

number of pages - 18

Date of Report: -

Initial of Referee: -

3

Judicial Department.

Q10 no. 390

Q no. 76-77

Dated 29.6.1972

23

29th June 1872.

No. 73. Read the following letter from the Inspector-General of Jails, to the Chief Secretary to Government, Fort St. George, dated Ootacamund, 24th June 1872, No. 135:—

I have the honour to submit, for the favourable consideration of Government, an application from Major E. L. Hankin, Superintendent of the European Prison and of the District Jail at this place, in which, for reasons stated, he solicits that some remuneration may be granted to him for the performance of the duties connected with the two prisons above specified.

From Major E. L. HANKIN, Superintendent of the European Prison, Ootacamund, to the Inspector-General of Jails, dated Ootacamund, 20th June 1872, No. 157.

I have the honour to address you on the subject we were speaking of the other day, and which you kindly said you would again lay before Government. I allude to my unsalaried office of Superintendent of the European Jail at this station.

2. The jail was, as you are aware, formerly under the control of the Civil and Sessions Judge; and, when made over, agreeably to the orders of Government in 1866, to the Joint Magistrate, its duties were of a much lighter description than they now are; the number of prisoners was small (the average was about eight), and there was no manufacturing branch to supervise.

3. In 1868 "manufactures" were introduced, which of course involved the introduction of the whole system of accounts, as kept in Central Jails, and a much closer scrutiny, and more time and labour on the part of the Superintendent became essential; this branch of industry has been steadily increasing during the current year; looms for the manufacture of police clothing have been put up, and this description of work entails constant supervision and much care and thought.

4. The jail is now full, or nearly so, and no diminution in the number of prisoners is to be expected, owing to the practice which now prevails of sending military prisoners direct from their regiments to the European Jail. I mention this to show that instead of eight or ten convicts (the average number undergoing their sentence in former years) I have now the supervision of 34 or 35 European Convicts.

5. Besides the European Jail, I am in charge of the District Native Jail, containing, at the present moment, rather more than 100 Native Convicts; and for all this extra work I get no allowance whatever, although the Chaplain who attends to the spiritual wants of the European prisoners, and whose responsibilities cannot, I imagine, be compared with mine, draws 100 Rupees a month, in addition to his pay as Chaplain of Ootacamund; the Rev. Pigott James (the late Chaplain) has drawn this sum ever since he assumed charge from Dr. Pope, excepting for a few months, when Dr. Strachan was appointed to perform the duties. The Roman Catholic Priest also draws a small allowance.

6. Government, in their Order dated 8th January 1871, No. 152, observe that I am well paid for the light duties I have to perform, but I would respectfully urge that my staff salary as Joint Magistrate, viz., 70 Rupees a month, cannot be considered an excessive remuneration for the duties appertaining to that office; further, I would observe that it was given for the performance of those duties alone, and before the superintendence of the European and Native Jails was added to them, and furthermore that this emolument is after all to be considered more in the shape of a personal allowance than a staff salary, for Government have decided (G. O., No. 485, dated 8th April 1872,) that I have no claim to it when on privilege leave.

7. I would, therefore, very respectfully again urge my claims for some allowance, and will summarize my reasons for advancing them as follows: (1) that, although when the jail was handed over to the Joint Magistrate, and for some time subsequently, an additional allowance may not have been called for; now, and for some time past, on account of the large increase to the number of prisoners, and especially owing to the introduction of the manufacturing branch (1) entailing, as it does, not only much extra work, but large pecuniary responsibilities on the Superintendent,

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29th June 1872.

the state of the case is entirely altered, and some remuneration for extra work and responsibility is fairly due; (2) that Government recognised the principle of giving some increase of pay for extra work when Zillah Surgeons were appointed to the charge of District Jails, in addition to their other duties; (3) that the Chaplain who attends to the spiritual wants of the Protestant prisoners (about half the number only in the jail, for the other half are Roman Catholics) gets 100 Rupees a month in addition to his salary; (4) that the Joint Magistrate's allowance is almost nominal, and was given for that office alone; for these reasons, and for others that may possibly occur to you, I trust that you will support my claim for some remuneration for the charge of the jails at Ootacamund, and that Government will take your recommendation into their favourable consideration.

No. 77. ORDER THEREON, 29th June 1872, No. 830.
The Government see no reason for complying with this application.
(True Extract.)

Acting Under Secy. to Govt.

To the Inspector-General of Jails.

Exl. J. Wright.

N^o 194 F.

From,
H. L. Per. Hynde, Esq.
Under Secretary to the Government of India,
To,
The Honable Mr. Justice,
Acting Secy. to Govt. Fort Saint George.

Dated, Fort William 19 March 1872.

Surgeon Dept.
Finance.

With reference to your letter, 22nd inst., dated the 11th of November 1871, referring to the question whether the charges committed in the arming of European British subjects to the High Court at Madras for trial for offences committed in the territory of a Native State should be borne by the British Government or by the Government of the Native State in which the offence was committed I am instructed to convey the opinion of His Excellency the Governor General in Council that each particular case should be decided on its own merits, out of regard to a variety of circumstances, such as whether the prosecution is at the instance of the Native State, or of the British Government or its local

Local, of the Indians.

I have the honor to be, Sir,
your most obedient servant,

G. R. Stewart

Acty. Secretary to the Comm.

west of India.

Enc.
200.

Read letter from Under Secy
Govt of India - Foreign Dept.
no 1967. d/19-3-72
No 478. B. April 1972 - India
The reply of the Govt. directs that
such cases be settled according to
circumstances, some of which are
suggested, but the present case, it is
observed, does not come within
them. It was a private prosecution
for forgery -
2. To save references on every future
occasion, be & in C. resolves to
direct that the practice heretofore
observed be uniformly followed, viz,
for the Master Govt. to defray the
expenses of prosecutors & witnesses,
& for the Master Govt. to defray the
expenses on acct. of the accused.

26/3.

- 3 Cps to acct. sent
- 2 B. Sept, Mysore & Co. } desd 13/4
- 1 Chief Commr. of Mysore }
Chops. Govt. Secy

Dec 11th 1872
M. 11th 1872
Junct. 1872: D. H. A.

Under Secretary to
Government of India
Foreign Dept.
d/19-3-72

19th March 1872
24

2/10/621

Regarding the
charges committed with the
Secretary of Mysore & Co.
Mysore & Co. & the Mysore & Co.
Mysore, for that, for Mysore
Mysore, in the Mysore of
Mysore & Co.

227/3
23/10/72

The following is a list of
 the names of the persons
 who have been appointed
 to the various committees
 of the Board of Directors.
 The names are given in
 alphabetical order.

June 29
 29 June 2 1900

18. 1900

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