be at work at any distance from the Jail.
5. The Officer in charge of the Jail may grant to any Warder leave of absence from the Jail between the hours of 8 A. M. and 4 P. M. This indulgence shall not be granted more than once in three months to a man during his first year as Warder, once in two months during his second year, and once a month after he has served two years. Any man absent beyond his time shall be at once removed from his post, and sent to work out his sentence as an ordinary convict.
6. They shall be allowed, under proper restrictions, to cook their own food, and shall be allowed to order from the Jail Contractor what they like in the way of diet, the expense of which shall not exceed by more than one Anna daily the cost of the ordinary daily diet of a convict in Jail.
7. Half shall be told off for gang duty. And their duty shall be to collect, under the Jailer's orders, the convicts for the several gangs; to accompany the gangs to work; to see the work properly executed, that the task is really completed; to report all illnesses or irregularity of any sort; to take any man taken sick to the Jail.
8. The other half shall be told off for Jail duty, and shall supervise, during the day, when gangs are out at work, all men working in Jail, or as cooks, sweepers, &c., to see that the cells are properly kept clean; to be answerable for the conduct of the prisoners in the cells at night; and to report any irregularity, whether by day or night, that occurs within the Jail to the Jailer.
9. A book containing a Roll of these Warders shall be kept, in which book everything connected with their conduct shall be entered wholly, and signed by the Superintendent. For any grave offence, or for repeated instances of petty misconduct, say three unfavorable entries in six months, they shall be subject to loss of their appointments. The Superintendent of the Jail shall have authority to remove any Convict Warder, reporting the whole circumstances for the approval of the Inspector General of Jails. They shall be liable to be put for minor offences, for a period of one month, on ordinary convict diet, but, while Convict Warders, shall not be liable to any other punishment.
10. A copy of these Rules, in his native language, shall be given to each Convict Warder on appointment.

(Signed) F. G. HANKIN,
In charge of Jail, L. A. Works.

*Proceedings of the Madras Government, Judicial Department,
13th December 1867.*

From Captain F. G. HANKIN, Superintendent of the Jail at the Lawrence Asylum Works, to the Inspector General of Jails; dated Ootacamund, 12th November 1867, No. 92.

In acknowledging the receipt of your letter, No. 1493, dated 11th November 1867, I have the honor to reply to your questions as follows:—

I.—Ten Convict Warders would be sufficient, that is, 1 to 50, if the number of convicts was 500, but I would not reduce for temporary reduction by release, &c., of convicts.

II.—I would discharge the Warders simultaneously with the appointment of convicts.

III.—The Warders only have long coats given them, and I do not think any of these would be available.

IV.—One Warder, Surdar Sing, has served since February 1866. There is nothing against him, and he would doubtless get employment at once on my recommendation in any of the other Hill Jails. Mohamed Hoosman was entertained on the 10th of last December; the same generally applies to him. Bisram, the Head Warder, who has served here since November 1863, I propose to retain as Assistant to the Jailer, and I would propose to give him Rupees 20; I think he is worth it. The other Warders have not any of them served much longer than three months, and are utterly worthless.

No. 170. ORDER THEREON, 13th December 1867, No. 2052.

The Governor in Council is not prepared to sanction the draft of Rules received with the foregoing letter for the selection and employment of convicts, with certain privileges, as Warders at the Lawrence Asylum Works.

2. Colonel Wilson will submit the scale of wages which he considers necessary to secure the services of competent persons as Jail Warders for the prisons on the Hills, and the number of Warders required.

3. It is observed that, by the G. O., dated 21st September 1863, No. 1516, a letter from the Under Secretary to the Government of India was communicated to the Inspector General of Jails, in which instructions were given to that Officer specially to notice in his annual report the success or otherwise attending the employment of Convict Warders in the Jails in this Presidency, the extent to which the system had been introduced, and the exact conditions under which it has been brought into operation. In the Annual Report for 1863-64, Mr. Rohde, then Inspector General of Jails, briefly described the system then in force in respect of the Convict Warders.

4. Colonel Wilson will, now that the system of thus employing Convict Warders has had a fair trial, submit to Government a detailed report, describing the exact conditions under which convicts are thus employed, and the success or otherwise that has resulted from the experiment.

(True Extract).

Chief Secretary.

To the Inspector General of Jails.

Exd. J. H. Burns.

only with the knowledge of the Legislature and the Executive and the Judiciary

I have never seen the proposed system at work & doubt the propriety of adopting it and the several important influences which this Surpr. General would exert. If these be conceded, imprisonment at last will serve as a by word.

As the Govt. for their own convenience have withdrawn a large body of troops from the Plains & fixed them on the R.R., it can matter very little whether a few rangers more be appointed as patrol or as raiders. But if appointed I apprehend better men might be got than the "out-of-place Malay boys" who have applied to Captain R. for service.

W.D.H.

I agree entirely with Mr. Phelps. I would not refer the question but consider the system a tonic and then proper orders at the necessary wages. I would sanction (much) orders with great precaution and

Letter from Inspector General of Jail
13 Nov 1867 - 11.135.

Memo for order

The Inspector General of Jails
forwards for favorable con-
sideration but without any
decided expression of opinion
a proposal.

1st That convict wanderers only
should be entertained at the
the Lawrence Asylum groups
of convicts.

2nd That twice as many
wanderers should count as double

- penal of ordinary imprisonment
i.e. 1 year of unwholesome
is equal two years of sentence
3. occasional leave of absence
from few hours from jail
should be granted as rewards
4. Indulgence in diet
5. Superior clothing.

The main point is that
men cannot be got on the
present pay, on the hills
as warders. -

Important questions of prison
to discipline & punishment for crime,
deafness are involved in
this proposal and I think
a man detailed report should
have come from Mr Wilson.
1. If the pay is insufficient could
not the right kind of man
be got from the low country
on some what higher pay.
2. Is the Inspector satisfied
that the measure will not
be attended with risk.
The purpose only than the

non convict knicker - instead
of two as at present.

It might be perhaps well
to sanction the experiment -
have a report in 6 months as
to the success of the measure -
before sanctioning - shortening
of sentence, & occasional
show of absence -

1/10

I don't know whether any convict should
be made a wanderer until he has
worked out 1/3 of original sentence. If
educated criminals would escape real punishment
they

John is a very
[A. Wilson] who is a very
man and does
not show that he has
given that careful consid-
eration which the highest
demands of the proposed
measure by Captain Rankin.
I would call upon him
for a more detailed
exposition of his views
in regard to the employment
of convict-borders and
for a report as to the
extent to which the system
is already carried out

in the facts in this and
in the other proceedings.
In volume 8 page 22
of the Administration Report
for 1863/64 I find that
it was then stated by the
Anti-Slavery Journal that
a system of employing convict
laborers was in operation
and was working well; that
the selection of such quarters
was done by a well instructed
prisoners two thirds of whose
prisoners had improved and
that the indulgence was
imposed to a double allowance
of clothing and the appointment

of them of lighter work than
that assigned to the other
convicts. It seems to me & to
further the whither greater
indulgences are needed at
London - ~~made~~

by R.

I must have overlooked the paper to
Mr. Ashurst. I have seen reference,
if they were circulated when these papers first
went round. As it now seems that the ^{council} warder
employment system was introduced in Mr. Robson's
house, it may be desirable to ask how it has
worked, especially as no answer appears to have
been given to the question as to its "success" ~~control~~
of the Gov. of India put in their letter of 18th
1863. - Mr. Robson apparently introduced the
system on his own responsibility and I doubt
if it has ever earned the sanction
or approval of the Gov. I think the system
altogether unsuited to the more quasi-imprisonment
but our Councils are subjected in their country
Adm

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the

Inspector General of Prisons.

Here enter 13th Nov 1864 N:135.

Order thereon 13th Dec: 1864 N:2052.

W.D.L.

His Excellency the Governor
is in favor of rejecting
definitively the particular
proposals now before
us & to this I agree, General on the general
but I must call for question as to employing
a full report on the convicts in this manner
working of the Prisons
System in other parts.

1. The Governor in
Council is not prepared
to sanction the draft of
Rules received with the
foregoing letter for the
selection and employment
of convicts, with certain
privileges, as warders at
the Lawrence Asylum,
Works, without a more
definite expression of the
opinion of the Inspector
General on the general
question as to employing
convicts in this manner
than

than is contained in his letter above recorded.

2. It is observed that in 1863 G.O. No 1516, a report was required from the Inspector General of Jails for the Government of India, on the success which may have attended the employment of prisoners as intra-mural warders in this

Presidency, but it does not appear ^{that this has been done in the} whether any such ^{in the following manner detailed} report has been submitted.

Colonel Wilson will, now that the system has been for some time in force, submit a ^{detailed} report describing ^{the arrangements} its success or otherwise, so that the Government may be in a position to judge of the expediency of continuing and extending the employment.

2. Col Wilson will submit the scale of wages which he considers necessary to secure the services of competent persons as Jail warders for the prisons at the Hills and the number of warders required.

The order of the Govt. of India was that the matter should be reported in the Inspector General's annual returns and this was done in the report for 1863/64 on page 22. Though the order was that the report should be made in the draft to Mr. Rhodes report and a more full report should be written for

Employment of convicts as Prison Warders.

Mc

It is observed that by the G.O. d/21st September 1863, No 1516

the instructions a letter from the Under Secy to the Govt of India was communicated to the Inspector General of Jails, in which instructions were given to that officer, specially to notice in his annual report the success or otherwise attending the employment of convict warders, ^{in the Jails, this Presidency} the extent to which the system had been introduced and the exact conditions under which it has been brought into operation. In the annual report for 1863/64 Mr. Rhodes then Inspector General of Jails, briefly ^{briefly} described the system then in force in respect of the convict warders -

Col Wilson will now that the system of employing convict warders, has had a fair trial ^{from} submit to Govt a ^{detailed} report describing the exact conditions under which convicts are thus employed, the ^{advantages} ^{disadvantages} ^{to them} and the success or otherwise that has resulted from the experiment.

Providence

Inst. 1867 Department.

No. 2252.

PROCEEDINGS OF GOVERNMENT.

Feb 1868.

Dated 13th December 1867.

Col. G. A. S. M. L.

169.70